Water Quality Program
Responsiveness Summary

Fiscal Year 2005 Water Cleanup Plans TMDLs

August 2004

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Washington State Department of Ecology
Water Quality Program

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Fiscal Year 2005 Water Cleanup Plans TMDLs

Prepared by:

Ron McBride and Ann Butler
Water Quality Program
P.O. Box 47600
Olympia, WA 98504-7600

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For additional copies of this report, contact:

Department of Ecology
Publications
P.O. Box 47600
Olympia, WA 98504-7600
Telephone: (360) 407-7472

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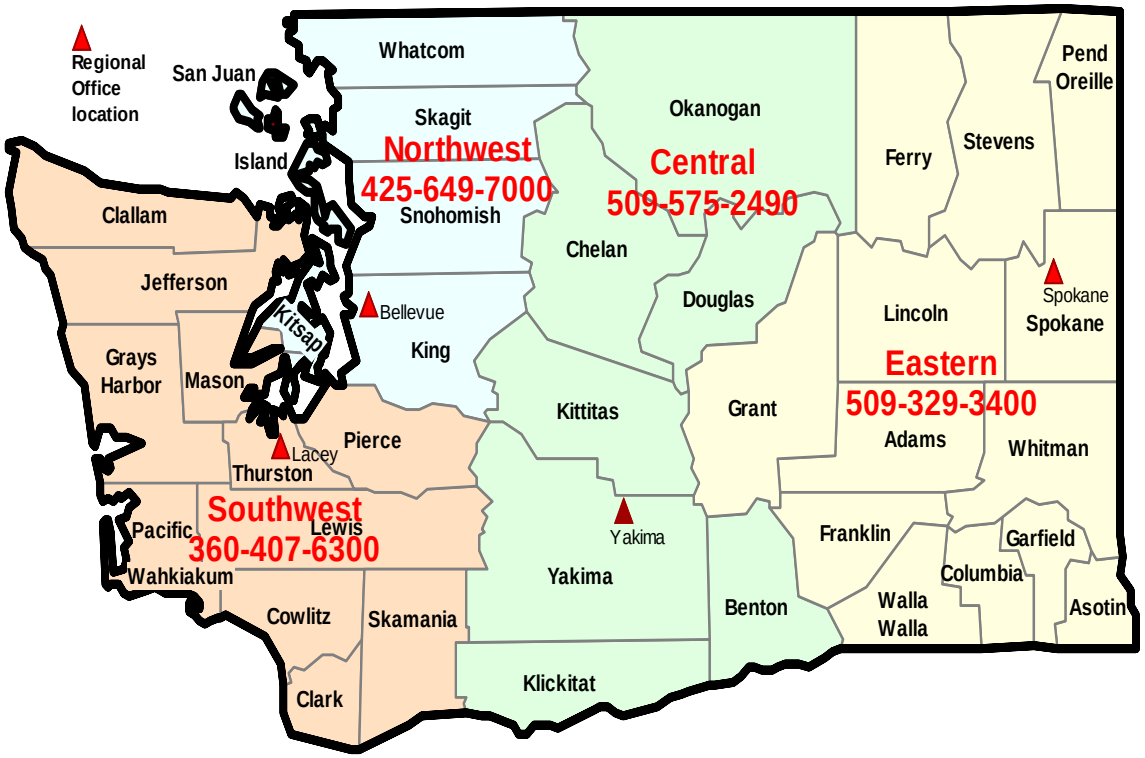

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Introduction

This responsiveness summary has been prepared to address public comments pertaining to the Water Quality Program's proposed fiscal year (FY) 2005 Total Maximum Daily Load (TMDL) Priority List (Water Cleanup Plans).

What is a Water Cleanup Plan?

Water Cleanup Plans, also called Total Maximum Daily Loads or TMDLs, are used to restore water bodies (streams, rivers, lakes, and estuaries) to good water quality.

They include the following:

- Description of the type, amount, and sources of water pollution in a particular water body or segment.
- Analysis of how much the pollution needs to be reduced or eliminated to attain water quality standards.
- Strategy to control pollution.
- Monitoring plan to assess effectiveness.

The Washington Department of Ecology (Ecology) usually does the scientific analysis required for a TMDL. Then local people help identify specific sources of pollution and the best approaches for addressing the problems. The plans may include pollutant limits in wastewater discharge permits for municipalities and industries, and recommendations for practices to reduce pollution.

Why do we need to clean up the water?

The federal Clean Water Act requires that all states restore their waters to be "fishable and swimmable." To achieve this goal, the state of Washington has established water quality standards designed to protect the beneficial uses of our water bodies. Beneficial uses also include drinking water, recreation, and habitat for fish and other aquatic life.

According to its agreement with the U.S. Environmental Protection Agency, Ecology is on a 15-year schedule to produce cleanup plans for about 700 polluted water bodies on the 1996 list of impaired water bodies (the 303d list). However, there is an even more important reason: Washington's citizens have clearly said they would rather have clean water than dirty water.

Why did we pick these water bodies?

Every year, we choose individual water bodies or watersheds from the list of impaired waters in each of our four regions on which to develop Water Cleanup Plans. Although the type and severity of the water quality problem is our first consideration, the water bodies selected are not always the most polluted. We also need to distribute funding statewide and match available pollutant type expertise. All water bodies on the 1996 list

must be completed by 2013. To help us select these waters, the following steps were taken:

- Gathering technical data and information around the state.
- Informally discussing these selections with the public.
- Consideration by an Ecology management team.
- A formal public comment period held between May 24 and June 25, 2004.

After considering all the public comments received, the Water Cleanup Plans we will begin in fall of 2004 are listed in the table below. However, the Water Cleanup Plan for the Palouse River will be delayed. Eventually all the water bodies on the impaired waters list will have a water cleanup plan.

Please contact Ecology if you have information on any of these watersheds that might help with our cleanup planning, or if you would like to be involved in water quality improvement plans in your watershed. Actions to improve water quality are on-going in many watersheds throughout Washington.

Water Cleanup Plans for FY 2005

Regional Office	Primary Location	Waterbody(s) Name	Pollution Problems
CRO Greg Bohn 454-4174	Yakima County	* Selah Ditch	Fecal Coliform (bacteria), Temperature, Dissolved Oxygen
CRO Jane Creech 454-7888	Kittitas County	Upper Yakima River	Temperature
ERO Elaine Snouwaert 329-3503	Whitman County	Palouse River (Note: This project has been delayed)	Dissolved Oxygen, pH, Fecal Coliform (bacteria), Ammonia, Temperature, Toxic Chemicals
ERO Mike Hepp 329-3536	Spokane County	Newman Lake	Phosphorus
NWRO Sally Lawrence 649-7036	Skagit County	Samish Watershed	Fecal Coliform (bacteria)
NWRO Sally Lawrence	Snohomish County	* Old Stillaguamish Channel in Stillaguamish River Watershed	Dissolved Oxygen; pH
NWRO Dave Garland 649-7031	Snohomish County	Little Bear Creek	Fecal Coliform (bacteria)
SWRO Dave Howard 690-4796	Clark, Skamania Counties	E. Fork Lewis River	Temperature, Fecal Coliform (bacteria)
SWRO Dave Howard 690-4796	Lewis, Cowlitz, Skamania Counties	Gifford Pinchot National Forest	Temperature

*Proposed project if resources are available this year.

Definitions of pollution problems

Fecal coliform 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.

Ammonia is a product of the decomposition of organic matter. It can be toxic, and can reduce dissolved oxygen in water, causing adverse effects on aquatic life

Dissolved Oxygen 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.

Toxic Chemicals, such as DDT and PCBs, can persist in sediments and be present in water, and have adverse effects on humans and aquatic organisms.

Phosphorus serves as a nutrient or "fertilizer" for algae and aquatic plants. Too much algae causes aesthetic problems and reduces oxygen levels in lakes and streams.

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/Yakima; Eastern/Spokane; Northwest/Bellevue, Southwest/Lacey). The names of commenter are shown in parentheses at the end of each comment. Some editorial adjustments were made to consolidate questions and comments.

General Comments Applicable Statewide

Comment: For the CRO: Medium priority on Upper Yakima River - Eastern Washington streams normally get warm when you have hot temperatures and low flow - and there is no way to increase the flow. Low priority on Selah Ditch. It is a drain ditch collecting return flow from storm water runoff in Selah and irrigation drainage from upland orchard areas

For ERO: Medium priority for both projects - Palouse and Newman

For NWRO: High priority for the Samish watershed; High priority for Stillaguamish; High priority for the Little Bear Creek

For SWRO: Medium priority for the E. Fork Lewis; Low priority for the temperature study on the Gifford Pinchot ----there's nothing short of melting a glacier or iceberg of huge magnitude that will cool off the water enough to meet the state standard. The state standards were set to meet cold water fish life optimum without ever looking at what could be attained. If you want to duplicate conditions that existed when Lewis and Clark were exploring the Louisiana Purchase territory, you have a few million people to get rid of first. (Onni J. Perala, PE)

Response: *We appreciate your priorities and concerns on the FY05 TMDL Project list. Your priority ranking and rationale concerning these projects will be considered. We are obligated to study all waterbodies on the 1996 list of impaired waters with the goal of improving water quality.*

Comment: The flyer I have received for the Water Cleanup Plans for FY 2005 indicates that once Ecology has conducted the scientific analysis for the TMDLs for the specific water body, "the local people identify specific sources of pollution and the best approaches for addressing the problems". Do you have more information on the process local people use? Also, what's the role played by local, state, federal, and Tribal governments? Thank you for your assistance. (Hugo Flores, Washington Department of Natural Resources)

Response: *Each TMDL project is coordinated by an Ecology staff lead in one of our four regions. TMDL projects consist of an identification of type, amount and sources of water pollution in a water body, a determination of how much the pollution needs to be reduced to achieve clean water, an allocation showing how much pollution each source will be*

allowed to discharge, a strategy to meet these allocations, and an implementation/monitoring plan to make sure the water is getting cleaner as the TMDL is implemented.

Local people play an important role in identifying the sources and designing the strategies to reduce pollution from the sources. We normally organize an advisory group for each TMDL project made up of local people. This may include: tribes, city, county, state and federal government, conservation districts, irrigation districts, environmental groups, business, industry, health districts, recreationists, landowners, and the general public.

Advisory group members represent a cross-section of the community. They work with us to design the implementation strategy that identifies specific actions needed to improve water quality, and identify who will do them and by when. The advisory group also helps us design a strategy to get the word out to and get input from their community, through publications, public meetings and presentations to interested groups, etc. Moreover, some advisory group members participate by providing existing stream monitoring data or working with us to design a sampling plan. In addition, at key points during the TMDL development, the lead will hold public meetings to involve the general public in the TMDL.

Central Regional Office (CRO)

No comments received regarding proposed TMDLs in this part of the state.

Eastern Regional Office (ERO)

Comment: We want Moses Lake cleaned up. We are counting on Ecology to get us on a path to cleaning up the lake. We want Ecology support to do this cleanup – you have the power, connections, and action to make things happen. We want what's good for our families, kids, and community. Let's do this cleanup for our grandchildren. We want people to look at our lake and say that's beautiful, I want to recreate there. (Dick Deane, Moses Lake City Council Member)

***Response*:** *Thank you for your support for Ecology's TMDL project on Moses Lake.*

Comment: We think that Newman Lake is doing well and should not be compared to Selah Ditch or the Palouse River. (Wendy Burley)

Response: *Data has shown that Newman Lake has some pollution problems; however, the local people have been working on solutions to address those problems. We intend to work with local people to leverage their work and meet our TMDL commitment. Although the type and severity of the water quality problem is our first consideration, the water bodies selected are not always the most polluted. We also need to distribute work statewide and match available staff expertise. We are required to develop plans to improve water quality on all water bodies on our list of waters with pollution problems, no matter how severe the problem.*

Comment: I received a flyer outlining Ecology's TMDL schedule for fiscal year 2005 and inviting comment. Ecology is working on the Pend Oreille River and is hosting a meeting next week that I'm told you may be attending in person or by phone. However, the Pend Oreille is not on the schedule on this flyer. We have had some involvement with Ecology on work on Colville National Forest TMDLs and I am also under the impression that Ecology is currently working on the Spokane River TMDL. Neither the Colville Forest nor the Spokane is on this flyer either. I welcome any clarification you might have. Thanks. (John Gross, Kalispel Tribe)

Response: *The focus sheet you received recently announced only the new proposed TMDL project starts for FY05 (July 1, 2004 - June 30, 2005).*

The other TMDLs you mention, the Pend Oreille River (Total Dissolved Gas (TDG)), Spokane River (Dissolved Oxygen, TDG), and the Colville National Forest (Temperature & Bacteria) are on-going projects. Each of these is being developed and has its own schedule for completion and submission to EPA for approval.

For more information on the Pend Oreille, Colville or Spokane River TMDLs, call Dave Knight at 509-329-3590.

Comment: I would like to see the Spokane County focus on the Spokane River. I feel it would benefit the greatest number of Spokane County residents. County residents swim, wade, fish, and boat on this river. This river had a cleanliness index of only 47 out of a possible 100. While cleaning up Newman Lake would benefit those people who are fortunate enough to have the means to live on a lake front, cleaning up the Spokane River would benefit everyone throughout the county.

My feeling is that Newman Lake should be cleaned up through a Local Improvement District levy. Let state funds go instead to the waterways that benefit the most people. (Steve Terry)

Response: *Eastern Regional Office of the Department of Ecology also puts a very high value on the Spokane River and its tributaries. We are currently working on numerous projects from previous years' project lists. Among these, are TMDLs for phosphorus, dissolved oxygen, metals, PCBs, total dissolved gas, and temperature on the mainstem Spokane River. Additionally, we are currently working on TMDLs for temperature, nutrients, fecal coliform and turbidity on the Little Spokane River, and Hangman/Latah Creek. For additional information on these ongoing projects, please contact Dave Knight (509-329-3590).*

There is an abundance of water quality data for Newman Lake, plus a very active citizens' group. Our plan is to use that existing data and to work with the interested public to develop a Water Cleanup Plan for this water body to meet our TMDL . Should you have any additional comments/questions concerning Newman Lake, Please contact Mike Hepp (329-3536), who is the project lead.

Comment: Thank you very much for the opportunity to comment on the Dept. of Ecology's efforts to clean up Washington State's polluted bodies of water. Community input is a key ingredient in making environmental decisions because people want to live and play in a clean, safe and pristine environment. Here in Spokane, we have one of the most beautiful environments in the United States. The cornerstone of that beauty is the Spokane River. The people of Spokane are proud of the beauty of the river. When out-of-towners come to Spokane, they are inevitably led to the river. The river is, unfortunately, in dire need of help because of past and present stresses.

Low levels of dissolved oxygen, high water temperatures, PCB's, fecal coliforms, nitrates, phosphates, and many other contaminants threaten the river. Many people are afraid to swim in the Spokane and the Dept. of Ecology warns us about the contamination on the shoreline and in the fish. Many of us find it very sad that our beautiful river is unsafe to our health and the environment in so many ways.

Please consider clean-up of the Spokane River a top priority of your agency.

Lastly, please remember that "prevention is the best cure." Look closely at future and present TMDLs and ask an important question: How will this affect the health of the most sensitive people, plants and animals that live and play in this environment? Help us protect this valuable natural resource! (Mark Steward)

Response: *Spokane River is a very high priority for our agency. We are currently working on numerous projects from previous years' project lists. Among these, are TMDLs for phosphorus, dissolved oxygen, metals, PCBs, total dissolved gas, and temperature on the mainstem Spokane River. Additionally, we are currently working on TMDLs for temperature, nutrients, fecal coliform, and turbidity on the Little Spokane River, and Hangman/Latah Creek. For additional information on these ongoing projects, please contact Dave Knight (509-329-3590).*

Palouse River comments:

Response to all comments received regarding the Palouse River watershed:

We would like to thank everyone who commented on the proposal to begin a project in the Palouse River watershed. The comments we receive help us in planning our activities.

The press release and focus sheet on the Water Cleanup Plan list that were issued on May 27, 2004 indicated that the Department of Ecology would begin the Water Cleanup Plan (TMDL) process for multiple pollutants in the Palouse River watershed. We planned on starting with toxic chemicals only. As part of the process, Ecology's Eastern Regional Office (ERO) would work with local interest groups on this project, and at the same time use that opportunity to conduct public outreach on pursuing a water cleanup plan for dissolved oxygen, pH, fecal coliform, bacteria, ammonia, and temperature. The work on these additional pollutants would begin, at the earliest, in FY 2006. Unfortunately, the focus sheet did not adequately reflect our intentions. The language indicating that Ecology met with local groups used in the May 2004 "Focus on Water

Cleanup Plan List" was standard language and did not adequately reflect the outreach conducted in the Palouse River watershed.

Due to the confusion and our inadequate public outreach prior to proposing the entire Palouse River watershed for a water cleanup plan project for the following year, and in response to the comments that we received, we have decided to delay any TMDL work in the watershed, including work on the toxic chemicals. Over the course of the next year, we will be working extensively with people and agencies in the watershed to explain the water cleanup plan process, what it means locally, and how people can be involved. A water cleanup plan is a public process in which local organizations and citizens plan actions for their watershed to reduce pollution in order to bring a water body back to a healthy condition. Ecology understands the importance of balancing the economic needs with the environmental needs of the region, and therefore encourages a locally developed water cleanup plan.

ERO's outreach efforts this year focused on the Upper Columbia Water Quality Management Area (Ferry, Lincoln, Stevens and Pend Oreille counties) as that was the area that was scheduled for new projects for this fiscal year. Ultimately, Ecology decided not to pursue work in this area at this time, and looked to other areas that had water quality impairments. There are approximately 70 water body segments on the Palouse River and its tributaries that are listed as impaired (1998 303[d] list). This proposal was made late in the process, not allowing adequate time for outreach. We regret not meeting with local people prior to this public comment period and will make every effort to meet with individuals, local groups, and agencies prior to beginning any work.

Ecology is required by a lawsuit settlement outlined in a memorandum of agreement, to complete water cleanup plans (TMDLs) on approximately 700 water bodies, including the Palouse River and its tributaries, by the year 2013. Therefore, a water cleanup plan for the Palouse River watershed will need to proceed in the future. Although the planning process must be complete by 2013, in most cases the water bodies will not be expected to reach water quality standards for years to come. The local community will set goals and priorities for achieving clean water.

We are aware of the extensive efforts people have made, and continue to make in the watershed to address water quality issues. It is our intention to highlight and build on those efforts as part of this water cleanup plan process. In June, Ecology presented the Pacific Northwest Direct Seed Association with the states highest environmental award for the work they have done in the Palouse and across the state to assist landowners in reducing pollution.

We will start some public outreach work this summer, but the majority of it, including public meetings, will be this fall after the busy harvest season. People who commented on this list will be notified about any future meetings or activities.

Comment: How was the Palouse River selected for the list? (Heather Hanson, Washington Friends of Farm and Forest)

Response: *Please see the previous response which addresses all the comments we received on the Palouse River watershed.*

Comment: Washington Association of Wheat Growers is concerned about the proposal from the Department of Ecology to place the Palouse River on the Water Cleanup Plan List for FY 2005. It is our understanding that the May 2004 "Focus on Water Cleanup Plan List" indicates that the selection of the Palouse River was based upon meetings you had "with local groups in communities in the fall of 2004."

We have had several wheat growers in Whitman County stated that they never heard, saw or participated in such meetings. We would like to know exactly when these meetings were held, who attended, and what was on the agenda.

WAWG did have representatives at both the North and South Fork meetings who attended in good faith so that such a "top down" decision would not be made, but if these are the meetings DOE is referring to it was not stated at the meetings or in the news release.

WAWG is keenly interested in this listing of the Palouse and the implications involved. If such meetings take place in the future, we would also ask that we be notified at the state office, so we can publish and have interested growers participate. The Washington Association of Wheat Growers – the largest interest group in the area - is both disappointed and disturbed to be left out of this decision and to then have it dropped on us like this.

The future of all farmers on the Palouse is directly tied to soil preservation and good water quality. We take great pride in the progress that they have made in the Palouse area in the past several decades and will continue to work hard towards their goals for the future. We have a partnership with Washington State University and the Agricultural Research Service to find new technologies and tools to combat soil erosion and enhance water quality, and then we as farmers must take these lessons to a production scale, which is no easy task, physically or financially.

We think that the whole Palouse River drainage should be dropped off of the 2005 list until there is ample opportunity for a dialog of concerns to be shared between those farmers who there and the Department of Ecology. (Gretchen Borck, Director of Issues, Washington Association of Wheat Growers)

Response: *Please see previous response which addresses all the comments we received on the Palouse River watershed.*

Comment: It has come to my attention that part of the reasoning behind including the Palouse River on the FY 2005 TMDL list was because of *"meetings with local community groups"* and because *"the Palouse Conservation District has pushed for it"*. This could not be farther from the truth and I would like to take this opportunity to set the record straight. As you may have noticed, I included everyone in my email address book that I thought might have an interest in this subject in an attempt to eliminate any doubt on where we stand on TMDLs.

The Palouse Conservation District has never and is not currently promoting, endorsing or in favor of the TMDL process. TMDLs are a WA Dept. of Ecology program that few know enough about to make any judgment calls on whether they are a good thing or bad. No one has been able to share with us the long term implications of TMDLs on agriculture and other non-point sources of "pollution". Despite Ecology's verbal assurances to the contrary, there still is nothing in writing from the State Office in Olympia that prevents TMDLs from being used as an enforcement or regulatory tool. It will be used as such for the point source folks (municipal WWTPs) when they attempt to get their NPDES permits renewed. Is it such a stretch of the imagination to expect it to be applied the same way down the road for non-point sources such as farmers and ranchers? Much more groundwork needs to be laid before Ecology can expect unilateral acceptance of any water body being added to the "To Do" list. Granted, Ecology is under a court order to address all 700 of the listed water bodies (including many within the Palouse River watershed) by 2013. So, the Palouse River will go through the TMDL process sooner or later. However, it would have made the most sense to host a public meeting or two prior to the listing, in order to let folks know what it means to be on "the list". We consider ourselves to be pretty informed when it comes to water quality issues within the Palouse River watershed. We are unaware of any local community/group meetings in which the specific issue of adding the Palouse River to the FY 2005 list was discussed. We feel it is inappropriate to use other loosely associated and localized efforts within the larger watershed where TMDLs may have been discussed to justify the current addition of the Palouse River to the FY 2005 list. (Rob Buchert, Palouse Conservation District)

Response: *Any statement made that implies that the Palouse Conservation District was pushing for a water cleanup plan in the Palouse River watershed was made in error. The Palouse River watershed project was confused with another water cleanup plan project elsewhere. Please accept our sincerest apologies for this error. (Also see previous response.)*

Comment: I'm writing relative to the listing of the Palouse River on the "water cleanup plan" for FY 2005. I've been a member of Ecology's "regulatory performance advisory group" ("RPAG") for the past three years. I've also worked with the department for many years on issues important to farm families. My family business serves farmers and ranchers throughout the Palouse and we raise wheat and livestock in western Whitman County.

When I first joined the advisory group in 2002, I was encouraged to learn that Ecology planned to develop a "problem-solving culture to achieve helpful, responsive, and knowledgeable service" and that the Ecology code of conduct called for viewing "our customers as partners and collaborators who are equally committed to a healthy, prosperous Washington." I do not see anything resembling that spirit of cooperation or helpful, responsive service with partners in this Palouse River designation.

Farmers here have made huge strides in environmental stewardship through reduced tillage, better fertilizer placement, and integrated pest management. During the lifetimes of farmers in the Palouse, water-borne soil erosion has been reduced eighty percent, dust

erosion has declined six-fold, and stubble burning has dropped twenty-fold. These are big achievements and the once all-too-common days when the Palouse ran chocolate-brown have fallen dramatically. Improvements have been made in community sewage treatment facilities. Conservation districts have enlisted local volunteers in helping develop best management practices to improve water quality further.

It runs counter, in the extreme, to these good faith local efforts when Ecology announces, quite out of the blue, that the Palouse River has been selected for the 2005 Water Cleanup Plan List subsequent to meetings "with local groups in communities in the fall of 2004." The obvious typo aside, **Ecology has completely and utterly failed to offer public outreach and to receive interactive feedback on this matter!** "The Palouse Conservation District wanted it;" "the Palouse-Rock Lake District wanted it" represent two of the creative excuses we've heard from Ecology staffers for springing this surprise without any local planning or discussion. Neither statement is true. Ask the local people. I have. Here is the reality: Ecology dropped the ball, pure and simple, and didn't make any effort to get public input.

Lacking any local input and feedback, Ecology has plunged forward without people in the Palouse having any idea what the objectives are that the agency plans to achieve. Some basic questions should have been addressed long before this surprise announcement: 1) What are the 'problems' to be addressed? 2) Are ongoing voluntary efforts addressing them? 3) Can Ecology assist with these efforts? 4) Are river quality concerns originating from current local practices? 5) How do you propose to address the concerns?

Before making the Palouse River, a top priority for agency action <u>real</u> local discussions are an absolute <u>must</u>. What we have seen to date is not promising. The Palouse Conservation District sponsored an effort in which a long list of stakeholders worked for over three years to develop a watershed characterization and water quality improvement plan for the North Fork of the Palouse. The Washington Association of Wheat Growers and the Washington Association of Conservation Districts supported the efforts to create locally developed solutions to improving water quality. This "pilot project" received the blessing of the state legislature but only criticism and lackluster support from Ecology. After being told the completed plan "did not fit the required mold" and was "not good enough," the conservation district lost faith in Ecology's willingness to consider and accept local efforts to develop a water cleanup plan. Only last minute efforts by two Ecology staffers prevented the effort from being scrapped. Ecology's rejection of the initial local efforts on the North Fork had all the trademarks of becoming a mandatory process in which people would be told what they <u>must</u> do. Similar efforts by local volunteers, contributing huge amounts of their own time, have gone into a watershed effort for the South Fork.

Now Ecology, out of the blue, decides to list the "Palouse River," presumably including both forks and tributary streams, for special emphasis beginning in 2005. No public meetings. No discussions. The efforts to develop voluntary practices on the two river forks would likely be superseded. Rock Creek, Union Flat Creek, Rebel Flat Creek, Cow Creek and other tributaries could then be wrapped up in the package, too. Maybe this

makes sense for Ecology as an administrative tool to take as a trophy to EPA in meeting Clean Water Act time lines.

It makes no sense locally. In fact, it is a slap in the face to those who worked with conservation districts to develop improved best management practices. It is a slap in the face for farm families who have made such dramatic progress in improved conservation on farms and ranches. And it potentially represents more heavy handed treatment for communities that have stretched their budgets mighty thin improving sewage treatment systems. To justify the complete lack of interaction with local citizens by crediting first one district, then the other, as being proponents of a top-down Ecology TMDL decree is disingenuous. Ecology is capable of much better than this.

It is time to retract this secretive and precipitous decision and to go back to what works: interacting with local people to design responsible ways to work together for positive change. Ecology's press release indicates "actions to improve water quality can be initiated at any time." To do so arbitrarily, in an area where locals have come forth voluntarily to improve water quality, and where local people have already made much progress, is misguided and runs counter to Governor Locke's "strong commitment to supporting local initiatives, partnerships, and cooperative ventures." It is a far cry from "helpful, responsive, and knowledgeable service" and viewing of "customers as partners and collaborators" that those of us who have served on the Ecology regulatory performance advisory group have heard are working principles at the department. Get back to what really works—dialogue and interaction with local people. We care about the Palouse, too, and about "a healthy, prosperous Washington" listed as an Ecology goal. Join us in working together through constructive efforts rather than administrative decree. (Alex McGregor)

Response: *For a complete response to the issues you raise, please see the previous response which addresses all the comments we received on the Palouse River watershed.*

Let us affirm to you that dialogue and collaboration with local people is absolutely essential in order for Ecology to be successful in its water quality protection efforts. We did not communicate our intentions accurately in this instance, and we mischaracterized the support of the Palouse Conservation District. We simply did not manage this issue as we should have, and we apologize. It is encouraging to know we can rely on our advisors for feedback on how important collaboration and partnerships are.

Any statement made that implies that the Palouse Conservation District was pushing for a water cleanup plan in the Palouse River watershed was made in error. The Palouse River watershed project was confused with another water cleanup plan project elsewhere. Please accept our sincerest apologies for this error.

We would like to assure you that although we made a mistake in including the Palouse River watershed on the water cleanup plan list without proper outreach, we are committed to our code of conduct, and have every intention of working with members of the community to develop a locally acceptable water cleanup plan. The process for developing water cleanup plans involves local interests throughout the project, allowing them to decide the best actions to help their streams achieve water quality standards.

The process actually addresses the five questions you stated in paragraph five of your letter. We will be working with the local community to answer those questions.

ERO has been working with the North Fork Palouse River Watershed committee and is very excited to be able to use their plan completed in September 2002 as the basis for a water cleanup plan to be approved by the U.S. Environmental Protection Agency. We intend to develop any future water cleanup plans in a manner similar to the North Fork Palouse TMDL so that the plan is developed and implemented locally. We have found time and time again that plans developed locally are plans with the best chances of achieving cleaner water.

Comment: Washington Farm Bureau, a general farm organization representing more than 33,000 farmers, ranchers and member families across Washington State, submits the following as its comments on the Department of Ecology's proposed fiscal year **2005 Water Cleanup Plans**.

Farm Bureau is deeply troubled that the list appears to have been developed absent any meaningful public input from local residents despite Ecology's claim to have "met with local groups in communities in fall of 2004 (sic)." [Farm Bureau assumes "fall of 2003" was the intended language.] In the case of the Palouse River listing, Farm Bureau is as surprised as local legislators and other community leaders were to learn that the river was listed despite active, on-going local efforts to improve water quality.

Ecology cites dissolved oxygen, pH, fecal coliform (bacteria), ammonia, temperature, and toxic chemicals as problem pollutants in the Palouse River. However, a member of Ecology's own Regulatory Performance Advisory Group has stated that none of the scattered chemical samples indicates an ongoing problem to be addressed, and that the vast majority of the issues raised are related to temperature and bacteria. The use of temperature as a trigger for a Total Maximum Daily Load (TMDL) action is puzzling given historical descriptions of the Palouse River system as "warm, sluggish waters."

Moreover, the department should be fully aware of the significant and costly efforts undertaken in recent years to improve local wastewater treatment plants near the Palouse River system. As those improvements come online, pollutants such as fecal coliform bacteria, pH imbalances, ammonia, and temperature are likely to decrease.

Similarly, changes in agricultural and other chemical uses in recent years should further reduce the "scattered" occurrence of chemicals in that water body.

If the inclusion of the Palouse River is any indication of the decision-making process employed by Ecology in developing its fiscal year 2005 water cleanup plan list, we must conclude that the department's process was flawed both in terms of required public participation and use of credible, verifiable scientific data.

Accordingly, Farm Bureau urges the department to reconsider the composition of the proposed fiscal year 2005 water cleanup plan list, especially – though not exclusively – as it impacts the Palouse River system.

As you may know, agriculture generates $5.6 billion of farmgate value with an estimated $28 billion impact to the state's economy. Agriculture is a major driver of jobs both in rural and urban Washington when you consider the ports and the agrifood complex. Compared to other state industry-group sectors, agriculture ranks fifth in producing direct income.

Despite agriculture's contribution to the state's economy, farmers are in a precarious position. Most producers are experiencing extremely low prices while operating costs continue to rise. Increased regulations, like these proposed water quality plans, are part of these increasing operating costs. And, Washington farmers and ranchers simply cannot remain competitive nationally and internationally with these ever increasing regulations.

The proposed list does not appear to be based on credible data and verifiable science, lacks sufficient local public input, and will have a negative impact on the agriculture sector of the economy. Therefore, Farm Bureau opposes the current list and requests that the department reconsider its choices, basing them on credible data and sound science, meaningful local input, and an economic cost-benefit analysis.

Until such time as the department fully considers such factors, Farm Bureau will explore all available administrative, legislative and judicial remedies to these adverse listings. (Dan Wood, Washington Farm Bureau)

Response: *Please see the previous response which addresses all the comments we received on the Palouse River watershed . The following addresses your concerns about the data.*

Ecology has three long term monitoring stations in the Palouse River watershed and has also conducted short term studies. Ecology's data can be downloaded at http://www.ecy.wa.gov/apps/watersheds/riv/stationlistbywria.asp?wria=34 You can also view Ecology reports containing information about the Palouse River watershed at http://www.ecy.wa.gov/biblio/wria34.html In addition, monitoring and studies have been conducted by other entities, such as the conservation districts.

The data that listed the Palouse River on the state's 1998 and proposed 2002/2004 Impaired List of Water Bodies (the 303[d] list) for toxic chemicals came from studies done in 1985 and 1996. Admittedly, this data is rather old. Therefore, the water cleanup study would:

a. be helpful to determine if the chemical concentrations have changed over time;
b. better assess how widespread the problem is; and
c. determine where there is any public health concern.

The study may find that chemical concentrations have broken down over time, and also have been reduced due to current agricultural practices that keep sediment and runoff from entering the streams.

Comment: I am writing to convey my strong opposition in regards to the proposal to list the Palouse River on the "water cleanup plan" for FY 2005. As a State Representative

elected to speak for the farmers, ranchers, and citizens on the Palouse, I share their concern and do not support the cleanup plan, as well as the process by which it was determined. Listing the Palouse River without any local interaction by the people who live and work in this community is not acceptable.

The decision to add the Palouse River to the cleanup plan flies in the face of all parties that have worked so hard over the years to make positive improvements. Many sacrifices have been made by those who have worked with Conservation District to develop improved management practices. A collaborative effort has been made over the year, and with ongoing cooperation between DOE and the locals it can certainly continue.

I would like to find out when the last technical assessment of the Palouse River was performed, and what were the findings? I find it difficult to understand ho "toxic chemicals" from a few scattered samples, from a product that has not been used in that area for thirty years or more, can be produced and found as sufficient evidence. Even fishing on this river has been limited for generations. This makes this proposed plan of action even more questionable.

I would ask that you reconsider this proposal. Include the citizens of the Palouse area and share your concerns with a well-published effort to begin a dialogue with them, which will, in turn – produce well thought out solutions that everyone can live with. Thanks for your consideration. (Representative Mark S. Schoesler)

Response: *Please see the previous response which addresses all the comments we received on the Palouse River watershed. The following addresses your concerns about the data.*

Ecology has three long term monitoring stations in the Palouse River watershed and has also conducted short term studies. Ecology's data can be downloaded at http://www.ecy.wa.gov/apps/watersheds/riv/stationlistbywria.asp?wria=34 You can also view Ecology reports containing information about the Palouse River watershed at http://www.ecy.wa.gov/biblio/wria34.html In addition, monitoring and studies have been conducted by other entities, such as the conservation districts.

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d. be helpful to determine if the chemical concentrations have changed over time;
e. better assess how widespread the problem is; and
f. determine where there is any public health concern.

The study may find that chemical concentrations have broken down over time, and also have been reduced due to current agricultural practices that keep sediment and runoff from entering the streams.

Comment: We are concerned about the proposal from the Department of Ecology to place the Palouse River on the Water Cleanup Plan list for FY 2005. It is our

understanding that the May, 2004 "Focus on Water Cleanup Plan List" indicates that the selection of the Palouse River was based upon meeting you had "with local groups in communities in the fall of 2004." We assume that this is a simple error; however, we are at a loss as to when these meetings actually occurred. (assuming that they ever did) as we consider ourselves a local group interested in this listing and we were never informed that such meetings would take place. We would like to know how this selection was made and what the criteria was to make it. We farmers and ranchers living in the Palouse River drainage are keenly interested in this listing and the implications involved. If such meetings take place in the future, we would also ask that they not be held during our busy harvest season from mid-July through mid-September. The Whitman County Association of Wheat Growers is both disappointed and disturbed to be left out of this decision and to then have it dropped on us like this.

The future of all farmers and ranchers on the Palouse is directly tied to soil preservation and good water quality. We take great pride in the progress that we have made in the past several decades and will continue to work hard towards this goal into the future. Great institutions like Washington State University and the Agricultural Research Service are also working to find new technologies and tools to combat soil erosion and enhance water quality. Then we as farmers must take these lessons to production scale, which is no easy task, physically or financially.

The meetings that I personally attended on the South Fork Palouse River (there were many and they were long) included many stakeholders on the South Fork and all participants attended in good faith that such a "top down" decision would not be made. We think that the whole Palouse River drainage should be dropped off of the 2005 list until there is ample opportunity for a dialog of concerns to be shared between those of us that live here and the Department of Ecology. (Asa W. Clark, Whitman County Association of Wheat Growers)

Response: *Please see the previous response which addresses all the comments we received on the Palouse River watershed.*

Northwest Regional Office (NWRO)

Comment: Concerned about Livingston Bay – I would like monitoring to track sources of nitrogen and fertilizer pollution. (Camano Island resident)

Response**:** *Livingston Bay is located in Water Resource Inventory Area (WRIA) #7. Starting in fall 2004, Ecology will be scoping the Island/Snohomish Water Quality Management Area (WQMA) that includes WRIA # 7. Scoping means that we will review all the impaired water bodies in the WQMA and make recommendations on the next set of water bodies to receive future Water Cleanup Plans/TMDLs. Your suggestion to focus on Livingston Bay will be re-evaluated during that scoping period. Ecology is currently funding the development of a Watershed Management Plan for Camano Island. You can learn more about this plan by contacting:*

Jeff M. Hall
Camano Island Watershed Program

Island County Public Works
121 N. E. Camano Drive
Camano Island, Washington 98282
In future years, Ecology will depend on the Camano Island Watershed Management Plan to help us prioritize our work, so you will want to get involved now while the plan is under development. You can also call our regional water cleanup specialist, Ralph Svrjcek, at 425-649-7165, or rsvr461@ecy.wa.gov for more information.

Comment: Previously I have commented on the Water Cleanup Plan List and the lack of water bodies from WIRA 8 and 9. Ron McBride provided an excellent response. I assume his response still applies. Please let me know if this is not correct.

Please, in future water cleanup plans indicate which if any WRIAs are being addressed by other means. This will save me and other concerned citizens of the effort of commenting on issues that are being otherwise addressed. (Glenn Hayman)

Response: *Yes, we are still depending on King County to do monitoring and modeling work in WRIAs 8 and 9. Moreover, cleanup work for sediments is on-going through Ecology's Toxics Cleanup Program. In addition, we will try to let people know about significant cooperative projects when we have definite commitments by other entities to perform cleanup work in the watersheds. Thanks for your continued interest and the reminder to do a better job of letting people know about our partnerships.*

Comment: I would like to add Olney Creek to the list. Olney Creek runs parallel to the Sultan Basin Road. Over the last 40 plus years people have been shooting lead into the river, plus all the other garbage they bring to the area to shoot at. Currently, there is a dumped vehicle in the river (last pull-out on pavement before gravel begins) that is leaking fuel from the engine. The toxicity of the creek must be great. Since, this is a Salmon bearing stream and flows into the Skykomish River and eventually the Sultan River. I'm not sure if this river is on your list, but it should be. Olney Creek is not within my jurisdiction. (Joe Dreimiller, Watershed Patrolman)

Response: *Thank you for your interest in clean water. Your email about Olney Creek is appreciated in that it brings to light some new issues.*

Olney Creek is located in Water Resource Inventory Area (WRIA) #7 and is part of the Skykomish River basin. We have not previously considered this water body for a Total Maximum Daily Load study (TMDL - cleanup plan), mainly because it has not been on our list of impaired water bodies (Section 303(d) of the Clean Water Act). Our proposed future 303(d)list does show Olney Creek as being impaired for high temperature readings.

Ecology has no direct capability to control shooting or abandoned cars in Olney Creek. However, we have forwarded your report to officials in Snohomish County for their attention. In addition, starting this fall Ecology will be scoping the Island/Snohomish Water Quality Management Area (WQMA). This area includes the Skykomish River and Olney Creek. Scoping means that we will review all the impaired water bodies in the WQMA and make recommendations on the next set of water bodies to receive future TMDLs.

The person who will conduct the scoping sessions is Ralph Svrjcek of our Northwest Regional Office (425-649-7165). He has been provided a copy of your email and will use it as reference information. If you would like to continue being involved with Olney Creek or in our process, or would just like to know more about our considerations concerning Olney Creek and others, please contact Ralph.

Comment: I am writing in support of including Samish Bay on Ecology's FY05 water clean-up plan list.

I have been involved in shellfish farming in Samish Bay since 1981. I managed a farm there for Rock Point Oyster Company for about 10 years. Taylor Shellfish Company purchased that farm in 1991. I ran the farm for a couple more years for Taylors and since then have managed public affairs for Taylor Shellfish Company. That has included working to protect water quality in all of the bays around the state in which Taylors farm (in five counties). I served on the Puget Sound Water Quality Authority and today serve on the Puget Sound Council. I chaired the Samish Watershed Committee for the 2 years that developed the WAC 400-12 plan for addressing non-point pollution in the watershed. I am President of the Skagit Conservation Education Alliance, a non-profit organization in Skagit County dedicated to addressing water quality problems. SCEA is currently coordinating a review of the implementation of the Samish, Padilla and Nookachamps 400-12 plans.

My final and perhaps most compelling relationship with Samish Bay that I believe gives weight to my comments is that my wife and I own a clam farm there. We raise Manila clams on 22 acres of tidelands in the middle of the bay. Our retirement and my twin son's college educations are invested in clam crops on that farm. Although I am limited to working our farm on weekends with low tides and on my vacation time from Taylors, I cherish every moment I spend there with the herons, eagles, gulls, ducks, Brant, loons, Dungeness crab, seals and snow capped Mount Baker towering to the northeast.

After a hundred year history of producing some of the finest and cleanest shellfish in the country from waters that had an "approved" classification under the National Shellfish Sanitation Program, the bay is in trouble. An illness outbreak in 1994 caused much of the southern portion of the bay to be downgraded to "prohibited". Major problems with septic systems were identified in Blanchard and Edison. These communities to their credit rallied and found solutions to those problems, which resulted in some of the tidelands being upgraded. The Samish River and the tidegate/pumpstations draining the ag lands remain a problem. Last November there was another illness outbreak. Twenty-five individual in Seattle restaurants became ill after eating raw Samish Bay oysters (see attached Voices of Valley guest editorial for more details). This week I received the attached letter from the Washington State Department of Health regarding some very poor water quality sample results from a June 7th sampling event. Needless to say, I am not feeling very good about my decision to invest my life savings in shellfish crops in the bay at the moment.

Samish Bay is in trouble and we need all the help we can get to turn it around. The resources the Department of Ecology can bring to the mix through the TMDL process

may be just the impetus the county needs to sit up and take notice that it is time to get more aggressive about saving Samish Bay.

I was excited to see Samish on the list (although disappointed that it needed to be) and am grateful to Sally Lawrence out of Ecology's NW Regional Office for lobbying to get it there. Please register this as one (heavily weighted) yes vote for keeping it on the list. (Bill Dewey)

Response: *Thanks for your strong support for the Samish TMDL project. This project is definitely on track to begin in FY05, probably with a scoping session with local organizations in January. Sally Lawrence of Ecology's Northwest Regional office is the lead on this project, and is starting a contact list of those individuals interested in this project, and will keep you informed regarding date of scoping.*

We also received a letter from Chris Hanlon-Meyer of Washington Department of Natural Resources (Olympia) indicating DNR's interest in protecting the shellfish resources.

We look forward to working with you on this project. For more information, contact Sally Lawrence, Northwest Regional Office, 425-649-7036.

Comment: The Washington Department of Natural Resources (DNR) received the invitation for public comments on the Water Cleanup Plan List for 2005 dated May 2004. DNR applauds The Department of Ecology's (Ecology) dedication to the public process associated with the cleanup of Waters of the State of Washington. DNR manages 1.4 million acres of submerged aquatic land including the right to conduct commercial shellfish harvesting on state owned marine land. Contaminant inputs to marine environs from freshwater tributaries can dramatically affect resources managed by DNR. DNR concurs with the TMDL Priority List proposed for 2005 and would like to take advantage of any opportunities to provide input to the development of the specific cleanup plans for water bodies that have potential to directly affect commercial shellfish beds. The Samish Watershed is the one such water body that is likely directly affecting shellfish beds. Shellfish beds in Samish Bay have been closed to commercial harvest by the Washington Department of Health. The remaining water bodies on the list appear to have little potential to affect commercial shellfish beds. DNR is interested in participating in the process of identifying priority watersheds for future TMDL lists and welcomes your suggestions on how our two agencies can cooperatively work together to meet our collective management goals. DNR would appreciate inclusion when soliciting input on the cleanup plan for the Samish Watershed. Please feel free to contact me to further discuss these issues. (Chris Hanlon-Meyer, Washington Department of Natural Resources)

Response: *Thank you for your support of Ecology's process and goals. We rely on partnerships to improve water quality and appreciate your willingness to participate. We passed your message along to our regional offices and they will contact you in order to invite the appropriate DNR staff to participate in the review and recommendations process on the next set of water bodies to receive future TMDLs.*

Ecology's Northwest Regional Office coordinates the Samish Watershed project and the lead staff is Sally Lawrence. Sally will contact you and other interested parties when she begins the Water Cleanup Plan process for the Samish Watershed. For more information on this project, contact Sally at 425-649-7036.

Southwest Regional Office (SWRO)

Comment: I was reading DOE's water cleanup plan list and noticed that SWRO has listed Skamania County with special emphasis on the Gifford Pinchot with a "temperature" pollution problem. What is up? Is this our WRIA? What is this responding to? (Mary Ann Duncan-Cole)

Response: *As part of Ecology's efforts to clean up the water, we are working with the Forest Service to develop TMDLs for all waters on Forest Service lands. This year, Ecology proposes to develop TMDLs for all waters within the boundaries of the Gifford Pinchot National Forest.*

These waters include:
E. Canyon Creek (Cispus tributary)
Cispus R.
Cispus R (below Iron Ck)
North Fork Cispus
Silver Creek (Tributary to Cowlitz)
Catt Creek (Tributary to Nisqually)

All of these waters are outside of WRIA 29. Some of the Cispus River Watershed is within Skamania County. All of these TMDLs will be for temperature violations of the water quality standards. Existing monitoring data from the Gifford Pinchot National Forest will be used to develop a temperature mode similar to that used on the Wind River. The technical lead for this project at Ecology is Tony Whiley. If you have any questions about this, you can reach him at 360-407-7241. His email is twhi461@ecy.wa.gov

Comment: How about the polluted waters around the capitol? (Ron Anderson)

Response: *Thank you for your interest in water quality around Olympia. The Department of Ecology is currently working on a Water Cleanup Plan/TMDL on the Deschutes River and Capitol Lake for dissolved oxygen; pH; fecal coliform; PCBs; and temperature. If you would like more information on this project, contact the coordinator, Chris Hempleman, 360-407-6329.*

East Fork Lewis River Comments:

Comment: Re: East Fork Lewis River. Are you aware that the Cowlitz Tribe wants to build a casino and will need a waste water treatment plant. Who would permit that? (Samantha Hatch)

***Response*:** *The U.S. Environmental Protection Agency (EPA) is responsible for permitting facilities on tribal reservation lands. EPA's Region X office is located in Seattle, Washington. You can contact them at 1-800-424-4372.*

Response to all comments received regarding the East Fork Lewis River watershed:

We are sorry that the local papers did not pick up our news release. Ecology provided all the local news media with information about the Water Cleanup plan selection process at the start of the 30-day public comment period. We do not control the timing of news media responses to our stories, but we will try to do a better job of getting the word out in the future.

Although the type and severity of the water quality problem is our first consideration, the water bodies selected are not always the most polluted. We also need to distribute funding statewide and match available pollutant type expertise. All water bodies on the 1996 list of impaired waters must be completed by 2013.

Thank you for your support for the cleanup of the East Fork Lewis River. The project will probably start in spring 2005. There will be an in-depth technical study, taking approximately three years to complete, that will look at the specific causes of excessive bacteria and temperature in this water body. During that time, we will be looking for on-the-ground expertise to assist us in identifying the pollution sources. A monitoring plan is always part of the TMDL/Water Cleanup Plan process. We look forward to developing a monitoring program with the assistance of all the partners we can find willing to assist in the cleanup of the watershed.

For more information on the East Fork Lewis River project, contact the coordinator Dave Howard at 360-690-4796.

Comment: Glad to see the East Fork Lewis River on the list. Note that gravel mining operations are a problem in this watershed. (Robert J Wheeler)

Response: *Please see the previous response which addresses all the comments we received on the East Fork Lewis River.*

Comment: The aquifer is being drained due to mining into East Fork Lewis River. If the gravel mine expands, aquifer will be depleted and it will drain the river. (Dean Swanson, Fish First, Friends of the East Fork Lewis)

Response: *Please see the previous response which addresses all the comments we received on the East Fork Lewis River.*

Comment: I request that the East Fork, Lewis River be given highest priority for cleanup and rehab. This river has been degraded badly by gravel mining, since the 1960s. The flood of 1996 breached 5 of Storedahl Inc. gravel pits into the river, which destroyed spawning habitat and raised water temperatures. This river is home to the state record steelhead and to at least 4 species of ESA listed fish. In a recent memo to me, the WDF&W steelhead biologist states: "Despite these aggressive actions by WDF&W, wild

winter steelhead in the lower EF Lewis River have not responded by meeting escapement objectives as they have in the Kalama and Washougal Rivers, or as they have in the upper EF Lewis River."

Much of the East Fork is in public ownership, and the headwaters are relatively pure. The USFS has a plan to improve Road #42 to improve habitat. Several local citizen groups have donated hours and money in various habitat improvement projects. Clark-Skamania Flyfishers donated $9,000 and hundreds of man hours to restore a Chum spawning channel in 2003, and has plans for a similar project -in cooperation with a willing private landowner- in July, 2004. Thank you for your consideration. (Craig Lynch)

Response: *Please see the previous response which addresses all the comments we received on the East Fork Lewis River.*

Comment: I just saw an article in the Reflector (Battleground newspaper) about the comment period for the study for the East Fork.) The paper comes out Wednesday and you're closing the comment period on Thursday? I never saw it in the Columbian or Oregonian either. Where in the world did you send out a press release, how and when? This is totally unacceptable and I intend to notify legislators and any other decision makers about the way this issue has been handled.

As you are well aware of, the East Fork Lewis River has been at the center of controversy over the last several years, and particularly, the last several months, over the potential of expanded gravel mining in the flood plain. The public comments on that issue alone must have set a record for involvement. I hope that you will publicize the information about the study more broadly and in a more timely matter so that the public will have a better opportunity to comment. I am shocked that your press release does not comment on the existing gravel pits as a source of contamination and temperature elevation. I only saw pavement, deforestation, agriculture and septic tanks as possibilities. What kind of smoke screen is that? I also notice that the timeline for cleanup of 303d listed rivers is 2013. Your agency has just approved gravel mining in the East Fork that will extend well beyond that date. I am requesting that you make sure monitoring devices be placed above and below the gravel pits at Daybreak and that R2 Resources, the company that developed that HCP for Storedahl, not be involved in the study. I would like to be notified of any activity and reports as you proceed with the studies. The public deserves much better treatment from an agency that is supposed to protect our resources and water. (Val Alexander)

Response: *Please see the response previous which addresses all the comments we received on the East Fork Lewis River.*

Comment: Thank you so much for the letter from your office dated May 10, 2004. I appreciate that Gordon White took the time to respond to my letter.

I wanted to offer my public comments regarding the East Fork of the Lewis River. As everyone is well aware, the East Fork is in serious trouble and needs to be cleaned up and saved for future generations.

I do not believe that any studies completed this summer will show the future negative impacts to the East Fork. One of these negative impacts are the proposals by the Storedahl Gravel Company to increase mining in the daybreak area of the East Fork. Gravel mining on the East Fork has degraded the river tremendously over the years and needs to stop now!

The other is the proposal by the Cowlitz Tribal Representative to develop agriculture land at the La Center Junction with I-5. This land has a natural slope that drains into a seasonal creek that goes under I-5 and across private and public land to drain into the East Fork. Certainly any of the sewer effluent from this development, which would drain into the East Fork, will not be a benefit either. Good luck with your efforts to clean up the East Fork. Our family enjoys the river and hope that it isn't too late to save it from its current state. (Jo Ann Wohlers)

Response: *Please see the previous response which addresses all the comments we received on the East Fork Lewis River.*

Comment: East Fork Lewis River - As a person who lives near this lovely un-dammed river, I am one of many who appreciates this body of water and its associated assets. My family, like many others, regularly experiences its many benefits. It is an asset that is worth monitoring and all appropriate measures to reduce further degradation are warranted. People from throughout the region appreciate what it has to give, yet its health is deteriorating.

Your acknowledgment that this river is impaired is noteworthy. Your interest to further study the situation and monitor its condition is an important step toward protecting it. In the lower reach of the river, shallow water conditions seem to be associated with what appears to be the unnatural widening of the river bed. Obviously, this is increasing the water temperature and I would suspect that cooler ground water infiltration into the river is somehow also being reduced. Temperature, fecal coliform bacteria and sediment load are not the only issues that are impacting the river. To only monitor or assess these parameters is insufficient to get to the root of the problem. It is important that the department's water quality scientists properly determine what water quality parameters are important to monitor and not simply choose easy to monitor items because it simply requires an occasional visit adjacent a well traveled bridge. It further is important that the collection of samples be done at appropriate times. The collection of samples should not be done by parties that are inexperienced with handling these samples and so limited by time that they are unavailable to take samples at appropriate times. The collection of samples and the analysis of the important water quality parameters should be done by professional people experienced with this kind of work. The data collection sites should include multiple upper and lower reach data collection points. The many important tributaries also need monitoring. If the tributaries are being degraded, there is not much

hope for the main channel. Illegal water diversion may also be an important reason that the main channel is not obtaining sufficient flow during the summer.

What the river needs are dedicated people who truly desire that this particular river be protected. The collection of information should not be done in such a limited manner that important components are left out. Local organizations and public entities have given an incredible amount of time and money to help preserve this asset. I certainly hope that we can work together to make the East Fork of the Lewis River a resource that will be enjoyed and appreciated for many years to come. (Scott Rose)

Response: *Please see the previous response which addresses all the comments we received on the East Fork Lewis River.*

Comment: We feel that giving the East Fork Lewis River high priority for (303d) impaired listing and cleanup is a very good and positive decision. The river is a valuable asset to all the citizens of Washington and needs immediate attention.

Several of us are on the State WRA 27/28 Watershed Group and have spent over two years gathering and looking at data and information on the Lewis River System. The data and analysis to show that the East Fork is seriously impaired and needs attention is quite compelling. Temperature is just one of several significant problems.

We (Fish First and Friends of the East Fork) and other groups have been doing some watershed projects to began changing this serious situation and welcome the opportunity to work with you and the agency in the future. (Richard Dyrland, Board of Directors, Fish First and Friends of the East Fork)

Response: *Please see the previous response which addresses all the comments we received on the East Fork Lewis River.*

Comment: Although I wish that the East Fork of the Lewis was a pristine river, I am pleased to read that it has made the EPA 303d list, allowing it to get the attention that it needs. However, it seems futile to go down this path with the pending approval of the Storedahl gravel mine. Approval of the mine would be inconsistent with local/state/federal efforts to protect and restore salmon and steelhead habitat and I believe inconsistent with obligations under the Endangered Species Act to protect and support recovery of endangered salmon and steelhead stocks. Although the gravel mining is one of a number of problems causing pollution in the river system, it is probably the easiest to address, since it is a single source causing multiple problems.

HISTORY

The section of the East Fork have been severely impacted by past gravel mining activities that extend from River mile 10 downstream from Daybreak Bridge to River Mile 7. Recent avulsions of the river through existing gravel ponds has harmed critical habitat for multiple populations of fish listed as threatened under the Endangered Species Act. This occurred in a river that was already listed on State Department of Ecology's 303d list for temperature and fecal coliform.

WDFW Region 5 biologists recently stated that: "---current population levels for all three (ESA) listed species (Chum, Fall Chinook and Steelhead) are well below goals for Properly Functioning Conditions (PFC) in the East Fork Lewis. Chum are 99% below PFC levels, steelhead are 56% below PFC levels, and Chinook are 62% below PFC levels. In addition, since the 1996 channel avulsion, steelhead redd numbers in the impacted reach (Mason Creek to Daybreak Bridge) have declined over 40% and were down to zero in 2002. This stream reach has already been destabilized from mining activities, and any further habitat destruction may significantly reduce recovery opportunities over the long term.----"

PRESENT SITUATION

Recent recovery planning efforts have identified all populations of listed salmon and steelhead in the East Fork as critical to the recovery of these species in the lower Columbia. All East Fork populations are considered to be currently the most viable and as having the highest potential if habitat conditions were returned to PFC+. This area provides especially critical habitat for a very small chum population. Reaches adjacent to the existing and planned Storedahl mine (just upstream and downstream) have some of the greatest potential in the East Fork system for increasing the abundance, productivity, and diversity of these priority populations. It will take a supreme effort to attain the recovery goals that have been established for these populations, and it is likely to be impossible without restoring habitat conditions in these areas.

Past mining impacts provide a good indication of the potential harm that could come to these listed populations and other aquatic species from future mining in this area. Despite regulations to protect aquatic resources and approved plans to close the mine, the East Fork still avulsed through abandoned gravel mines in two separate areas. Historically, the East Fork meandered across its entire floodplain including the proposed mining site.

It will happen again, if not in 10 years, then 50 or 200. This is almost a geologic certainty, unless drastic stream hardening and channelization occur. Allowing the Storedahl proposal to proceed will assure that full restoration of the "dynamic balance" of this critical stream reach can never occur.

The mine proposal is opposed by local biologists, geologists, hydrologists and many neighbors. WDFW Region 5 biologists recently stated that: "----The Washington Fish and Wildlife Commission adopted a Resolution in March of 2000 stipulating "that gravel mining in riverine flood plains is destructive to fish and wildlife populations and their habitats. We recognize the applicant is asserting that the mining proposal is technically outside the limits of the 100-year floodplain. Upon completion of work, however, the site will functionally be within the influence zone of the 100-year floodplain. We also disagree with the applicant's narrow interpretation that the site is outside the channel migration zone. From a functional standpoint, the project site is clearly and integrally connected to the East Fork Lewis River. ---"

"We are seriously concerned about additional adverse impacts to fish populations through another channel avulsion on the East Fork Lewis. Although the risk of pit capture is identified as "low" in the HCP, pit capture through avulsion or lateral migration is highly probable over decades, which is a time span more appropriate for fish recovery efforts. In addition, the proposed prevention measures (e.g., bank protection, hardening, etc.) can also result in long-term loss of habitat opportunities, and inhibit restoration of properly functioning conditions. The HCP has not demonstrated that the proposed mitigation measures will adequately replace or fully protect fish populations should an avulsion occur."

Clark County is spending millions (18 million dollars to date) to purchase and restore riparian lands upstream and downstream of this site. A number of volunteer groups have also made substantial contributions to salmon restoration from their project efforts. The public and private resources used in these efforts could be wasted if the Storedahl mining proposal or other similar inappropriate development occurs along the river. The conditions in the Storedahl Habitat Conservation Plan (HCP) at best would maintain the river habitat status quo; promising to "do no harm". This is a minimum standard and in the opinion of local biologists it will not be met. The federal government is pledged to recover fish and restore the river. We can't do this with status quo. To recover fish on the East Fork, we need higher standards. (Randall Pearl)

Response: *Please see the previous response which addresses all the comments we received on the East Fork Lewis River.*

Burnt Bridge Creek comments:

Response to all comments received regarding the Burnt Bridge Creek Watershed:

Thank you for your sincere concern for the water quality of Burnt Bridge Creek and Vancouver Lake.

1. Why are we ignoring Burnt Bridge Creek?

Ecology has listed the Burnt Bridge Creek, Vancouver Lake, Lake River project as the number two priority in this year's scoping process. One of the main reasons Ecology ranked this project lower than the East Fork River project was the application for a Phase 2 Stormwater Permit by the city of Vancouver. This permit requires the city to do a variety of actions that would be similar to the requirements of a TMDL. For instance, the city has already mapped all its stormdrain system, is updating its stormwater requirements to be consistent with the Western Washington Stormwater Manual and has increased its stormwater fee in recognition of implementation of the Phase 2 permit.

There are many things that local jurisdictions and interested citizens can do besides a TMDL that will result in cleaner water in the creek. These include dye testing for sewer connections, having the Health Department conduct an intensive monitoring campaign for on-site systems, and water quality monitoring of the creek. The city has already, with the support of an Ecology grant, started water quality monitoring. With this information,

the city may undertake more aggressive water cleanup actions if monitoring reveals a need for such action.

2. Why was Burnt Bridge Creek not ranked first on the list? After all, it has a lot more listing points and seems to be more polluted than the East Fork Lewis River.

The Department of Ecology considered several factors during the ranking process. A major factor in our decision was the recommendation of the WRIA 27/28 Planning Unit. This group reached consensus on ranking East Fork Lewis River number one. The issues considered included size of river basin, fish recovery capability, potential damage to water resources, and other factors.

Our review also revealed that the dynamics of Burnt Bridge Creek are so much more complex than those of the East Fork Lewis, that we presently do not have enough resources to address Burnt Bridge Creek instead. The Lower Columbia Water Quality Management area, which includes Burnt Bridge Creek, will be re-scoped in FY 2007 (Fall 2006). The priority of Burnt Bridge Creek will be reconsidered at that time and it may likely be the highest priority. We may also have enough resources to thoroughly address its problems at that time.

3. How can Ecology meet their requirements to do TMDLs for all 303(d) listed water bodies by 2013 when they are only doing one project every scoping round?

There are 339 TMDL projects completed and about 100 TMDLs under development throughout the state; the announcement proposed to add new projects to those already ongoing. Each of these projects is being developed and has its own schedule for completion and submission to EPA for approval. Each project can have many individual listings or problems on the water body. For instance, one project - the Burnt Bridge Creek project - deals with 18 of the 700 listings throughout the state. Each project can address many listings. Funding for studies of water bodies is also on-going.

Ecology has a number of cooperative projects with other entities (such as cities, counties, conservation districts, tribes) to perform monitoring, modeling and other cleanup work in the watersheds. This is helping us move more quickly through the long list of water bodies we need to address.

Still, Ecology will be challenged to complete all the TMDL projects by 2013. However, the first five years of the fifteen year process represent a major investment of resources, and have resulted in some significant successes. Future TMDL projects will benefit from working with existing committees and with local entities that now have successful experience with the process. This should help streamline the projects, allowing communities to move more quickly to take action to improve water quality. Ecology and local participants can share their experiences and implementation strategies with communities that are new to the TMDL process for everyone's benefit.

For more information on the East Fork Lewis River project contact the coordinator Dave Howard at 360-690-4796.

Comment: The Clark County Health Department is writing in support of funding the TMDL study for Burnt Bridge Creek in Clark County Washington.

Burnt Bridge Creek is located within the Clark County urban area. Our rapid population growth combined with septic system use in residential areas and prior heavy agricultural use in the basin has contributed to years of environmental stress that has reduced water quality to unacceptable levels.

There appears to be strong citizen support for projects to improve the water quality of Burnt Bridge Creek. Recently the city of Vancouver announced a greenway project to attract residents to the creek area to showcase and enjoy the creek's natural beauty. Burnt Bridge Creek is the main tributary for Vancouver Lake. A study group of area agencies and citizens groups is being formed to help identify the community's vision of the future for Vancouver Lake.

More information is needed to determine what improvements are needed to improve the water quality of this important creek within Clark County. The Clark County Health Department views this basin as our top priority and supports funding the TMDL study for Burnt Bridge Creek. If you need additional information or have any questions, please contact me at (360) 397-8428 ext. 3090. (Randy J. Phillips, Clark County Health Department)

Response: *Please see the previous response which addresses all the comments we received on Burnt Bridge Creek.*

Comment: Burnt Bridge Creek is more polluted than East Fork Lewis River. **(**Elaine Teal)

Response: *Please see the previous response which addresses all the comments we received on Burnt Bridge Creek.*

Comment: Please reconsider the serious pollution problems that exist in Burnt Bridge Creek and Vancouver Lake. I ask that you add these waters to the TMDL list. These waters present a serious health risk to a major population center in the state. (Gary Donais)

Response: *Please see the previous response which addresses all the comments we received on Burnt Bridge Creek.*

Comment: I am very unhappy about Burnt Bridge Creek not being on the list of water bodies studied. Please add it to the list immediately! It is much more polluted than the East Fork of the Lewis River. This is unfair and I can see no reason for Burnt Bridge Creek not being included in the study unless the reason is political. You must put Burnt Bridge Creek on this funding cycle! It is the most polluted water body in the State of Washington! I understand that each study lasts 2 years (WHY?) and the funding is every 5 years. How will you get the task of studying all the endangered water bodies accomplished by 2013, especially if you are not doing your job including the worst one and working faster! Thank you for your time. (Christine Hilt)

Response: *Please see the previous response which addresses all the comments we received on Burnt Bridge Creek.*

Comment: I am outraged at using taxpayer money to fund projects that are way below Burnt Bridge Creek and Vancouver Lake pollution classifications. Burnt Bridge Creek having 15 categories in the Class 5 classification should have been way ahead of the East Fork of the Lewis River. However, I do not deny validity of the study of the East Fork since it had 9 categories. But when you have a more serious priority I feel that our money should have gone to the Burnt Bridge Creek Project first and then the East Fork. Doesn't that make more sense? If you have 2 gas stations with tanks that are polluting the soil and one is far worse than the one around the corner, which one would you fix first?

Since the funding of these studies is every 5 years that means that more people will get cancer or life threatening diseases. Burnt Bridge Creek is a cesspool located in the heart of Vancouver. The city intends to beautify the creek so more people will be exposed to this open-air sewer. Have you ever taken a trip to Mexico or South America? At least they don't try to make their waste look good to unsuspecting tourists or residents. What you see is what you get.

The City of Vancouver intends to make a park and put up "danger do not enter" signs along the creek. Does this sound reasonable to you? If you were a tourist going to another country and saw this what would be your reaction? Get your priorities straight and put the Burnt Bridge Creek back on the funding list.

We as citizens have had enough of this political rhetoric and intend to take action. Vancouver made a bad judgment call and now the persons responsible should come to the aid of the party. These same people will be dead or gone in a few years and what legacy will they have left for future generations--------AN OPEN BEAUTIFIED SEWER?

Do the right thing and listen to the people of this state and community. Thank you. (Diane Quinn)

Response: *Please see the previous response which addresses all the comments we received on Burnt Bridge Creek.*

Comment: It is my understanding that the Washington State Department of Ecology is required to study all the 303 (d) endangered bodies of water by 2013 yet; the process to complete this is unfair, inadequate and impossible to accomplish. Taxpayer's money totaling $176,000 was paid for this study and it will only be given a token examination with the unreasonable way you have set up the timeline process for the federally mandated TMDL to be completed by 2013. This is very unfair to the taxpayers and citizens of the State of Washington and they deserve a better quality of work done by those who work for the citizenry. The Ecology Department should be given a D rating with the way they inspect and manage the waterways in the state.

The Department of Ecology has acted irresponsibly for not funding Burnt Bridge Creek/Vancouver Lake in this TMDL. Burnt Bridge Creek has 15 classifications in

category 5 and far more polluted than the East Fork of the Lewis River with a classification of 9, yet you put the East Fork of the Lewis River on the TMDL list.

Why are you passing the buck? Would you be playing dirty politics with our polluted waters? Shame be upon you for not being concerned, compassionate guardians for the health and safety of the citizenry and the state waterways.

It is time that you take responsibility for doing the job that you are paid taxpayer dollars to perform. I suggest passing this information on to all personnel in the department – as they need to know that the citizens are watching and judging the work and there will be a day of accountability. (Madya Panfilio)

Response: *Please see the previous response which addresses all the comments we received on Burnt Bridge Creek.*

Comment: I am writing to you to please re-consider the funding of a Total Maximum Daily Load study on the Burnt Bridge Creek watershed in Vancouver. The recent funding cycle included the East Fork of the Lewis River, yet it did not include the Burnt Bridge Creek Watershed. Why? The Burnt Bridge Creek Watershed was ranked second on the list of projects behind the Lewis River study, yet it is significantly more polluted. If this is the case, then why was the Burnt Bridge Creek study not funded also?

This watershed has for years been tremendously polluted with human fecal coliform. Despite this fact, the city of Vancouver has recently approved a multi-million dollar project to make this creek more accessible to citizens. As you know, fecal coliform are indicators of more serious pathogens that can lead to many diseases including typhoid, gastroenteritis, dysentery, cholera, and hepatitis A.

If small children, whose immune systems are not yet fully develop are exposed to the toxins in this creek, they will get sick and could die. If this happens, and it is proven that it could have been prevented, then I would not want to be in your shoes when an expert witness testifies on behalf of the grieving family. It is imperative that the Burnt Bridge Creek watershed be reinstated on this funding list for this funding cycle. There is no excuse, and we are running out of time. The City of Vancouver has been avoiding its responsibility for too long and it is up to the State Department of Ecology to exercise its influence to do what is right and in the best interest of the region as a whole.

If the TMDL study is not done in time to bring this situation to light, then many people could become seriously ill. All of this can be prevented. Even Governor Locke has noted that Vancouver Lake and Burnt Bridge Creek are the most heavily polluted waters in the Vancouver area. I again implore you to please "do what is right" and use your influence to include this polluted waterway as part of the funding cycle for a TMDL study. Thank you. (John Felton)

Response: *Please see the previous response which addresses all the comments we received on Burnt Bridge Creek.*

Comment: The Southwest Regional Office of the Washington State Department of Ecology (DOE) submitted a list of six projects to the Olympia office for consideration of funding a Total Maximum Daily Load (TMDL) study. Burnt Bridge Creek/Vancouver Lake, was ranked second among this list of six projects, but was not chosen as part of the statewide priority list for this funding cycle, which lasts for five years. WHY?

Burnt Bridge Creek/Vancouver Lake have been on this list for many years, yet they have not yet been granted a TMDL study. WHY?

The cut off date for all 700 impaired or endangered water bodies is 2013 - Funding cycles are five years in duration. There are only two more funding cycles left before the DOE must complete its work. Only 9 projects are chosen statewide so it is impossible to complete all 700 studies.

Burnt Bridge Creek/Vancouver Lake are more heavily polluted than the East fork of the Lewis River, which is the top ranked project from the South West Regional office. Burnt Bridge Creek/Vancouver Lake, have19 category 5 listings, East fork of the Lewis River only has 9 such listings. Both top ranked projects should be funded.

The Clark County Department of Health and many people in our community support the need for a TMDL study for Burnt Bridge Creek/Vancouver Lake in order to devise a cleanup plan for what Governor Locke calls "Some of the most polluted properties in the Vancouver area."

I insist that you put Burnt Bridge Creek/Vancouver Lake on your list of funding NOW! Thank you (Jane Valentine)

Response: *Please see the previous response which addresses all the comments we received on Burnt Bridge Creek.*

Comment: I am writing to you to protest the blatant omission of Burnt Bridge Creek/Vancouver Lake on the DOE's list of projects for Total Maximum Daily Load (TMDL) study funding.

Burnt Bridge Creek/Vancouver Lake is one of the most polluted waterways in the State of Washington. It is far more polluted than the East Fork of the Lewis River, which was chosen by the DOE this year for the TMDL study. Burnt Bridge Creek and Vancouver Lake have more than twice the number of category 5 listings as the East Fork of the Lewis River. Another 5 years is too late for the Creek and Lake, which are now in crisis! It is outrageous that Burnt Bridge Creek and Vancouver Lake have been included on the EPA's 303(d) list for years and still have yet to be funded for a TMDL study by the Department of Ecology. Both the Creek/Lake and Lewis River projects should be included in this funding cycle.

As I understand it, the DOE is under a court mandate to study 700 Washington water bodies by 2013. Each funding cycle is five years and only 9 projects were funded in this cycle. At this rate it will be centuries before you reach all Washington water bodies, which is of course an absurdity. How many will have been lost forever by then? You

need to step up the pace, recognize and fund more per cycle, and Burnt Bridge Creek/Vancouver Lake should be at the top of the list.

Please send me a confirmation that this was received within the comment period, and notify me of the outcome of this process. (Karen Axell)

Response: *Please see the previous response which addresses all the comments we received on Burnt Bridge Creek.*

Comment: The DOE is not doing enough to help clean up our polluted waterways! Burnt Bridge Creek should have been selected for the funding of a TMDL study over the East Fork of the Lewis River. Burnt Bridge Creek had 19 Category 5 listings vs. only 9 for the East Fork of the Lewis River.

Governor Locke has called the Burnt Bridge Creek/Vancouver Lake waters "some of the most polluted properties in the Vancouver area." This is an area of high population density that comes in contact with these fecal contaminated waters on a regular basis. In fact the city of Vancouver has just approved an expensive trail and recreation package to bring more of the population to the health jeopardizing creek waters. The city of Vancouver has chosen to dodge their responsibility for cleaning up sewage problems that feed into the creek and has chosen to dismiss their responsibility to their citizens for safe water and recreation areas.

It is most sorrowful that 700 impaired or endangered water bodies exist in the state of Washington. I am sure there are others not included in this number. All, including the East Fork of the Lewis River need a TMDL study so that a clean-up plan can be implemented. All need attention as soon as possible. Why is the DOE so lame in addressing this problem? You will never be able to study all 700 water bodies at the rate you are going. Time is of the essence here. Our glorious pristine waterways are turning into one giant sewer of industrial and fecal contaminant. Surely this hurts your heart and sensibility?!

Please act at once to approve Burnt Bridge Creek for an immediate TMDL study. Please also take your stewardship of Washington's water seriously. Increase the number of approved TMDL studies per cycle. What are you going to tell your children when they want to enjoy the beauty of nature this summer? Are you going to let them swim or boat in our lakes and rivers? (Leslie Zega)

Response: *Please see the previous response which addresses all the comments we received on Burnt Bridge Creek.*

Comment: I am writing you as a water quality advocate in Southwest Washington. The current level of commitment toward TMDLs is not in keeping with the requirements of the Northwest Environmental Advocate agreement posted on your web site. If this commitment is not increased by more than 77.7 times in the next 5 year funding cycle, your agency will be in violation of this agreement.

I have spoken with Dave Howard from the local DOE office and was told by him that an objective point scored evaluation was not used in the selection of the East Fork of the Lewis over second place Burnt Bridge Creek. If this in fact as he has stated that this is a subjective determination not subject to public review, we are looking at a slippery slope that at its bottom is a polluted political swamp. If I were to look at the top two cane dates Burnt Bridge Creek and the East Fork I can see more level 5 listings on BBC (18) than the East Fork (9). There is the appearance that DOE has caved and there will be less political flack in selecting the East Fork over BBC as Clark County has already prepared a poor and unimplemented plan for the East Fork and that Vancouver has withdrawn from the BBC Utility and has refused to implement 208 plans in support of this watershed.

There is a need to take on both urbane and rural watersheds into the TMDL process. To take on only one or the other demonstrates DOE's commitment to this inequality and a partiality that extends to enforcement and other areas. The Burnt Bridge Creek, Vancouver Lake, Salmon Creek Basin is considered a single unit by the WIRA process. Most people look at the Lewis River as being a single river with an east Fork and a North Fork. If DOE would follow this same whole system approach rather than splitting into its own artificial designations the 700+ water bodies needing TMDL could be reduced objectively evaluated and planned for and logicly/economicly implemented. (Thom McConathy)

Response: *Please see the previous response which addresses all the comments we received on Burnt Bridge Creek.*

Comment: I am writing to implore you to reinstate Burnt Bridge Creek/Vancouver Lake back on the TMDL study list for this funding cycle.

As I understand it, there is a mandate that all of the water bodies classified on the EPA's 303(d) list are to have a TMDL study performed by the Department of Ecology by the year 2013. Burnt Bridge Creek/Vancouver Lake have been on this list for many years, and even though this was ranked the #2 project for the Southwest Region, it has 18 category 5 listings compared to the 9 category 5 listings of the East Fork Lewis River project which was granted funding for the TMDL study.

Since there are only two funding cycles between now and the year 2013, it is imperative that as many projects are funded as possible towards meeting the mandate of studying the almost 700 class 303(d) water bodies that need TMDL study funding by the year 2013.

Many official Health and Environmental representatives in this region support the need for a TMDL study for Burnt Bridge Creek/Vancouver Lake, in order to devise a cleanup plan for what Governor Locke calls "some of the most polluted properties in the Vancouver area".

For the safety and future of all concerned, the Department of Ecology needs to be doing more to help cleanup our polluted waterways. I thank you for addressing this matter. (Daniel R. Swink)

Response: *Please see the previous response which addresses all the comments we received on Burnt Bridge Creek.*

Comment: The Southwest Regional Office of the Washington State Department of Ecology (DOE) submitted a list of six projects to the Olympia office for consideration of funding a Total Maximum Daily Load (TMDL) study. Burnt Bridge Creek was ranked second among this list of six projects but it was not chosen as part of the statewide priority list for this five year funding cycle.

The top ranked project from the Southwest Regional Office was the East Fork of the Lewis River HOWEVER, Burnt Bridge Creek/Vancouver Lake are more heavily polluted than the East Fork of the Lewis River. Burnt Bridge Creek/Vancouver Lake have 19 category 5 listings (parameters that fail water quality standards and cause loss of use of the water) whereas the East Fork of the Lewis River has only 9 such listings.

There is no reason, including budgetary constraints, that should prevent both top ranked projects from being funded. I do not feel that the DOE is doing enough to help clean up the extreme pollution in Burnt Bridge Creek/Vancouver Lake makes. It is absolutely necessary for it to be chosen immediately for a TMDL study.

A court-order mandates that the DOE must perform a TMDL study on all of the 700 impaired or endangered water bodies by the year 2013. There are only two more funding cycles left before the DOE is supposed to have this work completed. It is absolutely necessary that the DOE fund as many TMDL studies as possible. Please fund more projects during this current funding cycle. Thank you for your consideration. (Cynthia Soike)

Response: *Please see the previous response which addresses all the comments we received on Burnt Bridge Creek.*

Comment: Burnt Bridge Creek was 2nd on the list to fund for a TMDL but was not "chosen". I demand it be put on the list, funded and cleaned up--immediately!!! The creek is far more polluted than Lewis River and should be cleaned up first or at least in addition too. It is time our waterways are cleaned up--this dragging of feet is ridiculous and must stop. (Patricia Giles)

Response: *Please see the previous response which addresses all the comments we received on Burnt Bridge Creek.*

Comment: I am very concerned that only 2 sites were selected for a TMDL study in our area. With so many to do and only 2 funding cycles left how come you are not doing more? How come you are not staggering studies throughout the 5 year funding cycle?

How come the streams with the highest contaminants and category 5 classifications are not on the current list to fund? Burnt Bridge Creek in Clark County has been on the recommendation list for many years and has 15 category 5 classifications identified.

What do we have to do to get our water cleaned up? How come you are not going to have all the identified streams and water bodies evaluated by 2013 as per the court order?

Why aren't you doing the job we all are paying for? (James Neigel)

Response: *Please see the previous response which addresses all the comments we received on Burnt Bridge Creek.*

Comment: As a concerned resident of Vancouver, WA, I am writing to voice disapproval of the decision which place the pollution cleanup of the East Fork Lewis River, which has a class 5 classification of 9, as a priority about Burnt Bridge Creek which has a class 5 classification of 19. How do you justify this decision? It isn't too late to correct what would be a very tragic error of judgment!

I respectfully request that Burnt Bridge Creek be placed back on the current funding list. Thank you for your time and thoughtful consideration. (Ruth Hatter)

Response: *Please see the previous response which addresses all the comments we received on Burnt Bridge Creek.*

Comment: I am writing to voice my opinion about the TMDL studies being done by the WA state Dept. of Ecology. I understand that there was a court order which said that the approximately 700 polluted bodies of water in the state had to be studied by the year 2013 and that you only receive funding for these studies every 5 years. This means you only have two more opportunities to receive funding before your deadline. I don't think you are going to make it when you only choose nine of these water bodies each time! Our water is one of the most important things on this planet and if we continue to neglect it like this we will sincerely regret it in later years.

Another thing that deeply concerns me is that, when choosing these nine water bodies for the most recent funding opportunity, the East Fork Lewis River was given top priority over other very important and even more endangered water bodies: Burnt Bridge creek and Vancouver Lake. These two bodies of water have 18 category 5 listings where the East Fork Lewis River has only 9. It's jut not right that this was skipped over like this. I understand that the East Fork was chosen for this TMDL study along with other much less polluted water bodies. Therefore, I ask that you please put Burnt Bridge Creek and Vancouver Lake back on the list to be studied. I want to see our world become a cleaner, safer place. I'm hoping Ecology has this same goal and that you are willing to work as hard as you can to achieve it. Thank you very much for your time. (Chelsea Mae Belle)

Response: *Please see the previous response which addresses all the comments we received on Burnt Bridge Creek.*