



Water Quality

Foster Pepper's environmental attorneys have been at the forefront of water quality permitting and related regulatory matters for more than 20 years. We offer our clients significant depth of experience related to water quality matters. Our attorneys have vast experience navigating the complex intersection of federal, state and local regulatory requirements. We provide clients with strategic advice on matters concerning permitting and compliance and have successfully litigated water quality matters in federal and state courts and administrative hearing boards.

We actively represent clients from various industries, including agriculture, food processing, manufacturing, industrial, real estate development and more, in connection with the following:

- Administrative agency enforcement actions
- Clean Water Act citizen-suits
- Clean Water Act compliance and permit challenges
- Wetlands
- NPDES Permits
- Section 401 Water Quality Certifications
- Total Maximum Daily Loads
- Use Attainability Analysis
- Reclaimed water
- Safe Drinking Water Act
- Groundwater contamination
- State Waste Discharge Permits

REPRESENTATIVE WORK

Water Quality Projects

- Lafarge North America: NPDES and water quality
- Darigold: NPDES, water quality and stormwater advice
- Costco Wholesale Corporation: NPDES, water quality, stormwater and wetlands advice
- Safeway: NPDES, water quality and stormwater advice

Water Quality Cases

- *Washington Trout v. McCain Foods, Inc.*, 45 F.3d 1351 (9th Cir. 1995)
(Clean Water Act citizen-suit dismissed on summary judgment; affirmed by the Ninth Circuit Court of Appeals)
- *West v. Stephen L. Johnson, et al.*, 2009 WL 2477646
(Clean Water Act citizen-suit dismissed for lack of subject matter jurisdiction)
- *Rosemere Neighborhood v. City of Vancouver*, 2005 WL 2659665, W.D. Washington 2005
(Clean Water Act citizen-suit dismissed on summary judgment)
- *Coalition of Governmental Entities v. Washington State Department of Ecology*, 2009 WL 43436; 2008 WL 5510412 (Wash.Pol.Control Bd.)
(Successful representation of Coalition of 30 local governments in multi-phase appeals of state-wide Municipal Stormwater Permits)