



April 18, 2025

Marla Koberstein
Department of Ecology
Water Quality Program
300 Desmond Dr SE
Lacey, WA 98503

Dear Ms. Koberstein,

Thank you for the opportunity to provide input on the Triennial Review of Surface Water Quality Standards 2025 – 2027 Draft Workplan. Washington Conservation Action Education Fund (WCA) is a 501(c)(3) organization founded in 1967 as Washington Environmental Council. Our mission is to develop, advocate for, and defend policies that ensure environmental progress and justice by centering and amplifying the voices of the most impacted communities. We are committed to clean water protection for all Washington waters.

We anticipate that the current federal administration and polluters will seek ways to weaken human health and aquatic life standards. In light of this, it is critical that Washington continues to be a leader by establishing more protective standards that safeguard waters, aquatic life, and people from rollbacks in the coming years.

Project Group 1: Performance-based approach methodology document – marine dissolved oxygen and freshwater temperature

Establishing natural conditions for marine dissolved oxygen and freshwater temperature is well grounded in scientific approaches and modeling applications. Ecology has used consistent approaches for over 20 years and publishing the generalized approach is good practice.

We concur with publishing the final methodology for calculating natural conditions criteria for marine dissolved oxygen as part of Project 1. As we included in our July 9, 2024 comment letter (attached), it is imperative that Ecology maintain strict standards for marine dissolved oxygen and ensure swift rulemaking. We expect aggressive attempts to weaken the dissolved oxygen standards by municipal sewage treatment plant dischargers. This is a blatant attempt to avoid regulations that are needed to protect Puget Sound and other marine waters. The rest of the United States is moving toward nutrient-removal technology and even zero-ocean discharge, and this small contingent of municipalities is out of step with the rest of the country. Ecology has strong examples of municipalities adequately planning ahead for expected regulations

and should not reward the delay tactics of seeking to weaken marine dissolved oxygen standards while others, like Pierce County's Chambers Creek plant, planned ahead over 20 years ago for advanced wastewater treatment.

We also concur with developing a new chapter with a performance-based approach to calculating natural conditions for freshwater temperature as part of Project 1. Rivers and streams are too hot for salmon throughout the state. While lack of riparian vegetation remains the primary driver, even restoring full shade may not meet the numeric standards in some waters and must be addressed based on modeling. We also expect that polluters will attempt to capitalize on this rulemaking to weaken temperature standards for rivers and streams. Ecology should swiftly address this need to fill an important gap that resulted from legal action against EPA.

Project Group 2: Update aquatic life toxics criteria for PFOA and PFOS

We understand that Ecology has invested significant time into updating Washington's freshwater acute and chronic criteria for PFOS and PFOA and that at the time they were issued, the levels were consistent with EPA's draft recommendations. EPA's final criteria differed significantly from their draft, with limits for freshwater acute and chronic criteria for PFOS and freshwater acute for PFOA becoming stricter and more protective of aquatic life.

We agree with Ecology's inclination to evaluate PFOA and PFOS in light of EPA's final recommended criteria to ensure that Washington's standards are as protective as possible of aquatic life. However, given the uncertainty of the current federal administration, we caution Ecology against embarking on additional rulemaking that could lead to a weakening of our current criteria for PFOS and PFOA.

Given the rollback of many environmental protections under the current administration, we recommend Ecology strongly consider the current federal climate and the possibility that reopening this process could lead to erosion of the standards that were previously adopted.



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Project Group 2: Use Attainability Analyses and Variances

We do not support Ecology responding affirmatively to requests for Use Attainability Analyses or Variances for either marine dissolved oxygen or freshwater temperature as part of Project Group 2.

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Thank you for considering these comments,

Mindy Roberts, Ph.D., P.E.  
Puget Sound Program Director

Katie Byrnes  
Toxics & Stormwater Policy Senior Manager