

**Interagency Team – Bioassessment Alternatives Comments to support refinements to Water Quality Policy 1-11, the Water Quality Assessment and Total Maximum Daily Load Programs
March 17, 2017**

The Interagency Team (Team) thanks Ecology (ECY) for coordinating Water Quality Policy (WQP) meetings to engage stakeholders in dialogue on numerous topics including alternative ways¹ to evaluate bioassessment (B-IBI) data for the Water Quality Assessment (WQA).

Team members support the use of B-IBI as a tool to evaluate the health of aquatic systems. However, we remain concerned about the use of B-IBI for the WQA primarily due to the lack of clarity and transparency in determining the nexus between degraded B-IBI communities and the causal stressors (i.e., stressor identification studies) as well as existing uncertainties regarding the process once a waterbody becomes Category 5 listed for B-IBI (i.e., TMDL development and associated stormwater permit-requirements). Additionally, several other unresolved challenges remain which complicate the use of B-IBI for the WQA and TMDL development. Many of these challenges and requests for documentation were outlined to the Environmental Protection Agency (EPA) and ECY in our July 31, 2015 bioassessment letter².

Dialogue during the WQP meetings and subsequent meeting notes may help address some of the fundamental challenges presented in our bioassessment letter². To address these challenges and improve the credibility, transparency and predictability of the WQA and regulatory decision making, the Team recommends Ecology:

- document the nexus between Category 5 B-IBI listings, stressor identification studies, and stormwater permit requirements;
- reconsider the use of B-IBI for the purposes of the WQA, because B-IBI is not defined as a pollutant by the Clean Water Act;
- seriously consider rule-making to establish numeric B-IBI criteria used for the WQA and regulatory decision making;
- implement the Team’s credible data proposal³ to support development of a programmatic quality assurance project plan (QAPP) which identifies data quality objectives (DQO’s) for B-IBI;
- update the WQP to reference the programmatic QAPP and use of DQO’s to verify credibility of data;

¹ Washington State Department of Ecology. Water Quality Assessment/Policy 1-11 Updates. Bioassessment Alternatives Proposed by Ecology. January 2017.

http://www.ecy.wa.gov/programs/wq/303d/2016/Proposed_Bioassessment_Alternatives.pdf

² Interagency Team. July 31, 2015. Bioassessment letter to the Environmental Protection agency and Washington State Department of Ecology. <http://www.wastormwatercenter.org/interagency>

³ Interagency Team. December 2016. Credible Data Proposal to Ecology. <http://www.wastormwatercenter.org/interagency>

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- improve the Puget Sound Stream Benthos (PSSB) database to allow for and require that submitters of B-IBI data certify their data meet established DQO's;
- update the WQP to document the intended use of B-IBI data from PSSB for the purposes of the WQA;
- verify and document that the State's Ambient Biological and Sentinel monitoring programs and methods were designed for establishing numeric B-IBI criteria used in regulatory decision making;
- verify and document the usability of B-IBI data from the State's Ambient Biological and Sentinel monitoring programs against established DQO's to support development of numeric B-IBI criteria and;
- document reference site conditions, used for establishing numeric criteria, which show minimal or no human disturbance necessary to ensure criteria credibility and provide assurance that reference sites are representative of waters within each ecoregion.

Until these fundamental challenges are first addressed, we feel it is premature for the Team to comment on the proposed B-IBI alternatives. The risk for inappropriate and technically unsubstantiated regulatory burden on stormwater permittees is too great.

The Team appreciates Ecology's commitment to improving the credibility, transparency, and predictability of WQP 1-11, the WQA, and TMDL programs. We anticipate scheduling a meeting with ECY and EPA this spring to discuss these recommendations and other outcomes from the WQP meetings.

Please contact Steve Britsch at 425-388-3464 x 2656 or s.britsch@snoco.org if you have questions about these comments.

The Interagency Team: City of Bellevue, Clark County, Kitsap County, Pierce County, Snohomish County, Thurston County, and the Washington State Department of Transportation.