Budd Inlet DO TMDL Meeting with EPA **December 20, 2016**

Ecology: Leanne, Andrew, Dustin

EPA: Chris, Laurie

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Aesthetic Use Discussion

We had a general discussion regarding aesthetic uses and how TMDLs should address them – mostly stemming from the 2011 Anacostia ruling.

Chris was curious where aesthetic use comes up in the water quality standards and whether there is a numeric threshold associated with it.

- The criteria is narrative and not numeric: *Aesthetic values must not be impaired by the presence of materials or their effects, excluding those of natural origin, which offend the senses of sight, smell, touch, or taste.* (WAC 173-201A-260)
- Aesthetic values are listed both as a ***criteria*** associated with shellfish harvest and recreational and use and as a ***miscellaneous use***. (WAC 173-201A-210)
- Has aesthetics ever been listed on the 303d list?
    - Leanne to look into.
- What does it mean to meet aesthetic use criteria?
    - Laurie/Chris to check in with Rochelle Labiosa in the Standards Unit at EPA. She may have some insights from the harmful algae bloom program.
    - Ecology will look into whether anyone from our standards group has an opinion on this.

Questions came up regarding the current status of the Anacostia TMDL.

- Laurie indicated that she thinks it is being implemented.
- EPAs stance is that we should follow and adopt the concepts described in the ruling.
- Ultimately, we need a method/rationale for showing how waste load allocations meet aesthetic use criteria.

We discussed the Lake Whatcom TMDL and how it dealt with aesthetic use.

- EPA and Ecology were working very closely and were in agreement throughout the TMDL process and then the aesthetic issue came to light suddenly.
- EPAs method for dealing with this at the time was to respond with the approval memo and provide some justification there.
- Ecology should plan to address the issue in more detail for Budd Inlet.

We also tried to come up with other places to look for TMDLs that have broached this topic.

- Perhaps the Chesapeake TMDL.
- Anything in WA or OR?
- TMDL Database (from Laurie).
- Washington DC has a numeric criteria for Chlorophyll A and Secchi Depth.
- EPA National Nutrient Database (Chris Mentioned this, not sure of exact name).

We also considered what data we may already have available to us that could be used.

- Andrew suggested we might be able to correlate Chlorophyll A concentrations with visual algae blooms.
- We could potentially use ERTS reports or Puget Sound flyover photos.

We briefly discussed if Nitrogen should be considered a surrogate or if it is considered one of the pollutants.

- There was some general confusion on this and a consensus was not reached.
- *Side note: The surrogates would be N, C, and circulation.*
- In the Lake Whatcom case, Phosphorous was one of the listed parameters, in Budd Inlet, N (C and circulation) are not listed.

Questions regarding whether other uses besides aesthetics will need to be considered.

- The Anacostia Ruling says all designated uses need to be addressed. Do we take this literally?
- What about Shellfish Harvest and Recreation? (If Shellfish Harvest, than we may need to address ocean acidification.
- We'll need to address this in more detail at some point.

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Summary: We'll need to incorporate the concepts and intent of the Anacostia Ruling into the Budd Inlet (and Puget Sound) TMDL. Ultimately, we need a method/rationale for showing how waste load allocations meet aesthetic use criteria. We are not yet decided whether this will entail a more basic description/justification or a more robust analysis/model.

Next Steps: We will all do more research in the next couple of weeks before we meet again.

Leanne to look into whether aesthetics ever been listed on the 303d list.

Laurie/Chris to check in with Rochelle Labiosa in the Standards Unit at EPA. She may have some insights from the harmful algae bloom program about what it means to meet aesthetic use criteria.

Ecology will look into whether anyone from our standards group has an opinion on this.

Some other places to look include:

- Chesapeake TMDL.
- Anything in WA or OR?
- TMDL Database (from Laurie).
- Washington DC has a numeric criteria for Chlorophyll A and Secchi Depth.
- EPA National Nutrient Database (Chris Mentioned this, not sure of exact name).

We will also need to consider how to consider other designated uses.

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<u>Future Agenda Items and Meetings</u>

- Continue discussion on aesthetic use. (Focus on implementable approaches.)
- Leanne to send some additional items before next meeting.
- Anything else from Chris/Laurie?

Our next meeting will be **January 4th, 2:00 - 4:00**.

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ECY – R1D – 10