



Washington State's Chamber of Commerce

April 1, 2016

Heather Bartlett
Water Quality Program Manager
Washington Department of Ecology
P.O. Box 47600
Olympia, WA 98504-7600

Subject: Water Quality Program Policy 1-11

Dear Ms. Bartlett:

We appreciate the interest and commitment by the Water Quality Program to consider revisions/clarifications to WQP Policy 1-11. Our NPDES permittee coalition provided, in a June 2015 letter, a list of ten specific issues we suggest deserve consideration. We understand the June letter and a subsequent discussion with Ecology staff during an October 6th meeting provide sufficient information to ensure issue consideration in Ecology's current scoping exercise.

There are, however, several other ideas and questions we would like to share as you continue to develop the scope of work. These include:

- 1) The Environmental Protection Agency has not yet responded to Washington's late September 2015 submittal of the 2014 CWA 303(d) Category 5 freshwater list update. It will be important to understand the status of EPA's review and, if available, their approval/disapproval rationale on Washington Category 5 listings.
- 2) Ecology's 2014 Category 5 list included 105 listings for "Bioassessment." This is an increase from 14 Category 5 listings in 2012. There are evolving science and regulatory policy questions associated with determinations of Bioassessment impairment. Please add this parameter to the WQP Policy 1-11 scoping list.
- 3) The ten issues identified in June (now 11 with Bioassessment) are all relevant and important in completing data evaluations and decision-making on Category 5 listings. Ecology's January 20th state register announcement of this scoping process for WQP Program 1-11 says the agency will "prioritize areas of Policy 1-11 to be reviewed," which hints at a self-selection step. We would expect all of our issues to survive any screening step and be fully considered in the public participation process.
- 4) The Ecology January 20th state register notice announces a close-coupled schedule for preparation of the next state 303(d) Category 5 list. The notice includes a "call for data,"

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with the "Water Quality Assessment" then scheduled to begin in "late summer 2016." The same notice identifies the "formal public review of the updated Policy 1-11" will occur in the "fall 2016." We assume Ecology will complete the WQP Policy 1-11 revision/clarification process and use that outcome as the basis for preparing the next freshwater and marine water list updates.

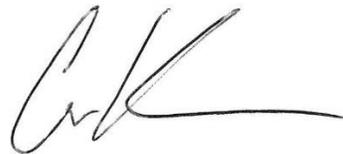
Finally, it will be important at the beginning of the public process for the agency to articulate its objectives for the effort. The NPDES coalition would similarly be prepared to share our vision clarifications and improvements to the listing policy.

Thank you for considering these ideas.

Sincerely,



Gary Chandler
Vice President, Government Affairs
Association of Washington Business



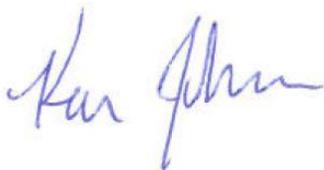
Carl Schroeder
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Laura Merrill
Policy Director, Environment
Washington State Association of Counties



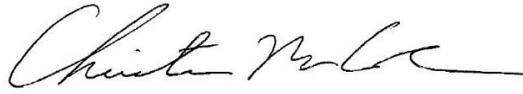
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Senior Director of Environmental Affairs
Washington Public Ports Association



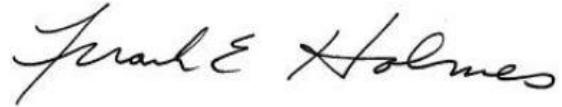
Ken Johnson
Corporate Environmental Manager
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Christian McCabe
Executive Director
Northwest Pulp and Paper Association



Frank Holmes
Director, Northwest Region
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