

Fisherman Bay Sewer District Nutrient Permit Comments

- Please clarify if the choice to opt out is irrevocable. Can one opt in later if the District determines it is in its best interests? Determined by grant deadline.

The permit still requires small dischargers to submit Discharge evaluation by March 31, 2026 which allows less than 1 year of data for the first evaluation even if we were covered as of June 30, 2025. It also requires submittal of an implementation plan by June 30, 2026:

- Please clarify if small dischargers may use data from prior to permit coverage by this permit to establish their baseline removal and the effectiveness of actions that have been taken prior to the permit revision.
- Paragraph S6C.1 of the draft permit “Permittees that maintain an annual TIN average of < 10 mg/L and do not document an increase in load through their DMRs do not have to submit this [AKART] analysis.”

The permit currently gives action levels for large and moderate loaders in Lbs/Year. Paragraphs S5.E.1 and S5.E.5.b.iii for moderate loaders recognizes seasonality: “reduction opportunities that could achieve a final effluent concentration of 3 mg/L TIN (or equivalent load reduction) on seasonal average (April – October) basis”. Ours is a pond system. We already meet the seasonal performance of 3mg/L TIN but opportunities to decrease off season performance are limited.

- Please clarify if small loaders may use Lbs TIN instead of mg/L in treatment process performance assessment and discharge evaluation. (loading instead of concentration)
- Please clarify if small loaders may opt for an annual permit limit in Lbs TIN instead of a discharge concentration limit in mg/L.
- Are winter discharges relevant to oxygen depletion and environmental stress on marine life? Algae blooms occur in warm weather. Please clarify if discharge limits can be seasonal only or must be year round.

Construction in the San Juan Islands is exceedingly expensive due to shipping costs, the effect of ferry fares and unreliability on bids from off island contractors (mostly off island contractors engage in WWTP work) and housing for qualified crew. This should be recognized in some way in the language addressing the environmental justice review.