

Water Quality Partnership

December 8, 2022



Welcome - Introductions & Program Updates	Vince McGowan	10:00 – 10:10
Permit Fee Rule & Advisory Committee Updates	David Giglio Leslie Connelly	10:10 – 10:25
Grants & Loans Updates	Jeff Nejedly	10:25 – 10:35
SWRO TMDL Updates	Andrew Kolosseus	10:35 - 11:00
Watershed Management Updates	Melissa Gildersleeve Ben Rau	11:00 – 11:30
General Permit Updates – (handout)	Lucienne Banning	11:30 – 11:45
Roundtable	All	11:45 – 11:55
Wrap Up – Future agenda topics	Colleen Keltz	11:55 – 12:00



Water Quality Program Updates

Vince McGowan



Permit Fee Updates

David Giglio & Leslie Connelly



Domestic Wastewater Discharge Permit Backlog and Fees

Problem Statement

Due to inadequate staffing levels:

- About 70% of WWTP WQ permits are past their reissuance date.
- These permits often don't keep up with changes in the facility, technology, or water quality standards.
- Facilities don't get the quality customer service we would like to deliver, which can interfere with their growth or funding.

Steps Taken

Ecology proposed legislation, which passed as ESSB 5585. The bill:

- Removed the statutory cap on WWTP permit fees
- Set targets for reducing the permit backlog to 40% by 2025 and 20% by 2027
- Directed Ecology to form a Stakeholder Advisory Group (SAC) to recommend new permit fees that will support the staff needed to reduce the permit backlog

Stakeholder Advisory Committee

- Membership
- Scope and Purpose
- Key Findings and Recommendations
 - Increased complexity vs slightly declining staffing led to the growing backlog
 - Ecology needs to increase permit manager staffing about 50%
 - Fees will also need to increase about 50%

For more information

All meeting minutes and materials from this project can be found at:

[Department of Ecology - Committees, Boards, and Workgroups \(wa.gov\)](https://www.ecy.wa.gov/committees-boards-and-workgroups)

For additional information, you can also contact me:

David Giglio

David.Giglio@ecy.wa.gov

(360) 480-2141

Chapter 173-224 WAC Permit Fees

- RCW 90.48.465 requires Ecology to establish annual fees to recover the cost of administering the wastewater and stormwater permit programs.
- Most recent fee increase occurred in 2021.
- No increase in 2022 or 2023.
- WQP evaluating fee increases needed to recover projected costs for 2024 and 2025.

Chapter 173-224 WAC Rulemaking Timeline (subject to change)

Date	Activity
June 6, 2022 (complete)	Announce rulemaking (file the CR-101 form)
June 2022 – February 2023	Develop and prepare the rule language and other information
July – December 2022	Wastewater Treatment Plant Advisory Group Meetings
March 2023	Propose rule (file the CR-102 form) Start public comment period with rule text and supporting documents
Spring 2023	Hold online public hearing(s): Time: TBD Place: N/A Address: N/A
Spring 2023	End public comment period
Spring 2023	Review public comments and prepare adoption packet
May 29, 2023 (Tentative)	Adopt rule (file the CR-103 form)
Summer 2023	Rule effective (usually 31 days after filing)

Questions on Water Quality Permit Fees

Contact

Leslie Connelly, Water Quality Program Budget Manager
(360) 628-4381 or leco461@ecy.wa.gov

Rulemaking page

<https://ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC-173-224>

[WAC 173-224 - Washington State Department of Ecology](https://ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC-173-224)

Sign up to receive email notices

<https://ecology.wa.gov/EmailList/WQfee>



Grants & Loans Updates

Jeff Nejedly





Southwest Regional TMDL Updates

Andrew Kolosseus





Budd Inlet TMDL

Ben Watson

ben.watson@ecy.wa.gov

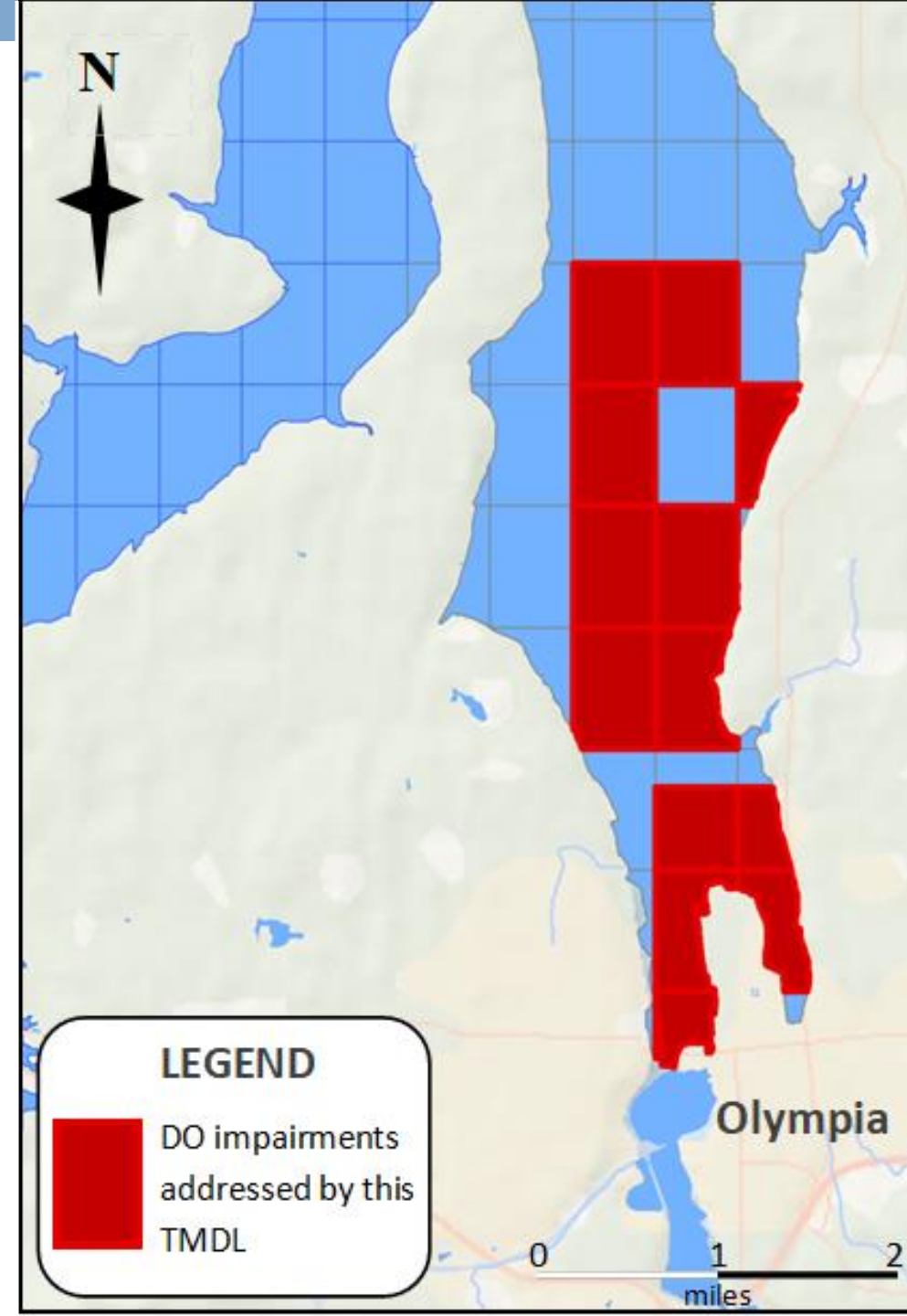
What is a TMDL?

- Total Maximum Daily Load – the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards
- A cleanup plan to reduce the pollution
- Terms & process date back to Clean Water Act (1973)

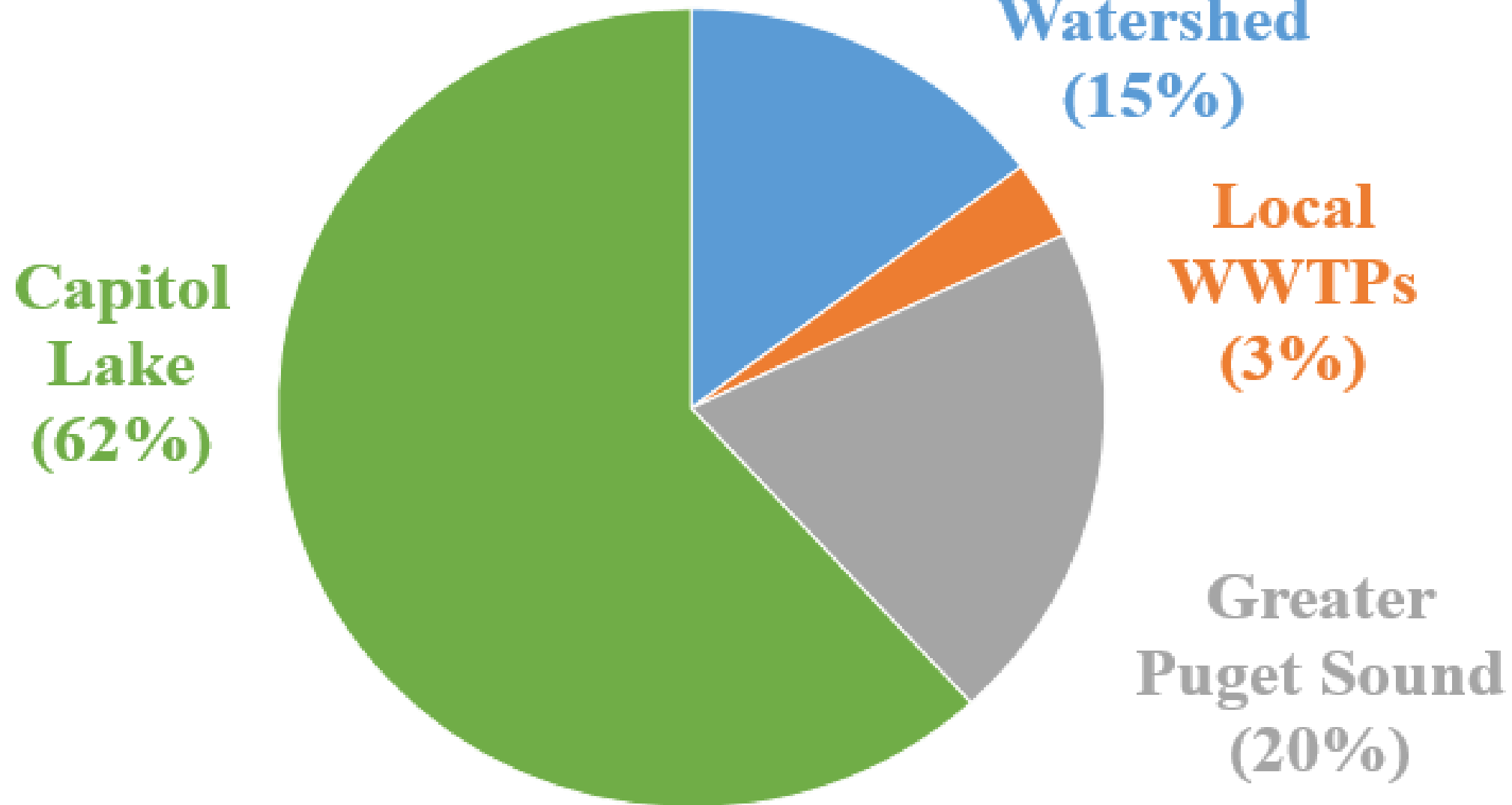


Budd Inlet TMDL

- TMDL addresses 13 impairments for dissolved oxygen (DO)
- DO is a critical part of a healthy aquatic ecosystem
- Too many nutrients in a waterbody can cause algae and aquatic plants to grow at excessive rates.
- When they decompose, it removes oxygen from the water, creating low-DO conditions.



Sources of DO Depletion



Capitol Lake



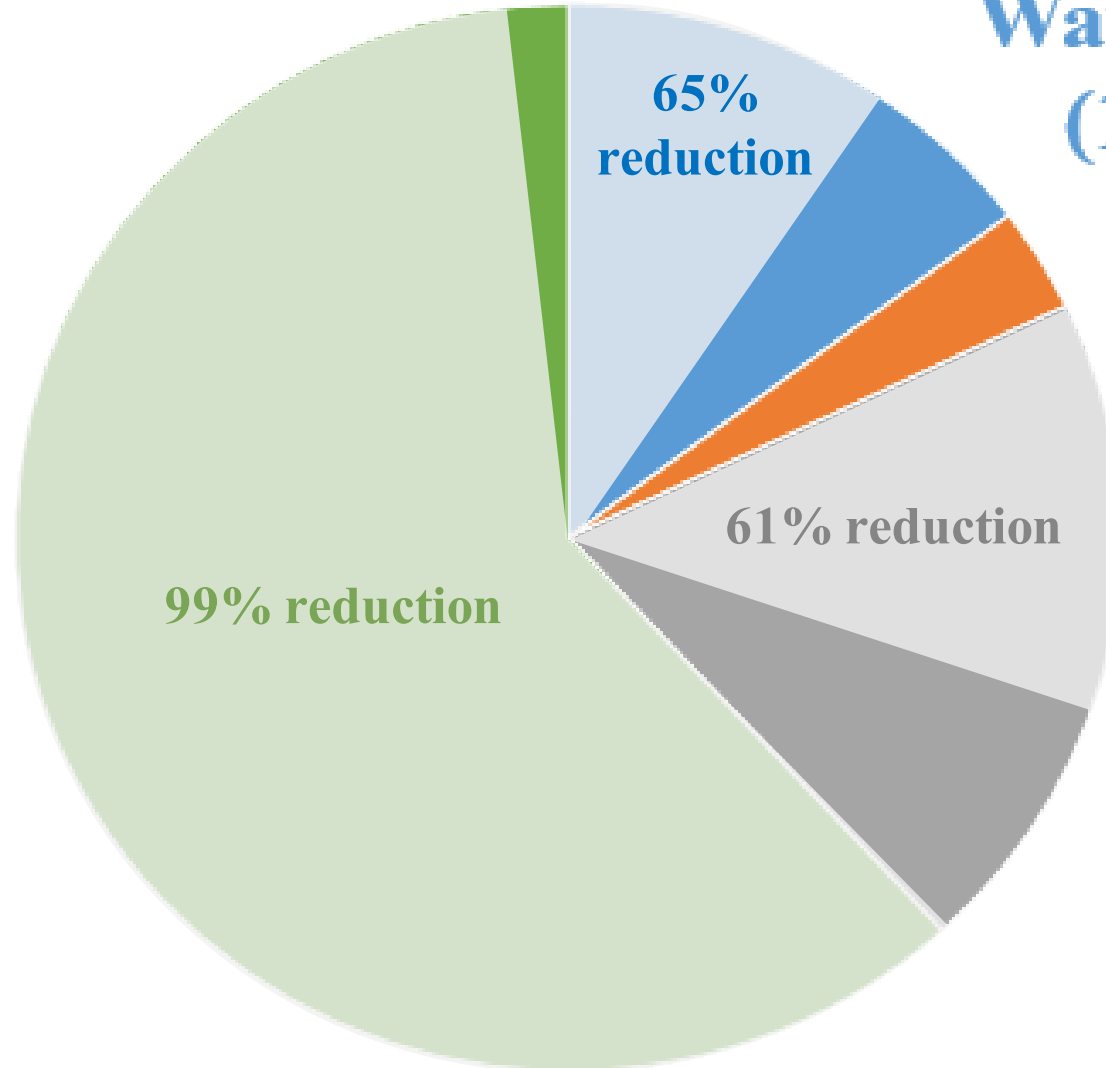
- DO most influenced by Capitol Lake
- The lake changes flow patterns and stimulates the growth of freshwater algae and aquatic plants, which die when flushed into the brackish waters of Budd Inlet
- The resulting decomposition drives DO-depletion

High above Capitol Lake and downtown Olympia (foreground), looking north toward Budd Inlet.

TMDL Reductions

Percent reductions (from 1997 loads) required to meet water quality standards

**Capitol Lake
(62%)**



**Deschutes
Watershed
(15%)**

**Local
WWTPs
(3%)**

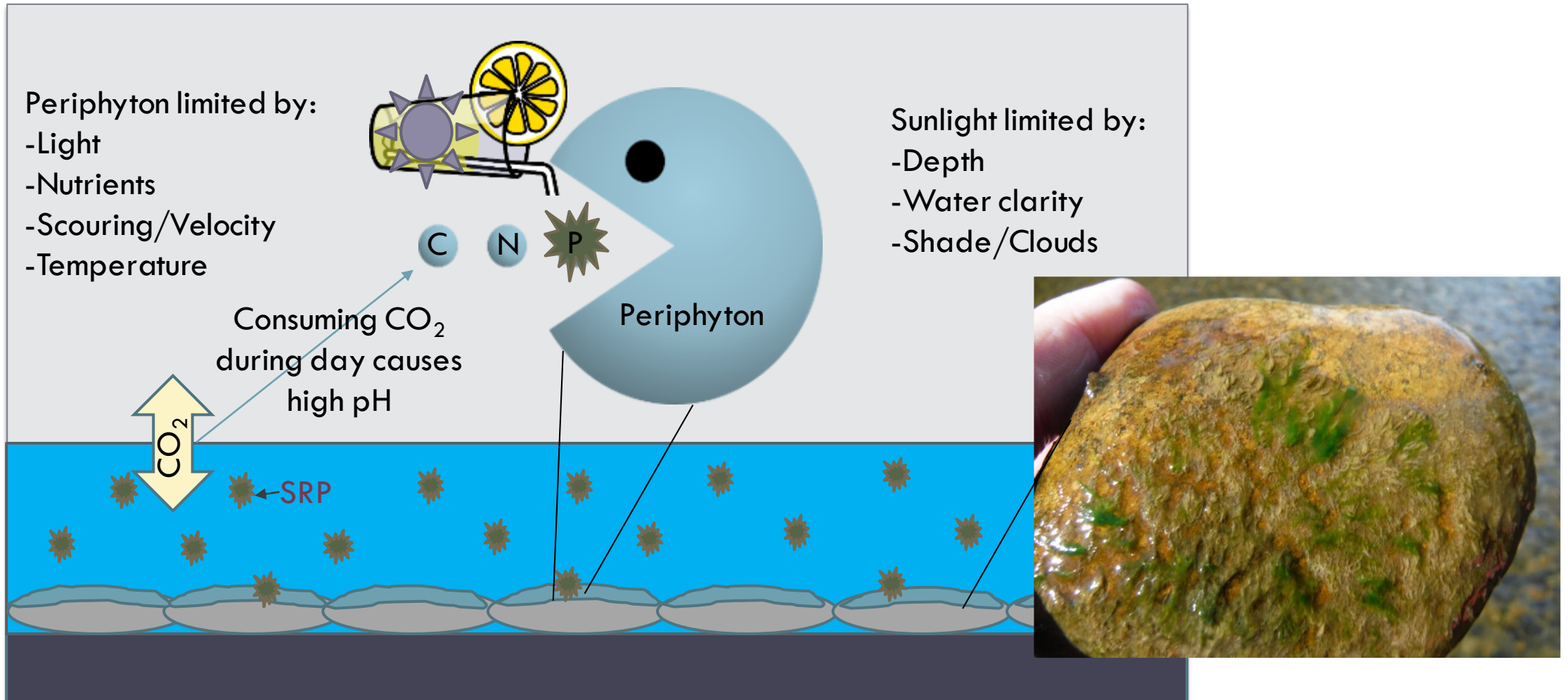
**Greater
Puget Sound
(20%)**



LOWER WHITE RIVER PH TMDL

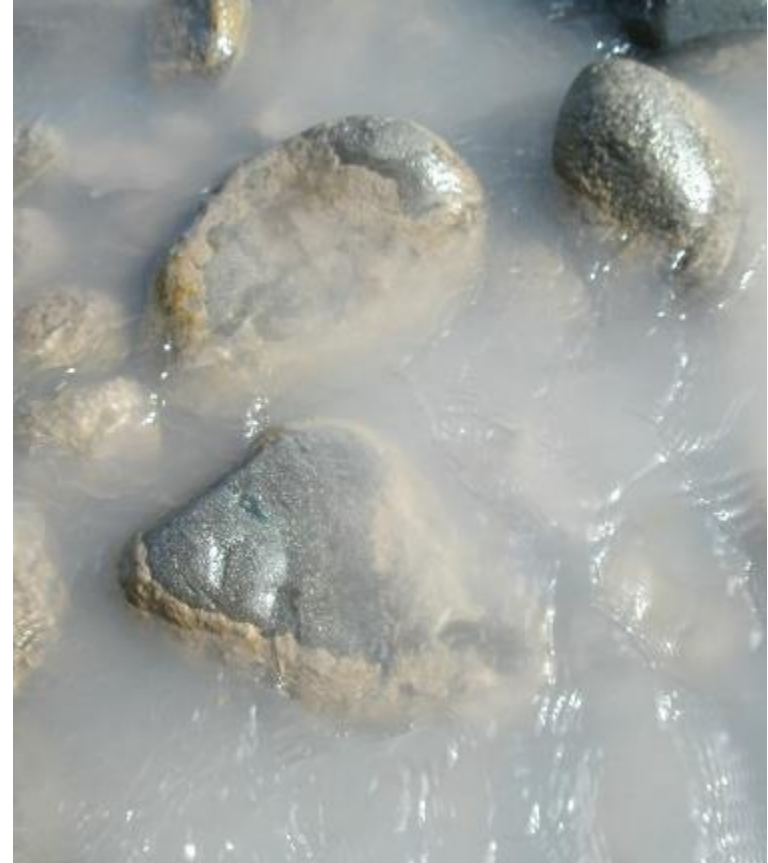
Donovan Gray

Periphyton, Nutrients, & pH



Model findings

- Lowest flows + clear water result in critical condition
- Periphyton impacts on pH reduced or non-existent during:
 - ▣ High flow
 - ▣ Cloudy weather
 - ▣ Turbid water
(glacial melt “white”)



Flow-tier based capacity, WLAs, & LAs

High Flow Tier: River Flow > 2,000 cfs

No numeric LAs/WLAs for SRP
Periphyton growth potential limited or negative

Medium Flow Tier: 900 cfs ≤ River Flow ≤ 2,000 cfs

Moderate numeric LAs/WLAs for SRP
Moderate Load Capacity

Low Flow Tier: River Flow < 900 cfs

Reduced numeric LAs/WLAs for SRP
Smallest Load Capacity

Point Sources

- WWTPs – Buckley & Enumclaw
- Hatchery plus reserve – Muckleshoot Indian Tribe
- Stormwater



Nonpoint Sources

- BMPs application – Enumclaw Plateau
- Focus on P input and transport
 - ▣ Manure storage
 - ▣ Fertilizer application
 - ▣ Livestock access





Thank You!

Any Questions?

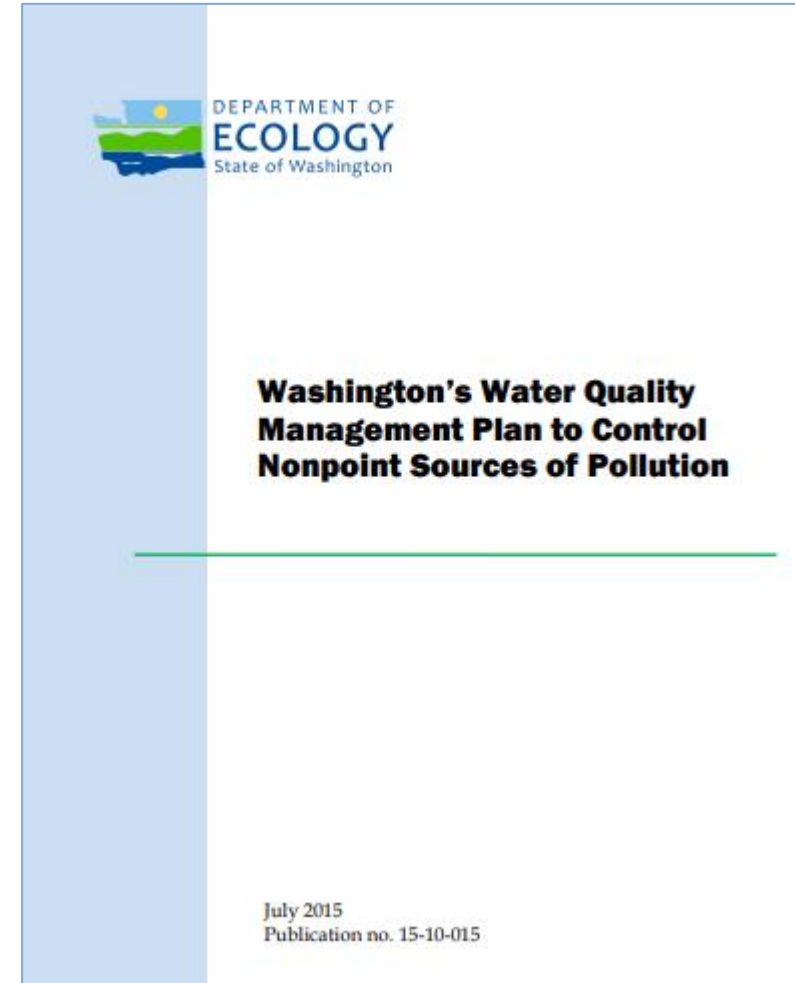


Watershed Management Updates

Melissa Gildersleeve & Ben Rau

Washington's statewide "Nonpoint Plan"

- Last updated in 2015
- Outlines approach to addressing water quality impacts from nonpoint sources
- Meets EPA Clean Water Act requirements
- Ensures eligibility for Section 319 funding
- Update focuses on making sure program information is up-to-date



Voluntary Clean Water Guidance for Agriculture

- Goal of Guidance
- Process
- Structure of Guidance
- Draft Chapters out for Public Comment

Voluntary
Clean Water
Guidance for
Agriculture

March 2020



Watershed Management Section Updates

Water Quality Standards rules in progress

- Outstanding Resources Waters – draft Summer 2023
- Aquatic Life Toxics Criteria – draft last quarter of 2023
- Natural Conditions Criteria – draft first quarter of 2024

Water Quality Assessment Policy Update – comments due Jan 6, 2023

Puget Sound Nutrient Reduction Plan

Columbia Temperature TMDL Implementation Plan

Watershed Management Section Updates



Water Quality Trading Budget Proviso

recommend one or more draft structures for nutrient credit trading that could be used to efficiently and quickly achieve nutrient discharge reductions for point source dischargers covered under the Puget Sound nutrient general permit.

By June 30, 2023, the department must submit a report to the appropriate committees of the legislature consistent with RCW 12 43.01.036 that summarizes the draft structure or structures and describes a tribal consultation and a stakeholder engagement process to solicit feedback on the draft structure or structures and any necessary statutory changes and funding.

VERY short time frame-draft done and routing internally by March 2023

Contractors on onboard in October

Watershed Management Section Updates



Litigation Updates (not permit)

Human Health Criteria for Washington

EPA human health criteria for Washington go into effect on Dec. 19, 2022.

TMDL Constructive Submission – EPA

- Columbia River – EPA completed TMDL – WA/OR doing implementation plan
- Spokane PCB – TMDL being developed by EPA
- Puget Sound Dissolved Oxygen – in settlement discussions (EPA and Litigants)
- Washington Water Quality Assessment and TMDL Production - in settlement discussions (EPA, Ecology and Litigants)

Washington's Aquatic Life Toxics Criteria - EPA

Washington's Cyanide Criteria - EPA



General Permit Updates - Handout

Lucienne Banning

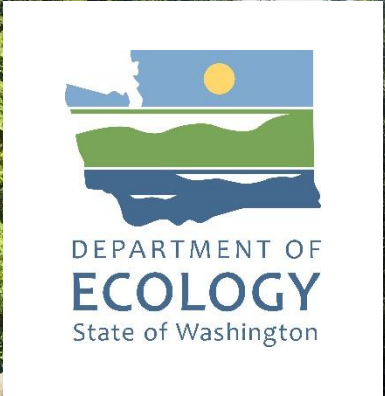




Wrap Up

Colleen Keltz





Thank You!
**Wishing you all a Happy
Holiday Season!**

**Look forward to seeing you
in 2023 😊**