



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 155
Seattle, WA 98101

WATER
DIVISION

August 26, 2022

Mr. Vince McGowan
Water Quality Program Manager
Washington Department of Ecology
PO Box 47600
Olympia, Washington 98504-7600

Re: Transmittal of Washington's 2014-2018 Section 303(d) List

Dear Mr. McGowan:

The U.S. Environmental Protection Agency has completed its review of public comments regarding Washington's 2014-2018 Clean Water Act (CWA) 303(d) List (List) and is identifying 114 water quality limited segments/pollutant pairs (WQLS) for inclusion on Washington's 303(d) list.

On June 8, 2022, EPA partially approved and partially disapproved Washington's 2014-2018 303(d) list consistent with requirements of CWA section 303(d) and 40 CFR section 130.7. As required by EPA regulations at 40 CFR section 130.7(d)(2), EPA identified 115 WQLS not meeting the state's water quality standards and added them to the List. EPA accepted public comment on these additions between June 8 and July 15, 2022. In addition, EPA took no action on Washington's List with respect to 2,100 assessment determinations made and submitted by Ecology prior to EPA's November 19, 2021, CWA section 303(c) disapproval of water quality standards at WAC 173-201A pertaining to natural and irreversible human conditions.¹

After considering the comments received, EPA is revising the June 8, 2022, partial approval/partial disapproval action and identifying 114 WQLS for inclusion on the Washington 2014-2018 303(d) list. One WQLS was previously unlisted, and EPA has determined based on Ecology's comments that it is not required to be placed in Category 5 because there is an EPA-approved total maximum daily load (TMDL) in effect.

Further, after reviewing additional information provided by the Washington Department of Ecology during the public comment period, EPA is approving several assessment determinations on which it previously took no action. The additional information demonstrated that eight waterbody/pollutant pairs were attaining water quality standards without consideration of natural conditions. Three of these waterbody/pollutant pairs had been listed in Category 5 in the 2012 List and Ecology proposed to delist them in 2014-2018: one due to an error in the original listing and two due to changes in the assessment methodology. EPA's revised action brings the total number of delistings approved by EPA for the 2014-2018 List to 1,186. EPA is taking no action on the remaining 2,092 assessment determinations made and submitted by Ecology prior to EPA's November 19, 2021, CWA section 303(c) disapproval of water quality standards at WAC 173-201A pertaining to natural and irreversible human conditions. These 2,092 waterbody/pollutant pairs will remain in the categories in which they were approved in the 2012

¹ Available at <https://www.epa.gov/wqs-tech/water-quality-standards-regulations-washington>

303(d) list and Water Quality Assessment until Ecology has had an opportunity to assess them during the next listing cycle in consideration of the applicable water quality standards.

A summary of comments received during the public comment period as well as EPA's responses to those comments can be found in *Enclosure 1: Responses to Comments on EPA's Partial Approval and Partial Disapproval of Washington's 2014-2018 303(d) List*. A complete list of waters added to the 2014-2018 List can be found in *Enclosure 2: Final Transmittal of Additions to Washington's 2014-2018 303(d) List*. The waters for which EPA is taking no action can be found in *Enclosure 3: Final Transmittal of Waters Potentially Impacted by EPA Disapproval of Natural Conditions Provisions*. The complete Washington 2014-2018 303(d) List will be transmitted to Ecology via EPA's ATTAINS database² and can be accessed by the public on the agency's How's My Waterway website.³

The EPA's action on the State of Washington's List of impaired waters does not apply to any waters, or portions thereof, that are within Indian country. The EPA is taking no action to approve or disapprove the State's List with respect to any waters within Indian country.

If you have any questions, please feel free to call me at (206) 553-1855, or have your staff contact Jill Fullagar, EPA Assessment Program Coordinator, at (206) 553-2582.

Sincerely,

Daniel D. Opalski
Director

Enclosures: (1) Responses to Comments on EPA's Partial Approval and Partial Disapproval of Washington's 2014-2018 303(d) List, including Attachment 1.
(2) Final Transmittal of Additions to Washington's 2014-2018 303(d) List
(3) Final Transmittal of Waters Potentially Impacted by EPA Disapproval of Natural Conditions Provisions

cc (e-Copy): Ms. Melissa Gildersleeve, Manager, Watershed Management Section, Ecology
Mr. Chad Brown, Manager, Water Quality Management Unit, Ecology
Mr. Jeremy Reiman, Water Quality Assessment Scientist, Ecology

² The Assessment, Total Maximum Daily Load (TMDL) Tracking and Implementation System (ATTAINS) is an online system for accessing information about the condition in the Nation's surface waters. See <https://www.epa.gov/waterdata/attains>

³ <https://mywaterway.epa.gov/>