REGION 10 ADMINISTRATOR
SEATTLE, WA 98101

November 7, 2025

Casey Sixkiller
Director
Washington State Department of Ecology
300 Desmond Drive SE
Lacey, Washington 98503

Katie Rose Allen
Chair
Washington Forest Practices Board
Washington State Department of Natural Resources
Natural Resources Building, MS 47000
1111 Washington St. SE
Olympia, WA 98504

Dear Director Sixkiller and Chair Allen:

The purpose of this letter is to provide clarification regarding federal versus state law requirements and the U.S. Environmental Protection Agency's role in implementation of the state of Washington's antidegradation policy.

The EPA understands that the state is undergoing a process to adopt the Western Washington Type Np Waters Buffer Rule. This rule is not required by the Clean Water Act or 40 CFR § 131.12. The EPA urges Washington to be transparent throughout this rulemaking process when it is operating under provisions of state law, especially when the state chooses to develop regulations applicable to certain nonpoint sources or discretionary screening thresholds, which are not required by the Clean Water Act or the EPA's regulations. Any statements that the EPA has made in an advisory role throughout Washington's rulemaking process should not be construed as the EPA advocating for or endorsing any decisions that Washington makes in implementing state law.

If you would like additional information, please feel free to contact me or Krishna Viswanathan, Water Division Director, at (206) 553-0218.

Sincerely,

Pokon, Emma

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Emma Pokon
Regional Administrator

cc: Washington Forest Practices Board Members