



**Washington Association  
of Sewer & Water Districts**

EDUCATE ■ ADVOCATE ■ COLLABORATE

October 21, 2019

Water Quality Permit Coordinator  
Department of Ecology Northwest Regional Office  
3190 160th Avenue SE  
Bellevue, WA 98008-5452  
(Submitted Electronically)

Subject: Comments on Department of Ecology Preliminary Determination to Develop a New General Permit for Nutrients

ATTN: Water Quality Permit Coordinator,

Thank you for the opportunity to comment on the Department of Ecology (Ecology) proposed nutrient discharge general permit for wastewater treatment plants (WWTPs) that discharge to Puget Sound.

The Washington Association of Sewer and Water Districts (WASWD) represents local public water and wastewater districts throughout the state. Our members are dedicated to providing safe drinking water, and wastewater collection and treatment that protects local environments. Of these members, thirteen have WWTPs that discharge directly to Puget Sound. These members collectively represent about 25% of agencies, as identified by Ecology, that would be affected by the development of this proposed General Permit.

WASWD member districts are committed to clean water for their communities, making significant investments to provide cost-effective services in a way that best utilizes limited funding. To that end, further investments to protect Puget Sound need to be focused on those efforts with the greatest potential to improve water quality. A general permit could be a tool for achieving that if it produces water quality outcomes commensurate with the cost of any regulatory requirements.

We appreciate Ecology's efforts to address dissolved oxygen impairment in Puget Sound, including the development of the Salish Sea Model and the Forum conducted for stakeholders to provide input on that modeling and potential management solutions. In considering the potential use and impact of a general permit for nutrients, WASWD members have three overarching concerns discussed in this letter: optimizing benefits regionally with innovative approaches that will support affordable rates for customers; utilizing robust scientific modeling to identify cost-effective solutions; and engaging stakeholders to inform permit provisions. WASWD has also co-signed a letter along with other wastewater treatment agencies in the region that identifies additional detailed concerns our members support.

### Affordability

Adding nutrient removal to wastewater treatment facilities will be extremely expensive, not just in initial cost, but for operations, maintenance, upgrades and training of personnel. Higher costs, such as increased electrical usage which contributes to a larger carbon footprint, have been indicated by WWTPs reporting at the Puget Sound Nutrient Forum (PSNF) meetings. In addition, not all WWTPs have equal ability to implement nutrient removal. A General Permit framework can take this into account by focusing reductions based on a watershed and/or regional Puget Sound basis to accommodate creative and flexible solutions such as trading, bubble permits and offsets. Meeting water quality goals for watershed areas or Puget Sound as a whole will allow the biggest benefit for dollars spent and make it more affordable for customers.

### Science-based Decisions

Having solid science-based decisions backing permit provisions is essential for making the case to ratepayers that the associated rate increases will produce water quality results that make the rate increase worthwhile. In one of the PSNF meetings, Ecology brought in representatives from 3 areas using nutrient general permits—Long Island Sound, Chesapeake Bay and San Francisco Estuary. These presentations indicated that reductions in nutrients were occurring under these permits. What it did not demonstrate, for the most part, was how these reductions were making a clear ecological and environmental difference in those regions. The modeling done by Ecology focuses on nutrient reduction making a small change in dissolved oxygen levels. The effects this will have on salmon and orcas is not clear, however, and certainly not demonstrated. Measurable science-based outcomes are needed to be able to make permit adjustments as more information is obtained, to demonstrate that actions taken are having the desired effect on the ecosystem, and to demonstrate to the public that higher wastewater bills for customers are providing the best value to Puget Sound water quality.

Further, science-based decisions must be supported by modeling of the complete system, including non-point pollution and upstream conditions that play a significant role in nutrient enrichment. Especially since Ecology has already stated that nutrient reductions at WWTPs will not solve the problem alone, information from the watersheds needs to be utilized in determining the most cost-effective solution to the problem.

### Stakeholder Engagement

In developing and implementing permits, stakeholder engagement is crucial in getting adequate information and input on permit issues. Individual WWTP permits involve significant discussion between utility staff and Ecology to determine improvements and direction over the typical five-year term of NPDES permits. A general permit for nutrients will need this approach as well, especially when it comes to innovation. Ecology would need to coordinate closely with wastewater stakeholders during the development of any draft and final general permit requirements. Regional collaboration among Puget Sound point source dischargers, along with other stakeholders in the region including other governmental agencies, academic sciences,

environmental groups and business leaders should be explored. The Bay Area Clean Water Agencies (BACWA) and/or the San Francisco Estuary Partnership may be good models for Puget Sound to provide a way for hearing directly from stakeholders and having well-informed Puget Sound nutrient reduction assessment, planning and implementation.

WASWD members want wastewater ratepayers to have confidence that public investments driven by a General Permit can demonstrate a direct connection commensurate with tangible improvements to the health of Puget Sound. Science-based measurable outcomes, and approaches that lead to cost-effective solutions, can make a General Permit a useful tool in addressing nutrient discharges.

Thank you again for the opportunity to comment on the "Preliminary Determination to Develop a New General Permit."

Sincerely,

A handwritten signature in blue ink that reads "Judi Gladstone". The signature is written in a cursive, flowing style.

Judi Gladstone  
Executive Director