

City of Oak Harbor

OFFICE OF THE MAYOR
BOB SEVERNS
MAYOR

865 S.E. BARRINGTON DRIVE
OAK HARBOR, WASHINGTON 98277
(360) 279-4502

October 17, 2019

Water Quality Permit Coordinator
Washington Department of Ecology
NW Regional Office
3190 160th Ave SE
Bellevue, WA 98008

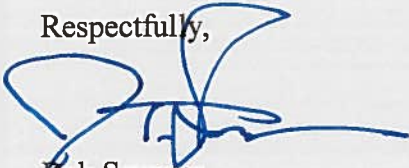
RE: Preliminary Determination to Develop a Puget Sound Nutrients General Permit (WSR 19-16-140)
Submission of Written Comment by the City of Oak Harbor

The City of Oak Harbor wishes to comment on the proposed Puget Sound Nutrients General Permit. The City of Oak Harbor comments are contained in Resolution 19-35 (attached), which was approved by City Council on October 15, 2019.

The City of Oak Harbor appreciates the opportunity to comment on this important water quality issue and wishes to participate in any further rulemaking.

If you have any questions regarding the City's comments, please contact Cathy Rosen, Oak Harbor Public Works Director, at crozen@oakharbor.org or (360) 279-4751.

Respectfully,



Bob Severns
Mayor

cc: Cathy Rosen, Oak Harbor Public Works Director

Enclosure

**CITY OF OAK HARBOR
RESOLUTION 19-35**

A RESOLUTION OF THE CITY OF OAK HARBOR PROVIDING COMMENTS TO THE WASHINGTON STATE DEPARTMENT OF ECOLOGY REGARDING PRELIMINARY DETERMINATION TO DEVELOP A NEW GENERAL PERMIT FOR THE PUGET SOUND NUTRIENT REDUCTION PROJECT.

WHEREAS, the City of Oak Harbor operates a wastewater treatment plant permitted by the Washington State Department of Ecology (DOE) under the National Pollutant Discharge Elimination System (NPDES) Permit WA0020567; and

WHEREAS, the City recently completed construction of a new Membrane Bio Reactor (MBR) facility; and

WHEREAS, the City MBR facility provides a high level of nutrient removal in addition to conventional pollutants; and

WHEREAS, the DOE has identified the entire Puget Sound as water quality impaired by not meeting the Dissolved Oxygen Standards; and

WHEREAS, the Salish Sea Model shows the Dissolved Oxygen conditions vary throughout the entire Puget Sound but appears especially acute in the west Whidbey Island area; and

WHEREAS, the DOE proposes to implement a nutrient management program to address the Dissolved Oxygen conditions by use of a Puget Sound Nutrients General Permit; and

WHEREAS, the City supports water quality improvements in the Puget Sound; and

WHEREAS, many communities discharge effluent into the Puget Sound with widely varying technologies and ability to remove nutrients; and

WHEREAS, the proposed General Permit has the potential for impacting a community's finances and growth potential; and

WHEREAS, the City's MBR facility utilizes the best available technology for nutrient removal; and

WHEREAS, DOE has not identified how a General Permit will address community specific technology considerations; and

WHEREAS, DOE has not identified how a General Permit will address the varying basin water quality conditions in the Puget Sound identified in the Salish Sea Model; and

WHEREAS, DOE could implement community specific and water body specific nutrient reductions by modifying an individual community's NPDES permit; and

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WHEREAS, the City's implementation of an MBR type of treatment and subsequent water quality improvements to the west Whidbey receiving waters already advanced the intentions of the Salish Sea Model and thus warrants individual evaluation; and

WHEREAS, the City Council was briefed on this topic at their workshop of September 25, 2019; and

WHEREAS, at that time staff proposed the Council consider adopting a resolution to formally convey their concerns directly to DOE and the resolution could be transmitted as an attachment to a comment letter; and

WHEREAS, the City Council considered this matter at their regular meeting of October 15, 2019;

NOW, THEREFORE, BE IT RESOLVED that via Resolution 19-35:

1. The City of Oak Harbor requests that the DOE implement its Puget Sound Nutrient Reduction Program by modifying the NPDES permits of individual dischargers into the Puget Sound.
2. In the event the Department of Ecology elects to proceed with a General Permit Process, the City of Oak Harbor requests that the General Permit provide for and not adversely impact permit holders currently utilizing best available technologies for nutrient removal.
3. This Resolution will be transmitted electronically and by mail with a cover letter as part of the formal comment to the DOE Puget Sound General Permit determination.

PASSED by the City Council and approved by its Mayor this 15th day of October 2019.

CITY OF OAK HARBOR

BOB SEVERNS, MAYOR

Attest:


Carla Brown, City Clerk

Approved as to form:


Nikki Esparza, City Attorney

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