



Birch Bay Water and Sewer District

Serving the Greater Birch Bay Area Since 1968

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July 22, 2025

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Online submission is preferred by Ecology:
2025 Puget Sound Nutrient General Permit - Formal Public Comment Period on the Draft
Public Comment period ends 11:59 pm 7/25/25

Dept of Ecology,

Thank you for the opportunity to comment on the draft 2025 Puget Sound Nutrient General Permit. We would like to submit our comments for your consideration:

Page 7 - Table 1: S5.C Annual Nitrogen Optimization Report for Moderate Loaders
Ecology has already received Nitrogen Optimization Plans and monthly DMR reports from permittees. There is no added benefit to preparing an Annual Nitrogen Optimization Report. Producing this additional report will take up needless time and expense, when permittees are already struggling to meet heightened demands of this Permit while keeping costs under control for their customers. Ecology should eliminate this requirement or find a way to obtain and analyze already submitted DMR data instead.

Page 7 - Table 1: S9A Monthly DMR due date, 15th of each month.
Delays with outside lab have made this deadline difficult to meet. Ecology should change the submittal date to "within 30 days of applicable monitoring period".

Page 9 - Table 3: Birch Bay Sewage Treatment Plant (STP) is categorized as a moderate load permittee.

1. Page 56 - Moderate loader means a domestic WWTP discharging between 100 and 2,000 lbs/day TIN. Cumulatively, moderate loaders constitute roughly 19% of the domestic point source TIN load.
2. Page 57 - Small Loader means a domestic WWTP discharging less than 100 lbs/day TIN. Cumulatively, small loaders constitute <1% of the domestic point source TIN load.
3. Birch Bay STP has averaged 77 lbs/day TIN since the effective date of the initial PSGNP, January 1, 2022.

The data Ecology has used to categorize Birch Bay STP, and presumably other permittees, is outdated. Birch Bay STP has made improvements as described in our Nutrient Optimization Plan which has resulted in lower TIN load discharged. Ecology should use current data from monthly DMR's to accurately categorize facilities and/or consider reevaluating dominant/moderate/small load definitions.

Lastly, Birch Bay STP is in the Strait of Georgia, not Puget Sound. In other contexts, the Strait of Georgia, Strait of Juan de Fuca, and Puget Sound are considered distinct bodies of water because of their limited connectivity. As it pointed out in its July 24, 2020 comment letter on its draft individual permit, Birch Bay is one of the tiniest contributors of nitrogen to the Strait of Georgia; according to DOE Publication 19-03-001, the Strait of Georgia has “extraordinary” dissolved oxygen levels; and currents from the Strait of Georgia generally flow north, not south into to Puget Sound. There is still no modeling showing that the amount of TIN Birch Bay STP discharges into the Strait of Georgia—now an even smaller quantity than it discharged in 2020—has any impact whatsoever on the dissolved oxygen levels in south Puget Sound. Since the Strait of Georgia does not have the same dissolved oxygen problems that Puget Sound has, and it does not appear that any of the TIN Birch Bay STP discharges flows down into south Puget Sound, there is nothing to be gained by permitting Birch Bay STP in the same permit as the WWTPs that are in Puget Sound. The cost to Birch Bay’s customers, however, is high, at a time when housing affordability is near crisis. Ecology should reconsider whether Birch Bay STP should be included in the 2025 Puget Sound Nutrient General Permit.

Sincerely,



Sandi McMillan
General Manager