



# SIERRA CLUB

WASHINGTON STATE

DEPARTMENT OF ECOLOGY

APR 21 2025

WATER QUALITY PROGRAM

April 18, 2025

Marla Koberstein  
Department of Ecology, Water Quality Program  
P.O. Box 47600  
Olympia, WA 98504-7600

Dear Ms. Koberstein:

The Washington State Chapter of the Sierra Club has reviewed the 2025-2027 Draft Workplan for the 2025 Triennial Review of Surface Water Quality Standards and is submitting the following comments.

Ecology's Water Quality Program (WQP) Triennial Review Process requires Ecology's WQP to periodically reflect proposed changes to Washington State's Surface Water Quality Standards (Chapter 173.201A WAC). Ecology's WQP incorporates proposed additional environmental protections based on the current Best Available Science. These added protections in the 2025 Triennial Review Process build upon a previous triennial Review Process. The proposed language appears to be well-thought-out and demonstrates that Ecology's WQP is "on-target" with three realistically achievable actions that will provide more robust water quality protections in the future. Ecology utilizes a straightforward, transparent prioritization process for evaluating proposed Priority Actions.

### **Group 1 Projects:**

Ecology has the resources to begin or Ecology is already working on it.

#### **1. Developing recreational criteria for toxins released from Harmful Algal Blooms (HABs)**

Sierra Club supports Ecology proposing to establish freshwater numeric recreational criteria (200 CFUs) for cyanotoxins such as *microcystins* and *cylindrospermopsin*. This follows EPA's proposed nationwide HAB permit. To its credit, Ecology is considering additional criteria for *Saxitoxin* and *Anatoxin-a*, two other toxins associated with HABs. EPA has no nationally recommended criteria for these toxins.

#### **2. Adopting nutrient criteria for lakes and reservoirs**

Sierra Club supports Ecology taking steps to reduce phosphorus and nitrogen flowing into lakes and reservoirs by proposing nutrient criteria (numeric standards) for phosphorus and nitrogen for freshwater lakes and reservoirs. We recommend adopting numeric criteria for rivers and streams.



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Phosphorus and nitrogen are often found to be root causes of Harmful Algal Blooms (HABs). These chemicals find their way into surface waters of the state from overapplication of commercial fertilizers and animal manures incorrectly applied to vegetation or applied at the wrong time of year for plants to utilize the fertilizer (i.e. winter dormant periods). Nitrogen and phosphorus create conditions for vegetative and reproductive growth in algae that often result in HABs.

**3. Completing the performance-based approach methods document for deriving natural conditions criteria for marine dissolved oxygen and starting the freshwater temperature chapter.**

Sierra Club supports Ecology's intent to finalize this ongoing work that will be used to set criteria for dissolved oxygen in marine waters and beginning a chapter that addresses temperature criteria for freshwaters of Washington State. Over time, Sierra Club members as well as members of the public will reap the rewards through improved water quality in all state waters.

**Group 2 Projects:**

Ecology will do a technical review of information to consider updating the water quality standards.

**1. Proposing designations for outstanding resource waters that meet eligibility requirements under WAC 173-201A-330.**

Because this process is triggered by requests made by members of the public, Sierra Club supports this Group 2 project. Sierra Club supports Ecology designating outstanding resource waters, which are waters of extraordinary quality.

**2. Reviewing the appropriateness of a designated use assigned to a waterbody, called a Use Attainability Analyses (UAA).**

Sierra Club supports Ecology's internal review of the appropriateness of use of the Use Attainability Analysis (UAA).

**3. Considering requests for a temporary change to the water quality standards, called a variance.**

Sierra Club supports Ecology's denial of a request for temporary change (aka variance) to water quality standards as this proposed action will likely degrade water quality.

**4. Develop aquatic life toxics criteria Iron, hydrogen sulfide, heptachlor epoxide, and alkalinity**

Sierra Club supports Ecology's proposal to develop aquatic life toxics criteria since EPA has not updated these criteria since the 1980s.



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**5. Update aquatic life toxics criteria for PFOA and PFOS**

Washington adopted perfluorooctanoic acid (PFOA) and perfluorooctane sulfonic acid (PFOS) aquatic life toxics criteria in August 2024. Sierra Club supports Ecology's proposal to evaluate whether Washington's PFOA and PFOS criteria are protective of aquatic life, including endangered species, and if we should adopt EPA's final recommended criteria.

**Group 3 Projects:**

Ecology is exploring whether there is enough information available to develop water quality standards in the future.

**1. Aquatic life toxics criteria for chemical mixtures**

Sierra Club supports Ecology reviewing toxicity data within chemical classes of about 125 chemical mixtures to determine if state water quality standards for these chemical compounds are protective of aquatic life.

**2. Tracking water quality standard developments**

Sierra Club supports Ecology:

1. Evaluating human health criteria for perfluorooctanoic acid (PFOA), perfluorooctane sulfonic acid (PFOS), and perfluorobutane sulfonic acid (PFBS),
2. evaluating new bioavailability models for metals criteria,
3. including EPA's Office of Pesticide Programs aquatic life benchmarks as CWA 304(a)(1) criteria or 304(a)(2) benchmarks, and
4. developing criteria for ions, mercury, cyanide, arsenic, and selenium aquatic dependent wildlife.

Thank you for your consideration,

Elaine Packard, Chair  
Water & Salmon Committee  
Washington State Chapter Sierra Club

