Water Quality Program Responsiveness Summary

Fiscal Year 2004 TMDL Priority List

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Washington State Department of Ecology
Water Quality Program

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Introduction

This responsiveness summary has been prepared to address public comments pertaining to the Water Quality Program's proposed fiscal year (FY) 2004 Total Maximum Daily Load (TMDL) Priority List (Water Cleanup Plans). These TMDLs will be started in FY2004 (July 2003 - June 2004).

TMDLs are plans for cleaning up polluted water bodies so they can meet water quality standards. Water Cleanup Plans (TMDLs) identify the pollution problems, allocate the maximum allowable pollution from various sources, and develop strategies to achieve those limits.

Water Cleanup Plans (TMDLs) include the following components:

- Identification of the type, amount, and sources of water pollution in a particular water body or segment.
- Determination of the capacity of the water body to assimilate pollution and still remain healthy.
- Allocation of how much pollution each source will be allowed to discharge;
- A strategy to attain the allocations.
- A monitoring plan to assess effectiveness.

Community involvement is very important to the process of developing these plans and putting the plans into action. The local community, with Ecology's support and assistance, needs to be involved to help determine how pollution will be reduced to improve water quality.

Why Develop Water Cleanup Plans (TMDLs)

Section 303(d) of the Clean Water Act (CWA) requires that, every two years, states prepare a list of water bodies that fail to meet water quality standards. All water bodies identified on the list must attain water quality standards within a reasonable time frame, either through a TMDL, or through other pollution controls.

Nearly 700 water bodies in Washington State still fail to meet standards. End of pipe discharges from cities and industries (point sources) and diffuse runoff and habitat destruction (nonpoint sources) contributes to declines in good water quality. Typically, nonpoint pollution comes from everyday activities like household and garden chemicals, runoff from urban streets, agriculture, logging, and failing septic systems.

The purpose of a water cleanup plan is to determine the amount of pollution a water body can receive and still remain healthy for its intended uses. Uses include industrial process water, agricultural irrigation and stock watering, drinking water, recreation, and fish habitat.

What is a Typical TMDL Process?

The cleanup process begins with the development of a technical report analyzing the pollution parameters identified for a water body in the Section 303(d) list of impaired water bodies. This study takes approximately one to two years to scientifically identify the pollution sources and the load allocations needed to return the water body to standards. The technical report provides a single source of data and analysis for the community and Ecology to join together to determine pollution control strategies.

During this period, involved members of the community are apprised of the situation as it develops. Pollution control strategies will be reviewed together and converted into solutions and activities. Solutions should be economically feasible and capable of early implementation by the community and Ecology. Implementation activities may continue for some time into the future until follow-up monitoring indicates that water quality standards have been reached.

What is the Schedule for Washington's Cleanup Plans?

According to a legal settlement agreement signed in 1998, Ecology had 15 years to develop plans to clean up 666 water bodies, to help local governments write their own plans, or to work with them in partnership. Reviews every five years will evaluate progress. The water bodies identified on the FY2004 TMDL Priority List continue the fifteen-year schedule and clean up process (see priority list below).

New FY2004 Funded Water Cleanup Projects

Regional Office	WRIA	Primary Location	Water Body(s) Name	Pollution Problems
CRO	37 – 38	Yakima County	Yakima urban area creeks in the Moxee and Wide Hollow Creek watershed	Fecal Coliform (bacteria)
CRO	38	Yakima County	Naches River and Tributaries	Temperature
ERO	34	Whitman County	NF Palouse River	Fecal Coliform
ERO	54	Spokane County	Little Spokane River	Dissolved Oxygen, pH; Fecal Coliform, Temperature

Regional Office	WRIA	Primary Location	Water Body(s) Name	Pollution Problems
ERO	56	Spokane County	Hangman (Latah) Creek	Dissolved Oxygen, pH, Fecal Coliform, Suspended Sediment, Temperature
ERO	58 – 62	Stevens County	Colville National Forest water bodies	Temperature, Fecal Coliform
ERO	62	Pend Oreille	Pend Oreille River	Total Dissolved Gas, Temperature
NWRO	1	Whatcom Co	Whatcom Creek	Temperature
NWRO	5	Snohomish County	Old Stillaguamish Channel in Stillaguamish River watershed	Dissolved Oxygen, pH, Fecal Coliform
NWRO	8	King County	Sammamish Washington Assessment and Modeling Project (SWAMP). Partnership with KCDNR (see*** below)	Multiple
NWRO	8	King County	Issaquah, Tibbets Creeks, south end of Lake Sammamish	Fecal Coliform
NWRO	9	King County	Green & Duwamish Rivers; Big Soos, Newaukam, Springbrook, and Mill Creeks	Fecal Coliform, Temperature, Dissolved Oxygen, pH, and others (see* below)
NWRO	9	King County	Longfellow and Des Moines Creeks	Fecal Coliform
SWRO	14	Mason County	Oakland Bay, Little Skookum/Totten	Fecal Coliform (see ** below)

WRIAs – Water Resource Inventory Areas or watersheds

* Partnership with King County DNR's Water Quality Assessment (WQA) project.

** Scope could be expanded to cover additional parameters such as dissolved oxygen if data assessment warrants.

*** Lake Washington, Lake Sammamish, Lake Union; Bear, Bear-Evans, Little Bear, Eden, North, Swamp, McAleer, Lyons, Thornton, Kelsey, Juanita, Fairweather Bay, Forbes, Coal, May, Yarrow Bay, Issaquah, Tibbetts, Lewis, Pine Lake Creeks; Cedar River, Sammamish River

Definitions of pollution problems

Although not necessarily agents of disease, fecal coliform bacteria indicate the presence of disease-carrying organisms that live in the same environment as the fecal coliform bacteria.

A certain minimum amount of dissolved oxygen must be present in water for aquatic life to survive.

Temperature is important because it governs the kinds of aquatic life that can live in a stream.

pH is a term used to indicate the alkalinity or acidity of a substance as ranked on a scale from 1.0 to 14.0. Neutral pH is 7.0. Acidity increases as the pH gets lower.

High levels of Total Dissolved Gas (TDG), air bubbles entrained in water, can harm fish.

Sediment can smother fish eggs, change the aquatic organisms and habitat, and interfere with fish migration, feeding, and spawning.

Responsiveness Summary Background

The FY2004 TMDL Priority List was developed as a result of a considerable year-long effort that began in September 2002. This included:

- Gathering technical data and information around the state.
- Holding workshops last fall to identify priority water bodies for development as TMDLs.
- Informally discussing these selections with the public.
- Consideration by an Ecology joint management team.
- A formal public comment period held between June 20 and July 25, 2003.

Comments were received and considered from 28 individuals and entities (6 letters, 16 emails, 6 phone-calls). Respondents asked a number of questions concerning the water bodies selected and others. Some questioned and challenged the need for cleaning up specific water bodies. Many expressed

interest in why Ecology could not expand their TMDL efforts into more water bodies and asked for assistance with local pollution problems near the residences of the respondents. The general answer to those questions is that there are insufficient resources to do the amount of work that is needed and that Ecology cannot interfere with problems and solutions that are within the domain of local jurisdictions.

Each water body listed was also reviewed for its potential for meeting water quality standards through pollution controls other than TMDLs. No water bodies were deferred due to other pollution controls.

After considering all the public comments contained here in, the final FY2004 TMDL Priority List is as shown in the above table.

TMDL Responsiveness Summary

Public comments included in this responsiveness summary came from individuals and entities located in Washington State. The comments and responses have been organized geographically by Ecology Regional Office (Central; Eastern; Northwest, Southwest). The names of respondents are shown in parentheses at the end of each comment. Some editorial adjustments were made to consolidate questions and comments and to promote overall brevity.

General Comments Applicable Statewide

Comment: Cars and trucks leak oil. (fact) What is the matter with Dept of Ecology or truck scale people checking for oil leaks (maybe no more than 3 per 2 min) at truck scale or at smog test time. Talk about toxic run off into water sources. Maybe even a law about it. Maybe start with an "environmentally unfriendly vehicle" law. This would also keep leakers out of our state (instead of big companies "dumping" their problems in our state). (Pat Horner)

Response: *Ecology does address stormwater runoff in our TMDLs. Water cleanup plans or TMDLs do consider runoff water from streets, highways, driveways, etc., as a water pollution source and try to address this with cleanup actions. When load allocations are established they create a thought process within responsible entities as to how and what best management practices (BMPs) are appropriate. Of course, the TMDL is specific to a water body and the pollutants in the 303(d) listings. So the oils and such may not be detected if they are not pushing water bodies above standards in those pollutant types.*

The new stormwater permits also require municipalities to consider their stormwater runoff and install BMPs to reduce the loading of near-by streams. Also, WA Department Of Transportation is considering runoff issues in its new construction. Note the construction of settling basins around the new bridges and cloverleaves.

The idea of looking for oil leaks at the emission or smog check has come up and been explored here at the department of Ecology. However, because the emission testing is mostly automated, and because Ecology has had to reduce the numbers of test stations statewide which means they are more crowded and pressured for time, it would be difficult and expensive to modify contracts to fit oil checks into the test. There is more to do, but progress is being made.

Comment: Government intervention is like a snowball rolling downhill, the more regulations you impose the more people you need to enforce the regulations. Those people justify their jobs by writing more regulations and down the hill the ball rolls. The only way you will ever have a impact on water

quality is to slow population growth, spend your money on educating people to the effects of overpopulation (water quality degradation for one). (Richard Bangsund)

Response: *Ecology understands your comments and concerns about the "snowball" effect. However, slowing population growth could be more expensive to enforce than fixing our pollution problems caused by growth. Education is a good thought and we have several environmental education programs ongoing.*

We have examples of being successful in reversing the impacts of human caused pollution in several of our large water bodies. Yes it does cost money, but I don't believe that we have a choice as to cleanup or let pollution run un-checked. We are doing a report on our water cleanup efforts over the past five years that explains our direction on cleanup and shows several successes.

Comment: Ecology is one of our nation's leaders in water and sediment quality management and has likely already dealt with issues that other states are only now coming to grips with. One such issue is TMDLs in watersheds with multiple listed segments. Several agencies are wrestling with the issue of how to conduct TMDLs on these segments effectively but economically. If a separate TMDL was conducted on each listed water body, the costs would be enormous. It appears that Ecology's watershed approach seems to have solved the problem. Also developing a complex numerical model to assess WLAs can also be expensive. It appears that Ecology has adopted a statistical approach that likely leads to considerable savings.

Battelle is supporting USEPA and other agencies on the east coast. I think they would benefit from following Ecology's lead on Bacteria TMDLs. (Tarang Khangaonkar, Battelle Memorial Institute)

Response: *Thank you for your comment in support of Ecology's work.*

Central Regional Office (CRO)

Comment: Naches River & Tributaries

*Will the Naches River and Tributaries Temperature TMDL focus on all of the Naches river and all its tributaries, that had Temperature listings, or only on those river segments that were originally listed on the 98 list or earlier versions?

*Some of these segments were in wilderness areas and I am wondering how Temperature can be improved in areas that are supposedly hands off?

*What temperature criteria will be used for this TMDL? Will you use the Criteria that was in place when the listing occurred or your new criteria that will be

adopted in August? If your answer is the criteria that existed during the listing, it would appear that you will need to turn around and do more TMDLs down the road when the segments are re-listed because they do not meet the new Bull Trout criteria.

Moxee and Wide Hollow Creeks
*Same question as above about how the agency plans to transition from one criterion to another (fecal coliform to E.coli) as the new criteria is listed?

*How will duplication be avoided so as not to repeat TMDLs in areas where the criteria are changing? (Max Linden, City of Yakima)

Response: *The Naches River and Tributaries TMDL project is projected to begin within the state FY04. As it appears now, planning for this project may be delayed awaiting the availability of the technical lead until possibly next May/June. Consequently, it is difficult at this stage to give you highly specific details. However, here is the plan: (Water Quality Program/Environmental Assessment Program)*

Ecology intends this project to address all the streams and tributaries in the Naches that are external to the US Forest Service lands. In accordance with our "single-entry" policy, we intend to have load allocations that apply throughout the watershed. This means that all listings and unlisted but impaired streams with data will be addressed. Of course the Forest and Fish (F&F) lands will not receive load allocations per our agreement. Since the project will not begin until calendar year 2004, we intend to reference the 2002/2004 303(d) list and the new temperature standards.

The Wenatchee U.S. Forest Service (USFS) temperature TMDL has already been developed and is in draft form as of June 2003. This TMDL addresses the intra-USFS listings and the wilderness area you mentioned. We will review this TMDL technical report with CRO and the Wenatchee USFS in July and August respectively. You can view it at:

http://www.ecy.wa.gov/programs/wq/tmdl/watershed/index.html#cro under

Wenatchee, after 7/16/03. The combination of these two TMDL projects when complete should address all the impaired water bodies in the Naches River watershed.

The Moxee and Wide Hollow Creeks will be developed using fecal coliform. The E. coli parameter was not adopted as a new standard bacteria indicator.

Comment: I am trying to compile some water quality history for the Entiat WRIA 46 and was wondering what was the official Ecology rationale for assigning the Entiat a low priority for a TMDL. I understand that water quality for the Entiat has been traditionally very good although it has been listed in the past for instream flow and temperature. We are working on a final draft

watershed plan in conjunction with the Entiat Watershed Planning Unit and other agencies including Ecology, and I just wanted a clear statement about why no TMDL was felt necessary in the Entiat. (Kurt Hosman, Chelan County Conservation District)

***Response**: The Entiat River was 303(d) listed for instream flow and temperature in 1996. However, when the list was revised in 1998, the Entiat River was only listed for instream flow. Instream flow listings are being addressed through the 2514 watershed planning process and the Entiat Watershed Planning Unit.*

The Entiat is again listed for temperature on the 2002 Draft 303(d) list. Should it be on the Final 2002 list, a TMDL may be assigned if the listing is not already being addressed by the Watershed Planning Unit.

Eastern Regional Office (ERO)

Comment: My family has lived and owned land on the Rock Creek portion of the Hangman Creek drainage system for 100 years. My grandparents purchased the land in June of 1903.

The crop that did the most to protect the Hangman Creek watershed is Kentucky bluegrass that is raised for seed production. Seed is used for lawns across the northern part of the United States. We left these fields in for eight - ten years without having to take the fields out of seed production and planting the ground to other crops. This seed crop protected the soil from wind and water pollution. Grass seed production first came to this area in the late 1940's and really increased in acreage in the 1960's, getting up to about 40,000 acres in Spokane County with most of the acreage in the Hangman Creek watershed. Since the burning ban, the acreage has been greatly reduced due to the fact that our seed yields are less than one half of what they used to be. This reduction in yield is REAL in the DRY LAND acreage even though the state Department of Ecology says there is no reduction in the yield. The blue grass fields protect the environment all year long, which is a big help in keeping the Hangman Creek watershed cleaner. In my 67 years of life, I have seen a big improvement in the watershed and because of less grass seed acres, will see a decline in this improvement. (Bruce Carmack)

***Response**: Ecology appreciates your interest in clean water and acknowledges that bluegrass production can have several benefits for water quality. However, the public health issues resulting from grass burning needed to be addressed.*

Despite bluegrass's benefits toward water quality, Hangman Creek was impaired prior to the 1998 decision to disallow bluegrass burning. It is listed on both the 1996 and 1998 303(d) lists (list of impaired water bodies) for high temperatures and fecal coliform levels, pH violations and low dissolved oxygen concentrations. Please see the 1996 303(d) list at

http://www.ecy.wa.gov/programs/wq/303d/1996/1996_303d.pdf and the 1998 list at http://www.ecy.wa.gov/programs/wq/303d/1998/wrias/1998_water_segs.pdf.

Fortunately, the Agricultural Burning and Research Task Force, established by section (RCW) 70.94.650 of the Washington State Clean Air Act, has awarded grant money to further research into viable alternatives to field burning. These alternatives, such as minimum tillage, direct seed and crop rotations, also have significant benefits for water quality. The research is funded by fees collected through the purchases of agricultural burn permits. For more information on this research please see http://www.ecy.wa.gov/programs/air/aginfo/Task_force.htm.

For your information, the Agricultural Burn Rule will be reopened in 2004 and we encourage you to participate then and submit comments during that rule making process. For more information on this process please contact our regional Air Quality Program at 509-329-3400.

Comment: If the WA Department of Ecology proceeds with water temperature and Total Dissolved Gas TMDLs for the Pend Oreille River in fiscal year 2004 Seattle City Light (SCL) would like to participate in all phases of each process. SCL has questions, however, regarding the current timing of the proposed TDG TMDL. Boundary re-licensing studies will begin in 2006 and the results of these studies will be incorporated into a Federal Energy Regulatory Commission (FERC) license application in 2009. TDG studies and development of abatement alternatives, if necessary, should be well developed for a TMDL in 2009. We expect TDG will be on the 303d list at this time. Alignment of the TDG TMDL schedule with our re-licensing timeline should improve the TMDL. There may also be benefits from waiting to learn from ongoing TMDL processes, e.g. mid-Columbia, and incorporating those solutions into the Pend Oreille TMDL.

SCL hopes that all cleanup planning for WRIA 62 will be done collaboratively with stakeholders. (Nancy Glaser, Seattle City Light)

Response: *Ecology will include Seattle City Light as a key player within the stakeholder group for both the total dissolved gas (TDG) and temperature projects. We believe that your cooperation is essential for the success of both projects. We will ask for your direct assistance with monitoring for both pollution parameters at Boundary Dam and sharing that data for use in a technical study. Your participation will also be essential after the study phase when we begin to develop solutions as part of the TMDL implementation strategy for the dam.*

We understand that it would be best if the two TMDLs and the Boundary Dam re-licensing work were coordinated. We also believe that the current timing is right. TMDLs take about five years to complete, from the start of the studies for the technical report to the development of a Detailed Implementation Plan (DIP). The DIP would include the detail of practices that would ensure water quality standards are met. If

Ecology initiates the technical study in spring/summer 2004, the DIP should be finished in 2009. This is the same year that Seattle City Light needs to file its license application with FERC. The DIP for the TMDL and any abatement plans for TDG and temperature for Boundary Dam for the 401 certification and FERC license could therefore be prepared at the same time.

Ecology believes that a TMDL study should be initiated and completed in advance of the re-licensing process so that the study can take place without the pressure of immediate re-licensing. With the study complete, the resulting information will be available to the FERC license application and decision making process. In addition, delaying these TMDLs would mean losing the benefit of current technical studies addressing both issues basin-wide.

Comment: Colville National Forest Water Bodies Meeting
Ecology's request for comment implies that they "met with local groups in communities within the Water Quality Management Areas (WQMAs) last fall." Could you supply the Stevens County Conservation District with information regarding this/these meeting(s) (e.g. when, where, who attended, etc.). The last Colville TMDL Advisory Group meeting on September 17, 2003, was not attended by the representatives of the Colville National Forest, so perhaps some other meetings are being referenced here.

Colville National Forest Water Bodies The other proposed water cleanup plans are a bit more specific. Can Ecology supply information that identifies which Colville National Forest water bodies are being proposed?

Section 303(d) Listed Waters The Forest Service has a specific protocol for addressing Clean Water Act Section 303(d) listed waters that includes a strategy, decision framework and development and implementation of Water Quality Restoration Plans (WQRPs). Does the proposed water cleanup plan utilize this protocol? Has the Colville National Forest drafted a WQRP for these water bodies?

Colville River Watershed Bacteria TMDL Submittal Report The Monitoring Strategy presented on page 31 of the Colville River Watershed Bacteria TMDL Submittal Report filed with EPA Region 10 states that "the Forest Service will be doing similar monitoring on the listed streams in the Colville National Forest" This same section, however, was revised as a result of Ecology identifying errors and omissions within the submittal report. These errors and omissions are detailed in Nancy Weller's May 23, 2003, letter to Randy Smith, EPA Region 10 Water Division Director. (Tom McKern, Stevens County Conservation District)

***Response**: The Colville National Forest Water Bodies Meeting. All the TMDL projects noted on the new FY04 Project List, except the Colville National Forest, were developed through a routine annual process called scoping. Our policies require that during a*

scoping year, periods are designated by TMDL "leads" to meet with area stakeholders and discuss the possible projects to be suggested for development by Ecology during the next fiscal year. The purpose of these meetings is to involve communities in the decision making process for new projects.

The Colville National Forest project was not part of the routine scoping process last year. It was developed earlier as part of the national forest sequence previously agreed to by Ecology and US Forest Service. The agreement is captured in the Memorandum of Agreement (MOA) between the USDA Forest Service Region 6 and the Washington Department of Ecology for Meeting Responsibilities under federal and state water quality laws, dated November 21, 2000. Part of the agreement authorizes Ecology to develop TMDLs on 303(d) listings within the forests. A TMDL sequence for the six forests within Washington was coordinated with the US Forest Service (USFS) as an aide to planning. This sequence included developing a TMDL project within the Colville National Forest beginning in state FY2004.

This project has been in the planning stage for over a year to include considerable coordination with Bert Wasson of the USFS, Dennis Murray of Ecology's Eastern Regional Office, and other USFS representatives. I also visited your Colville River TMDL Advisory Group last summer and mentioned this project as part of the overall discussion that evening. Community presentations and involvement opportunities are planned as part of the TMDL development beginning in October 2003.

Colville National Forest Water Bodies. Due to the geographic size of the forests, the temperature model used for accomplishing TMDLs within the USFS lands is more of a landscape model covering numerous water bodies. This project is just beginning and it is not possible to name all the water bodies to be eventually considered as part of the project. (However, an initial list of 303(d) water body listings is enclosed for reference). This list may be modified by the new 2003/2004 303(d) list and with the identification of other impaired water bodies.

Section 303(d) Listed Waters. Ecology is aware of the protocol used by the USFS for developing Water Quality Restoration Plans (WQRPs). Discussions with the USFS have resulted in the TMDL and WQRP being separately produced but complementary in their contents and application to controlling pollution. The TMDL studies set load allocations or targets to bring waters back into compliance with standards. Most WQRPs look at these parameters in addition to other water quality issues. The WQRP is considered a major ingredient to the detailed implementation plan that follows the approval of each TMDL.

Comment: The Kalispel Indian Reservation lies on, and includes, waters of the Pend Oreille River. The Kalispel Tribe is interested in cooperatively addressing water quality in the lower Pend Oreille. As such, we welcome Ecology's upcoming efforts.

As noted on the Focus Sheet, the Pend Oreille River has temperature and total dissolved gas exceedances due at least in part to hydroelectric impoundments. This is a region-wide issue being addressed in the Columbia/Snake River TMDLs. We encourage the Department of Ecology to address these issues in a similar cooperative manner with other agencies. We understand Idaho Department of Environmental Quality is scoping Pend Oreille River TMDLs as well.

The Pend Oreille River is also listed for pH and exotic aquatic plants. What is the status of TMDL work on these parameters?

Last December we submitted data in response to the Department of Ecology's request for information regarding the 2002 303(d) list. This documented water quality standards exceedances in seven tributary watersheds of the lower Pend Oreille in Washington. Parameters exceeding state water quality standards include temperature, pH, and dissolved oxygen. Certainly Ecology is tasked with considerable work to accomplish the requisite TMDLs in the mandated time frame; however, we feel it would be an efficient use of resources to address all exceedances in the Water Quality Management Area or Water Resources Inventory Area at the same time. (John Gross, Kalispel Tribe of Indians)

Response: *The work scheduled to begin this fall on the Pend Oreille will be for temperature and total dissolved gas on the mainstem only. These were chosen because of their close relationship the hydroelectric projects. However, the relatively narrow focus on these parameters does seem to run contrary to the popular "single entry" approach. In particular, disconnecting mainstem temperature from DO and pH, and disconnecting mainstem temperature from tributary temperatures may introduce some inefficiencies and give the appearance of only doing part of the job. It's generally better to have tributary temperature TMDLs established before determining the mainstem TMDL. On the other hand, it is reasonable to address temperature on the mainstem, and then follow that work up with pH and DO on the mainstem, since temperature is a driver of DO and not vice versa. Given the realities of available resources and scheduling, the latter approach is the direction we are headed.*

However, we will be scoping the Upper Columbia and Pend Oreille watersheds this coming fall so it is very possible we will be addressing these other parameters next year. Hopefully that will be close enough together to take advantage of some of the single entry benefits.

Comment: Saw your advertisement in local paper and also e-mail describing clean up efforts on the Pend Oreille River. I'm the WRIA 62, Watershed Planning Unit Coordinator and also the Watershed Coordinator for the Conservation District. I'm interested in your efforts on the Pend Oreille River; however, I'd like

to know more about your plans regarding the river. Can I be of any help? (Donald Comins, Pend Oreille Conservation District)

***Response**: The Pend Oreille River TMDL project for total dissolved gas (TDG) and temperature addresses the temperature listings for that water body on the 1998 303(d) list. The TDG parameter was added to the project to address a growing issue with dams and their affect on fish and in anticipation of a potential future listing. It is also expected to coordinate with the FERC re-licensing of the Boundary and Box Canyon dams. The project is scheduled to begin in January/February 2004.*

I am sure that your assistance will be welcomed as the project develops. Please ensure that your interest is recorded by contacting our leads in the Eastern Regional Office in Spokane.

North West Regional Office (NWRO)

Comment: I am disappointed that Ecology is moving so slowly to address water quality in the lakes and rivers of WRIAs 8 and 9. I am particularly disappointed to see sediment is not being addressed for another five years. By the time this issue is addressed, extensive additional damage will have resulted and the cost to correct the situation will have escalated in part due to Ecology's inaction.

In addition, I was very surprised to receive an email requesting comments by the end of the day. (Glenn Hayman)

***Response**: We understand that it's disappointing when water cleanup plans or total maximum daily load (TMDL) work takes so long to complete. In this case, because of a lack of Ecology resources, we are depending on another agency to collect data and accomplish modeling. Our hope is that by using King County's work, by the end of five years we will actually have more water cleanup accomplished than we would have by trying to do all the work ourselves. King County is monitoring and modeling almost all of the water bodies in WRIAs 8 and 9. Once they complete their modeling of that data, Ecology's Environmental Assessment Program (EAP) can use the results to develop load/wasteload allocations that will guide the actual cleanup for many streams.*

We want to alleviate your concerns about the sediments. Ecology is doing cleanup right now on the sediments. This work is being handled by Ecology's Toxics Cleanup Program rather than the Water Quality Program. Our decision to put those TMDLs off until the next five-year cycle does not affect the current cleanup in any way. The work that is on-going now is exactly the type of work that would be needed to implement a TMDL. For more information on sediment cleanup, please call Ecology's Northwest Regional Office at (425) 649-7000, and ask for the Toxics Cleanup Program.

Lisa Olson apologizes for the reminder notice coming out on the day that the comments were due. However, she sent you an e-mail on July 11 with the Proposed Cleanup List, as

well as an apology for not having you on the correct mailing list. Hopefully, this situation is now corrected.

Comment:
Bellevue's comments pertain specifically to those water bodies (from the above list of water bodies) that are entirely within Bellevue and/or to which Bellevue discharges. These include:

- Kelsey Creek, which is entirely within Bellevue's jurisdiction.
- Coal, Lewis, and Yarrow Bay Creeks, which are shared water bodies.
- Lake Washington and Lake Sammamish, which are shared water bodies.

Based on the latest approved 303(d) list (i.e., 1998 list), these water bodies are listed for fecal coliform. Lake Washington is also listed for sediment bioassay. These water bodies are not listed for any other pollution problems.[1] The proposed list states that these water bodies will be part of a Water Cleanup Plan for "multiple parameters." Why are these water bodies listed for a water cleanup project for multiple parameters in FY 2004 when fecal coliform is the only parameter for which a TMDL is required?

What is the relevance of developing TMDL water clean up plans for "multiple parameters" for the 25 water bodies specified? Of these 25 water bodies, 16 are on the 303(d) list solely for fecal coliform and of the remaining 9 water bodies: 6 are listed for fecal coliform and one other parameter and 3 are listed for fecal coliform and 2-4 other parameters?

Bellevue is the only watershed or a significant portion (or jurisdiction) of the watersheds for Kelsey, Coal, Lewis, and Yarrow Bay Creeks, and Lake Washington and Lake Sammamish. Bellevue has not been informed and/or consulted on the Sammamish-Washington Analysis and Modeling Program (SWAMP) and/or "SWAMP partnership" between King County Department of Natural Resources (KCDNR) and Ecology.

It was through Ecology's request for comments on the Proposed Water Cleanup Plans that Bellevue staff heard of the term "SWAMP." After a search of KCDNR website did not result in any information on what "SWAMP" was, Bellevue staff contacted Ecology staff and were faxed and emailed a July 2002 draft KCDNR SWAMP Work Plan and a December 2002 KCDNRP final draft Sampling and

[1] Based on delisting information Bellevue submitted to Ecology, Ecology subsequently delisted Kelsey Creek for the other pollution parameters on the 1998 list, i.e., Heptachlor Epoxide, DDT, and Dieldrin.

Analysis Plan. This was the first that Bellevue understood that it should be a part of the process.

In addition to Bellevue, KCDNR lists 19 other cities within the "SWAMP" area in which KCDNR proposes to sample and analyze water bodies for many parameters. Bellevue is the second largest city, in terms of population, in the SWAMP area and KCDNR has not informed, solicited comments, and/or coordinated with Bellevue on the program.

While Bellevue supports optimizing monitoring and working collaboratively, Bellevue has too many questions about "SWAMP" to support its use and/or the Ecology-KCDNR partnership in developing a fecal coliform TMDL Water Cleanup Plan for Kelsey Creek or the shared water bodies within its jurisdiction (Lewis, Coal, Yarrow Bay Creek, Lake Washington, and Lake Sammamish) and/or any other TMDL Water Cleanup Project proposals at this time. (Phyllis Varner, City of Bellevue Utilities)

Response: Response to Comments 1. and 2.
Please accept our apologies for the confusion surrounding the parameters noted in the water bodies associated with King County's SWAMP project. We intend to develop TMDLs for actual parameters listed in the water bodies. The term multiple parameters was inserted into the draft list simply as a shortened way to say that there was more than one parameter involved in the collective water bodies of the project. This was a space saving method. Your point about them being mostly fecal coliform listings is accepted and it would have been clearer to specify each parameter.

Response to Comment 3.
We regret that you were not notified of King County's SWAMP project. The SWAMP project is a King County effort of considerable size. Basically, it is to monitor and model data in WRIA 8. Efficiency dictates that Ecology use the results, where appropriate, to develop TMDLs. The project was already underway when Ecology started our scoping process, and we assumed that King County would have notified other affected jurisdictions. Jonathan Frodge spoke about the SWAMP project at Ecology's November 20, 2002, Cedar-Green Scoping Workshop and handed out the documents that Lisa Olson faxed to you last month. At that time, Lisa mistakenly thought that you were Kit Paulsen's supervisor, and that you would be receiving the materials from Kit after the Scoping Workshop. We apologize for the miscommunication and misunderstanding.

Ecology intends to partner with the city of Bellevue for the purpose of collaboratively working on TMDLs for the creeks and lakes within your jurisdiction. We would be happy to meet with you to discuss your concerns and questions and to formally establish the proper partnering relationship with the city of Bellevue. Please feel free to call Lisa Olson at (425) 649-7037 or me at (360) 407-6469 to establish a convenient meeting date.

Comment: Ecology has proposed work on two urban creeks that flow through Seattle – Longfellow and Thornton. Both of these are currently listed for fecal coliform. SPU has limited data on this parameter that meets QA/QC considerations but would be glad to share that data with Ecology. Because that data is limited, SPU urges Ecology to add to it through the placement of an additional sampling station on each creek during this next year. Seattle Public Utilities (SPU) would like to assist Ecology in identifying the appropriate timing and placement of the stations.

Like Ecology, SPU also faces budget limitations at this time. It will likely be necessary to obtain more data than can be acquired over one year to adequately identify the extent and sources of bacterial contamination, especially for an extensive urban creek watershed like Thornton. For that reason, SPU suggests that Ecology consider a phased approach to developing a TMDL for Thornton by partnering with us and potentially King County to first focus on key sub-basins and gradually expand to the entire watershed over subsequent years. This approach will probably take longer than the time period now envisioned for completing a Thornton Creek TMDL, but will produce data more likely to support a superior result.

For Longfellow Creek, SPU believes Ecology's work on a fecal TMDL will complement planned work by Seattle and others in the basin. Specifically, SPU is planning to partner with NOAA Fisheries, USGS, and potentially King County on a study to identify factors contributing to the pre-spawning mortality of Coho salmon noted in urbanized creeks around the region. This is expected to involve the collection and analysis of additional water samples for a suite of pollutants over a several year period. This project is part of a more holistic basin planning approach that SPU is working to implement, which will be reflected in our Drainage Comprehensive Plan now being developed.

From the conversation of my staff with Lisa Olson, it is SPU's understanding that sediments in Lake Union and the Duwamish will be addressed through the work of the Toxics Cleanup Program, and will not be addressed in this round of TMDLs. SPU strongly agrees with that approach.

In summary, SPU would like to assist Ecology by partnering with you and others to develop the TMDLs that are necessary for these water bodies. SPU intends to share the data it has, to help obtain additional data, and to use the TMDL process to assist us in developing a basin plan that is holistic and adaptive in nature and responsive to community concerns. Please involve SPU and keep us informed as these plans develop. (Nancy Ahern, Seattle Public Utilities)

***Response**: Ecology recognizes that SPU faces challenges and budget limitations. We agree to assist SPU with data collection through the placement of basin stations. Ecology*

will provide a station on Longfellow Creek and one on Thornton Creek for monitoring over the next year. As one year of monitoring may not be adequate in an extensive urban watershed like Thornton, Ecology further agrees that it is reasonable to approach the watershed in a phased and coordinated approach.

Ecology is aware of SPU's work on pre-spawning mortality and agrees that our TMDL work will complement that effort. Lisa Olson recently attended a Longfellow Creek pre-spawning mortality meeting with NOAA Fisheries, USGS, and King County. As mentioned above, Ecology will assist by placing a basin station on Longfellow Creek.

Your understanding is correct that the sediments in Lake Union and the Duwamish will be addressed through the work of Ecology's Toxics Cleanup Program (TCP), and will not be addressed in this round of TMDLs. It is more efficient to allow the TCP to accomplish the cleanup while we place the Water Quality monitoring efforts elsewhere.

In conclusion, Ecology believes that TMDLs are best addressed in a spirit of cooperation and partnership. We welcome the assistance of SPU as a partner in water cleanup, data collection, and TMDL development. Ecology would also like to assist SPU in your efforts to develop a basin plan that will address water quality as well as the concerns of the city and the community. Ecology fully intends to involve SPU in these projects and to keep you informed as these activities develop.

Comment: Is there a TMDL cleanup plan for Cottage Lake now or is the DOE preparing one? I did not see Cottage Lake listed under King Co. in the July 2 newspaper article in the PI. (Ed Grubbs)

***Response**: Ecology has completed a technical study of Cottage Lake. The TMDL/Water Cleanup Plan report has been drafted and is going out for public review in October 2003. You may call Tony Whiley at 360-407-7241 for additional clarification or information.*

Comment: I just have a question on the proposed water body cleanup list. In the past, Skagit County has qualified for this and this year there are none. Is this intentional, or does it take someone up here (Sally Lawrence, Rod Sakrison) to submit something if we have a body

that we would like to be considered? Or is it just because the budget is limited? (David Henry, Padilla Bay National Estuarine Research Reserve)

***Response:** We have an area management sequence that is based on our 20 Water Quality Management Areas (WQMAs) throughout the state. Our resources are rotated through these WQMAs each year so that in five years we have covered the entire state. We call this our Watershed Approach to Water Quality Management. Managerially, it allows us to focus time and resources within certain geographical areas, because as you said, we don't have sufficient resources to consistently cover the state.*

In our Northwest Regional Office area, we focused the FY04 projects, on the Cedar Green WQMA (WRIAs 8 & 9). It was their turn in the rotation. Next year, we will begin scoping the Skagit/Stillaguamish WQMA (WRIAs 3-5). Sally Lawrence will be the lead person from our Bellevue office. Her phone is 425-649-7036. If you have priorities in mind or would like to discuss which 303(d) listings you believe should be addressed on the FY05 project list, or if you would like to help with solutions, please feel free to give her a call.

Comment: Stillaguamish River – Leon Sams, Warm Beach Question about the waste water treatment plant (WWTP) and other Stillaguamish River projects. (Phone call)

Response: *There are a number of projects looking at the Stillaguamish River to protect the water quality. In April of 2000, Ecology began a TMDL to investigate the levels of bacteria, dissolved oxygen, turbidity, and temperature impairments found in the water body. This TMDL is progressing toward completion in April 2004. A new project was recommended to incorporate the Old Stillaguamish Channel into a TMDL. This project will begin in the spring of 2004 to investigate the needed improvements in the levels of dissolved oxygen, pH, and bacteria present. This is about the limit of capability Ecology has to devote to the Stillaguamish river basin in the near future.*

In addition, Mike Dawda, the Northwest Regional Office permit manager for Warm Beach Conference Center's WWTP, is setting up a meeting at NWRO next week. Also, Joe Joy, the TMDL analyst, is addressing a possible allocation for the Warm Beach WWTP in the technical report.

Comment: The list appears to equally represent water bodies throughout King County, represents areas where environmental justice issues have been of concern, and includes sources where measurable results seem possible. Best of Luck! (Terri Jenkins-McLean, Metro King County)

Response*: Thanks for taking the time to comment.*

Comment: I'm delighted that the Sammamish River will get some joint planning and clean-up help from yourselves and King County. It obviously badly needs it....and we live there! Much appreciated...please keep us on the update list and let us know if The City of Redmond can/should help. (Keith Macdonald, City of Redmond)

Response*: Thank you for your comment and offer of help. We will contact the city of Redmond when we begin the community involvement process for this project.*

Comment: I suggest three water bodies in King County. A serious look at Lake Sammamish as water quality continues to decline. Patterson Creek has had extensive development in its headwaters as well as a golf course. Water quality

must be declining. The Snoqualmie River is always a concern for me. Even as the dairy farms are more sensitive to the river, continued population growth is likely to be reducing water quality. (Glen Hayman)

***Response**: Lake Sammamish is included in the Sammamish Washington Assessment Project (SWAMP,) which is on our Water Cleanup Plan list for FY04. The Snoqualmie River and its tributaries are currently in the detailed implementation planning stage of the water cleanup planning process. If you would like to be part of these efforts, please contact Dave Garland at our Northwest Office in Bellevue at 425-649-7031.*

Southwest Regional Office (SWRO)

Comment: Suggested waterways for cleanup (SWRO) Capital Lake/Deschutes. (PJ Allen)

***Response**: We agree that Capitol Lake and Budd Inlet are important water bodies and need to be addressed.*

Budd Inlet and Capital Lake are already included in the Deschutes watershed cleanup plan, which we began this spring (2003). We are starting a technical water quality study now, and a report on the study will be completed in late 2005. That report, along with an outline of a cleanup plan will be submitted to EPA for approval in June 2006. Upon approval by EPA, Ecology and local interests will work together to develop a detailed cleanup plan.

If you would like to be on the mailing list to receive milestone updates and notice of public involvement opportunities, please send your street address or email address (depending on how you prefer to receive information) to Christine Hempleman, POB 47600, Olympia WA 98502-7600, or chem461@ecy.wa.gov.

In addition, there were individual phone calls with Robert Cook, Tal Price, and Margaret Chambers discussing TMDLs and water quality.