UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, WA 98101

06 AUG 2004

Department of Ecology
Water Quality Program
AUG 09 2004

Reply To
Attn Of: OW - 135

Dave Peeler
Department of Ecology
P.O. Box 47600
Olympia, WA 98504-7600

Dave

Dear ~~Mr. Peeler~~:

As you know, the Environmental Protection Agency (EPA), Region 10 is in the process of reviewing the revisions to the Washington Water Quality Standards, submitted to EPA on July 28, 2003. We would like to provide you a status of our review.

As part of our review of the refined use designations submitted to EPA by the State, EPA would like to analyze the available databases on fish distribution and timing information to 1) assess the appropriateness of some of the non-core use designations, and 2) to ensure the protection of salmon and steelhead spawning through fry emergence that occurs in the summer months. We recognize that Ecology was envisioning a two-step process with respect to the core/non-core use designations and refining these uses based on fish information in the future and applying the spawning narrative criteria on a case-by-case basis. EPA, however, believes that the fish information should be evaluated as part of our review of the current standard revisions.

EPA intends to conduct this analysis over the next 4-6 months, and would like to work collaboratively with the State, Tribes, and the Services. This process is intended to partially meet both our ESA obligations and our Tribal consultation responsibilities for our action on the revised standards. After this review, we plan on acting on these elements of the revised standards.

In addition, we continue to undergo our Clean Water Act and Endangered Species Act review of other aspects of the revised standards and are working to complete our action as expeditiously as possible. To assist in this review, we will be forwarding to you a separate letter in the near future seeking clarification on several provisions on the revised standards.

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We look forward to continuing our constructive discussions regarding our review of the Washington standards. If you have any questions please feel free to contact me or Kathleen Collins at 206-553-2108 or John Palmer at 206-553-6521.

Sincerely,

Michael F. Gearheard
Director
Office of Water and Watersheds

cc: Steve Landino, NOAA
Ken Berg, USFWS
Washington Tribal Natural Resource Directors