



COUNTY COMMISSIONERS

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**COMMUNITY PLANNING &
ECONOMIC DEVELOPMENT DEPARTMENT**

Joshua Cummings, Director

Creating Solutions for Our Future

July 14, 2022

Ben Watson
Washington Department of Ecology
Water Quality Program
PO Box 47775
Olympia, WA 98504-7775

RE: Comments on the Draft Budd Inlet TMDL for Dissolved Oxygen

Dear Mr. Watson,

Thank you for the opportunity to provide comments on the *draft Budd Inlet Total Maximum Daily Load for Dissolved Oxygen Water Quality Improvement Report and Implantation Plan*. We appreciated Ecology's Budd Inlet TMDL Team reaching out to us in advance of the release of the public review draft.

Thurston County remains committed to working collaboratively with Ecology and other partners in identifying and deploying effective strategies for the betterment of the water quality in our region. We hope you will find the comments below useful as you work to revise and amend the draft TMDL. Please contact me should you have questions regarding our comments or require additional information.

Sincerely,

Larry Schaffner
Stormwater Program Coordinator
Thurston County
2000 Lakeridge Drive SW
Bldg. 4, Rm. 100
Olympia, WA, 98502
schaffl@co.thurston.wa.us

Comments

(p. 15, second paragraph)

We appreciate the complexity involved in the modeling and analyses required for this TMDL. Marine systems add another layer of complexity. While a climate change impact analysis was not specifically included in the scope of this TMDL, rising temperatures will no doubt have an adverse impact on dissolved oxygen (DO) levels, which in turn will create additional challenges in achieving the outcomes sought through implementation of the water quality cleanup plan. As such, providing greater insight as to when a climate impact analysis might occur as part of the TMDL's adaptive management implementation approach would be helpful. Findings from such an analysis can, in turn, help us with our adaptive management approaches to implementation.

(p. 32-33, Additional permit information)

We concur with the conclusion that *"Because the model uses loadings that predate the first Western Washington Phase II Municipal Stormwater Permit, we anticipate the level of reduction needed may be significantly less."* In addition to the model using loadings predating the programs and actions implemented under the County's municipal stormwater permit (Permit), the modelling inputs assume that the entire geographic scope of the County's Permit captures and discharges stormwater runoff directly or indirectly into Budd Inlet. This does reflect that many areas falling within the geographic scope of the County's Permit do not drain into the County's municipal separate storm sewer system.

Thurston County also remains committed in continuing to comply with all the elements in our Permit and has reviewed the two proposed additions. Regarding, *"Track any BMPs implemented to meet the TMDL, and implement nutrient control BMPs as needed. Priority areas include those that drain more directly to Budd Inlet"*, please clarify if the intent is to track implementation of BMPs that go beyond those already required under Section S5 of the Permit and are reported on an annual basis per Section S9. We would also find it helpful if this expectation listed the specific type(s) of BMPs we needed to track.

Given the presumptive compliance framework that municipal stormwater permits operate under, adding *"Through a combination of analysis and/or monitoring, assess current stormwater loading to determine compliance with allocations"* is inconsistent with this well-established regulatory framework. As an alternative, we propose calling on Thurston County to cooperate with Ecology's Environmental Assessment Program (EAP's) in their future evaluations of the Budd Inlet TMDL's water quality cleanup plan's effectiveness. This would be akin to the successful cooperation we engaged in EAP's evaluation of the Henderson Inlet TMDL water quality cleanup plan's effectiveness (Ecology publication number 17-03-001).

(p. 74, Thurston County Resource Stewardship Department)

This content should be updated to reflect that the Resource Stewardship Department underwent a reorganization and is now referred to as Community Planning & Economic Development (CPED). Among its renamed divisions include: Community Planning (previous referred to as Long Range Planning) and Development Services (responsible for permitting and orchestrating environmental review).

The Storm and Surface Water Utility has also undergone a reorganization with the technical services and operations sections moving to Public Works Department's Water Resources Division. Education & outreach, environmental monitoring, and hydrogeology, and overall stormwater program coordination remain in CPED within the Community Planning Division.

(General comment)

Thurston County appreciates and benefits from the collaborative partnership built with the Department of Ecology (Ecology) over the years. This includes Ecology's municipal permit program staff reaching out to municipalities encouraging to revive what has become known as the [2024 Western Washington Ad Hoc Process](#). This process generated a series of recommendations, in the form of white papers, for Ecology to consider as they begin crafting the municipal stormwater permit's reissuance. One of these included a [white paper](#) related to TMDLs which, if you haven't done so, we encourage TMDL staff to review.

As Ecology moves to the task of crafting the TMDL's water quality implementation plan's actions into additional Permit requirements, we specifically want to draw your attention to this one:

Ecology MS4 Permit staff, in collaboration with TMDL writers, should work closely in determining the appropriateness of the TMDL-related obligations considered for inclusion in the MS4 Permit.

Thurston County would welcome the opportunity to be a partner in such a collaborative discussion.