



Nor'wester newsletter

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EPA, Army announce proposed WOTUS rule



The U.S. Environmental Protection Agency and U.S. Department of the Army have announced a proposed rule to re-establish the pre-2015 definition of “waters of the United States” (WOTUS) which had been in place for decades, updated to reflect consideration of Supreme Court decisions. This action advances the agencies’ goal of establishing a durable definition of WOTUS that protects public health, the environment, and downstream communities while supporting economic opportunity, agriculture, and other industries that depend on clean water. This proposed rule would support a stable implementation of “waters of the United States” while the agencies continue to consult with states, Tribes, local governments, and a broad array of stakeholders in both the implementation of WOTUS and future regulatory actions.

Recent court decisions have reinforced the need for a stable and certain definition of WOTUS. The U.S. District Courts for both Arizona and New Mexico have vacated the Navigable Waters Protection Rule. In light of the court actions, the agencies have been implementing the pre-2015 regulatory regime nationwide since early September 2021. Today’s action is an important step because it would solidify the rules of the road for a stable implementation of “waters of the United States” while the agencies continue to consult with stakeholders to refine the definition of WOTUS in both implementation and future regulatory actions.

The proposed rule would maintain the longstanding exclusions of the pre-2015 regulations as well as the exemptions and exclusions in the Clean Water Act on which the agricultural community has come to rely.

EPA and Army conducted extensive pre-proposal engagement, including Federalism and Tribal consultation, to help inform the content of the proposed rule. The agencies are taking comment on this proposed rule for 60 days beginning on the date it is published in the Federal Register.

For more information on submitting written comment on the proposal or to register for the virtual public hearings on the proposed rule, see www.epa.gov/wotus.

PNWA will be reviewing this change to WOTUS to determine how it may impact the many sectors of our membership. If you have impacts or concerns to share, please contact [PNWA Government Relations Director Dena Horton](#).

Port of Seattle hiring director of maritime environment and sustainability



The Port of Seattle is hiring a new Director of Maritime Environment and Sustainability. This role will lead the Port of Seattle's environmental, sustainability and planning programs for the Maritime Division and Economic Development Division projects and properties in support of the vision of being the greenest Port in North America.

For the full job description and application instructions, [click here](#)

Washington DNR solicits input on DMMP disposal fees

The Washington Department of Natural Resources recently proposed an increase in disposal fees for management and monitoring of DMMP disposal sites.

State law directs DNR to review and adjust fees for disposal sites as needed – which has not been done since 1995. Management and environmental monitoring of these sites are essential to support water dependent commerce and to protect environmental quality.



For more information about the proposed change see [DNR's Rule Making](#) website. This [FAQ](#) from DNR may answer a lot of your questions. For more information also see the [DNR DMMP](#) page.

Submit questions or comments on the proposed rule until December 15, 2021 at DMMP@dnr.wa.gov.

A virtual public meeting will be held on Dec. 1, 2021 from 6:00 to 7:30 pm. To attend

USCG seeks comments on Pacific Coast port access route study



The Coast Guard is conducting a Pacific Coast Port Access Route Study. The PAC-PARS will consider whether existing or additional routing measures are necessary to improve navigation safety due to factors such as planned or potential offshore development, current port capabilities and planned improvements, increased vessel traffic, existing and potential anchorage areas, changing vessel traffic patterns, effects of weather, or navigational difficulty.

Vessel routing measures are implemented to reduce the risk of marine casualties. Examples of potential measures include traffic separation schemes, two-way routes, recommended tracks, deep-water routes, precautionary areas, and areas to be avoided.

The recommendations of the study may subsequently be implemented through rule makings or in accordance with international agreements. The primary areas of this study include: San Diego, CA, Los Angeles/Long Beach, CA, San Francisco, CA, Humboldt Bay, CA, Coos Bay, OR, Yaquina Bay, OR, Astoria, OR, Grays Harbor, WA, and Puget Sound, WA.

Mariners are encouraged to participate in this study by submitting comments and input to the Federal Register. To submit your comment online, go to <https://www.regulations.gov>, and insert Federal Register docket number "USCG-2021-0345" in the "search box". Click "Search" and then click "Comment Now". The Coast Guard will consider all comments and material received on or before Jan. 25, 2022.

Recent Congressional staff changes

[Anthony Pena](#) is the new Southwest Washington Director in Sen. Patty Murray's (D, WA) Vancouver office. He replaces Bryan Stebbins, who is now working with PointNorth Consulting on the I-5 Interstate Bridge Replacement project.

[Betsy Emery](#) joined Sen. Jeff Merkley's (D, OR) Salem office as a Field Representative.



[Caitlin Buchanan](#) is the new Policy Advisor in Washington, DC for Sen. Merkley. She replaces Logan Hollers, who is now a director at Invariant.

[Dahna Black](#) is the new Field Representative for Sen. Merkley's Medford office.

Jake Oken-Berg departed Sen. Merkley's office and is now a consultant at Summit Strategies.

[Colin Swanson](#) has joined Rep. Jaime Herrera Beutler's (R, WA-3) Vancouver office as the District Issue Director.

[John Serra](#) has rejoined Rep. Kurt Schrader's (D, OR-5) Oregon City office as Field Director.

[Jori Messner](#) joined Rep. Schrader's Oregon City office as a Field Representative.

[Margie Anderson](#) is the Veterans Caseworker and Field Representative for Eastern Oregon for Rep. Cliff Bentz (R, OR-2).

[Wyndess James](#) is the Southern Oregon Field Representative for Rep. Bentz.

[Marielle Trumbauer](#) was named Outreach Coordinator in Rep. Pramila Jayapal's (D, WA-7) Seattle office.

[Matt Leasure](#) is the Director of Pacific Northwest Policy for the House Committee on Transportation and Infrastructure working with Chairman Peter DeFazio (D, OR-4) in Washington, DC. That role was previously held by Edward McGlone, who is now the Deputy Assistant Secretary for Congressional Affairs at the U.S. Department of Transportation.

[Paul Quinonez](#) has joined Sen. Maria Cantwell's (D, WA) Seattle office as the Deputy State Director. He replaces Rosa McLeod, who now works for the City of Tacoma.

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