



State of Washington
Department of Fish and Wildlife

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April 18, 2025

Water Quality Programs
Southwest Regional Office
P.O. Box 47775
Olympia WA 98504-7775

Dear Laurie Niewolny,

Subject: Hatchery NPDES Non-Compliance Report, Permit No. WAG 3002 Icy Creek
Acclimation Pond and 133013 Palmer Ponds Hatchery.

This letter serves as written notice of a non-compliance as a follow-up to an email reporting the non-compliance placed to you by Ann Leroux of Washington Department of Fish and Wildlife (WDFW). The email was sent within 24 hours of becoming aware of the non-compliance.

The WDFW Hatchery, National Pollution Discharge Elimination System (NPDES) permit numbers WAG 3002 Icy Creek and WAG 133013 Palmer Pond, experienced a non-compliance of the NPDES Upland Fish-Fish Hatching and Rearing General Permit. The nutrient samples for Palmer Ponds and Icy Creek Hatcheries were not taken or submitted for analysis.

Please see the attached written report, as required under S5.H of the NPDES General Permit. Please contact me at 360-902-2680 or Ann.Leroux@dfw.wa.gov if you have further questions or comments.

Sincerely,

Ann Leroux

Ann Leroux
Water Quality Lab Manager

cc: Eric Kinne, Hatchery Division Manager
Brodie Antipa , Hatchery Regional Operations Manager
Michael Wilson , Fish Hatchery Specialist 4
Angela Stefani , Fish and Wildlife Biologist
Chris Warwick, Fish Hatchery Specialist 2

Non-compliance Report for WDFW Hatchery NPDES Permit
WAG 3002 and 133013

As required, under S5.H. of the NPDES General Permit, this report contains 1-5 below:
This is the written report of the non-compliance required within five days of the time the WDFW Water Quality Lab became aware of the non-compliance.

1. A description of the noncompliance and its cause.

The nutrient samples for Palmer Ponds and Icy Creek rearing pond were not taken for the month of March or analyzed. The private water quality lab responsible for analyzing water samples transferred ownership in March and there was a time lag in obtaining the proper water sampling equipment from the business. The water sampler at Soos Creek failed to adequately communicate this issue with the Environmental Specialist in the WDFW water quality lab. In addition, the sampler was on sick leave at the end of the month and failed to communicate the situation with his supervisor, and the deadline was missed to obtain the nutrient sample.

2. The period of noncompliance, including exact dates and times.

Nutrient sampling was not performed in March 2025 at both Palmer Ponds and Icy Creek rearing pond. However, Palmer Ponds did not have fish in the upper ponds, nor was there feed fed which discharges to the Green River outfall sampling side in March. Water continued discharging through ponds to the Green River outfall.

3. The estimated time the Permittee expects the noncompliance to continue if not yet corrected.

Nutrient sampling will occur again beginning in April and in all other required reporting months moving forward.

4. Steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

This event was the result of a combination of factors, from the water lab transferring ownership and not promptly sending sampling equipment to failed communication on the part of the responsible water sampler at Soos Creek Hatchery, who is responsible for the sampling of Soos Creek, Palmer Ponds, and Icy Creek, and initiating reports for submittal to Olympia headquarters. There was review of the process between the water sampler and the Hatchery Operations

Manager and Hatchery Specialist 4 to obtain the proper sampling equipment, what to do if that equipment is not received, and who to contact. In addition, another person will be identified as a sampling backup in the case that the assigned sampler is sick or otherwise unable to perform the sampling. There was re-iteration of the importance of meeting both internal WDFW and NPDES sampling deadlines and requirements and the proper communication of any issues that arise with water sampling.

5. If the noncompliance involves an overflow prior to the treatment works, an estimate of the quantity (in gallons) of untreated overflow.

NA