

Washington State Department of Health - Office of Drinking
Water Anonymous Anonymous

ECY Non-Point Plan 2025 ODW Comments

General (clean-up/editing)

- Most citations are formatted correctly, but a few references to RCW XX.XX rather than Chapter XX.XX RCW escaped editing- catch in final version
- “WA” is a postal code that should not be substituted for Washington State in agency names
- Double-check acronyms (spell out first usage/acronym thereafter)
- Remove capitalization from terms that aren’t proper nouns (ex. “local health jurisdiction”)
- AKART is explained several times in different sections- can they be combined?

p. 12 Table 1 /p. 16, Table 6

- Would it be useful to add algal blooms to nutrients, plus human/pet health in impacts?

p. 21, last paragraph

- “Oversight” not “oversite”

p. 43, last line

- Delete comma at end (part of clause continues to next page – “source water” applies to both assessment & protection)

p. 44, Sole Source Aquifer (SSA) Protection Program

- In addition to their federal designation, SSAs are also one type of critical aquifer recharge area (CARA) under the state GMA’s critical areas provisions that are designated & protected locally (see WAC 365-190-100(4)(b)(i)).

2.4

- Would it be appropriate to include local adoption of Ecology’s E/W Stormwater Manuals as another example of regulatory tools? (Since they cover both point/nonpoint, not sure whether this is viewed as salient.)

3.1.1

- On page 57 of the draft, "The TMDL Process in Washington State" and Policy 1-11 don't seem to call out specifically that a body of water being used as a drinking water source is a ranking criterion when they decide where to work. Is the presence of a surface water intake used in ranking water bodies?

3.2.3

- Regarding the Water Quality Trading Framework beginning on page 69, if this is further implemented beyond Puget Sound, how will impacts to surface water intakes be considered before allowing pollution trading in a watershed?

4.4.3

- The powers/purposes from RCW 87.03.010 are included in the numbered list, but those in .015 are missing. Those latter powers are important to note in that they surpass irrigation to include a broad range of other utility purposes, including drinking & firefighting water, sewage disposal & treatment, & electricity.

p. 131, 6th bullet

- Include regulation of public water systems in addition to OSS.

p. 184, Underground Injection Control Program

- It bears mentioning that some types of UICs are not allowed in Washington – see WAC 173-218-040.

p. 185, Critical Aquifer Recharge Areas & Critical Area Ordinances

- Critical aquifer recharge areas & critical areas ordinances are not proper nouns so should not be capitalized. There is reference to CARA “ordinances” but CARAs are only one type of critical area incorporated into a critical areas ordinance (in other words, it wouldn’t have a standalone ordinance).

8.3.4

- The requirement to inventory potential “contaminant” (not “contamination”) sources applies only to Group A public water systems. Water systems do not “contact the identified potential contaminant sources” but the owners/operators of properties/uses identified. This is not expected to be completed within one year but at the time the initial wellhead protection program is established; then, at 2-year intervals thereafter. There is no distinction between the risk level of potential contaminant sources within the various times of travel to the well or spring; they all must be included in the inventory. “Wellhead protection areas (WHPAs)” not “wellhead protection zones (WHPZ)” (second paragraph also).
- We suggest rewriting the first paragraph as follows:
Group A public water systems must establish source water protection programs that comply with WAC 246-290-135. They must delineate sanitary control areas (SCAs) and wellhead protection areas (WHPAs) for wells and spring sources, and/or watershed control areas for surface water or ground water sources that are under the influence of surface water. Land use within SCAs must be under purveyors’ direct control. Recognizing that lands and activities within the larger WHPAs are under others’ control, systems must inventory potential contaminant sources within them at least every other year and communicate with property owners and operators of potentially contaminating uses within the WHPAs about the existence of the drinking water source and their location within the WHPA. This is intended to encourage those in control of potential contaminant sources to conduct their activities in a way that minimizes the possibility of source water

contamination. Additionally, water systems must notify regulatory agencies and local governments, including emergency responders, within WHPA boundaries of the drinking water source's existence and location. DOH's Office of Drinking Water also encourages local governments to specifically protect WHPAs as part of their critical areas/CARAs regulations and provides technical assistance within the GMA planning process.

8.3.5

- Suggested tweak to beginning: "RCW 90.44.400 allows the Department of Ecology to..."
- These are also areas that are recognized as types of CARAs under WAC 365-190-100 (ref (4)(b)(ii)), so the introductory portion could be expanded to cross-reference to the earlier critical areas/CARAs discussion.