Message

From: Wu, Jennifer [Wu.Jennifer@epa.gov]
Sent: 12/17/2018 8:15:21 PM
To: Merz, Martin [merz.martin@epa.gov]; Weber, Courtney [Weber.Courtney@epa.gov]; Stoddard, Jamey [Stoddard.Jamey@epa.gov]
Subject: FW: Inter-office review of Columbia River TMDL
Attachments: WA_Hydro_BE_LowerColumbiaLowerSnake .docx

FYI on permits, EPA HQ, Anna Wildeman, 316(b), etc.

From: Lidgard, Michael
Sent: Monday, December 17, 2018 11:27 AM
To: Wu, Jennifer <Wu.Jennifer@epa.gov>
Cc: Poulsom, Susan <Poulsom.Susan@epa.gov>
Subject: RE: Inter-office review of Columbia River TMDL

Thanks Jenny for this response. Not sure what to make of Anna Wildeman's request for a briefing. I think we need the 316(b) answer first, from HQ, before we can do a more definitive briefing, for HQ - what sort of communication goes on across OW is a bit bewildering to me…

From: Wu, Jennifer
Sent: Monday, December 17, 2018 9:54 AM
To: Weiss, Kevin <Weiss.Kevin@epa.gov>; Lidgard, Michael <Lidgard.Michael@epa.gov>
Cc: Eddy, Elizabeth <Eddy.Elizabeth@epa.gov>; Poulsom, Susan <Poulsom.Susan@epa.gov>; Zobrist, Marcus <Zobrist.Marcus@epa.gov>
Subject: RE: Inter-office review of Columbia River TMDL

Hi Kevin, thanks for the information. We appreciate it. We were also asked to prepare some bullets on the federal dam permits (Columbia River, Snake River), which is attached above. Feel free to let me know if you have any questions on those.

Re: your questions, here are responses:

1) Are the permits for the discharges from the dams new or are they a reissuance of existing permits? These will be new permits. The Corps submitted permit applications in 2015 for the Lower Columbia River and Lower Snake River dams in response to a settlement agreement with Columbia Riverkeeper. The Bureau of Reclamation submitted permit applications in 2017 for the Grand Coulee Dam. See background bullets in paper attached above.

2) Are there 316(b) issues associated with the Columbia River dam permits? All the dams have cooling water and are covered under NPDES permits, so following guidance from EPA HQ and from past discussions internally and with Region 1, we have 316(b) requirements in the permits. The Lower Columbia River and Lower Snake River dams (8 of 9 dams) are unique in that they have studied threatened and endangered salmon and already spent (and continue to spend) tens of millions of dollars on improving fish passage. What this all means is that in my opinion, their existing studies and actions required to comply with NOAA's Biological Opinion cover what's needed under 316(b). Therefore, the permit conditions for 8 of the 9 dams are already being addressed through another program. Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP) Please feel free to let me know if you need more information down the road.

3) Could you provide a one-pager or similar materials describing the permits? Anna Wildeman in OW has requested the she be "briefed on the contents of those permits before any of them go out." See above for one-pager on permits. Re: Anna Wildeman's request, thank you for letting us know. We are waiting to hear from EPA HQ on whether to include, exclude, or modify 316(b) language in our permits. We are otherwise ready to go out for public comment in early to mid-January.

From: Weiss, Kevin
Sent: Saturday, December 15, 2018 3:52 PM
To: Wu, Jennifer <Wu.Jennifer@epa.gov>; Lidgard, Michael <Lidgard.Michael@epa.gov>
Cc: Eddy, Elizabeth <Eddy.Elizabeth@epa.gov>; Poulsom, Susan <Poulsom.Susan@epa.gov>; Zobrist, Marcus <Zobrist.Marcus@epa.gov>
Subject: RE: Inter-office review of Columbia River TMDL

Jennifer/Mike:

OW is preparing background materials for a hearing the Administrator will have (I'm assuming on different issues). A couple of requests regarding the Columbia River dam permits:

1) Are the permits for the discharges from the dams new or are they a reissuance of existing permits?
2) Are there 316(b) issues associated with the Columbia River dam permits?
3) Could you provide a one-pager or similar materials describing the permits? Anna Wildeman in OW has requested the she be "briefed on the contents of those permits before any of them go out."

Sorry about the inconvenience.

Kevin