

# WA Forest Protection Association

My comments relate to the Cost Benefit Analysis in Preliminary Regulatory Analyses, Publication 21-10-057.

I have had the opportunity to correspond with DOE staff on this subject, and they have graciously responded. Unfortunately, I have some additional questions and we have apparently run out of time. So I am putting these questions into public comments.

My concern is that here is not enough information in Preliminary Regulatory Analyses, Publication 21-10-057 and the supporting document Publication 21-10-050 Preliminary Technical Support Document to allow the regulated community to fully assess the potential impacts to our operations.

My understanding is that the assumption is that the new regulations will only apply to impaired waters.

Question: Who will be taking the measurements to determine impairment? Landowners or DOE staff/contractors?

My understanding is that DOE does not know the extent of impaired waters with respect to DO and fine sediment, so it is unable to directly estimate sector-wide impacts. Instead, they looked at one business in each sector that might have to act in order to comply with the new rules or a TMDL. In the non-point world, this compliance might take the form of simple or complex riparian buffers or fencing to exclude livestock. DOE modeled the costs for each of these example businesses and put the results in an I/O model (REMI) to produce sector-wide impacts. The published impacts included only employment and predicted, for example, a loss of two jobs in forestry and logging and one job in forestry and agricultural support activities.

Question: Is the above paragraph a fair summary of how DOE derived impacts on the regulated community?

Question: Can DOE please provide details of the necessary actions and costs for the examples for 1) the forestry and logging, and 2) the forestry and agricultural support activities sectors and the information that was put into REMI?

Question: It seems that REMI would predict additional impacts beyond just employment such as overall additional costs, loss in output, etc. Can DOE provide additional impact predictions for at least the forestry and logging and the forestry and agricultural support activities sectors.

Cost Benefit Analyses are meant to be marginal analyses. In this case, the marginal probable benefits that could be expected as a result of the rule should be laid out and discussed and quantified if possible.

Question: Does DOE have an estimate of the additional fish that might be produced as a result of the rule and an estimate of their value?

Thank you for your consideration of these questions.

John Ehrenreich