

WSR 21-16-043

DEPARTMENT OF ECOLOGY

[Filed July 27, 2021, 3:19 p.m.]

PUBLIC NOTICE

Announcing the Reissuance of the Upland Finfish Hatching and Rearing General Permit

The Washington state department of ecology (ecology) is reissuing the upland finfish hatching and rearing national pollutant discharge elimination system (NPDES) and state waste discharge general permit (permit) on August 17, 2021. The permit becomes effective on October 1, 2021, and expires on September 30, 2026.

Purpose of the Permit: The permit addresses various legal requirements and responsibilities, and regulates the discharge of pollutants to protect water quality in Washington state. The permit provides coverage for and authorizes upland finfish hatching and rearing operation discharges with limits of pollutants from raising or spawning fish. These include uneaten feed, fish fecal matter, and medications and disease control chemicals. The permit is a combined NPDES and state waste discharge permit that limits the discharge of pollutants to surface waters under the authority of the Federal Water Pollution Control Act (33 U.S.C. 1251) and limits the discharge of pollutants to surface and groundwater under the authority of the State Water Pollution Control Act (90.48 RCW).

Public Notice Process and Comments: Ecology accepted public comments on the draft permit and fact sheet from April 7, 2021, *through* May 26, 2021. Ecology held informational public workshops and hearings during this time via online statewide webinars on May 11, 2021, and May 12, 2021. Ecology received written public comments and emails. The comments and ecology's responses are included as Appendix C of the fact sheet.

Copies of the Permit: The final permit, fact sheet with the response to comments in Appendix C, and full original comments are available online at <https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Upland-fin-fish-permit>. You may request hard copies from Matthew Tietjen at 360-407-6401.

Applying for Coverage under the Permit: Any hatchery facility covered under the existing permit that reapplied for permit coverage last fall, will be covered under the new permit. New or unpermitted hatchery facilities may obtain coverage under the permit by submitting a complete permit application to ecology, and satisfying all applicable public notice and State Environmental Policy Act requirements (WAC 173-226-200). The application is available online at <https://secureaccess.wa.gov>. You can find application assistance online at <https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Upland-fin-fish-permit#reapply>.

Ecology Contact: Laurie Niewolny, Washington State Department of Ecology, P.O. Box 47775, Olympia, WA 98504-7775, phone 360-584-8852, email laurie.niewolny@ecy.wa.gov.

Assistance for Persons with Disabilities: To request ADA accommodation for disabilities, call ecology at 360-407-7285 or visit <https://ecology.wa.gov/accessibility>. People with impaired hearing may call Washington relay service at 711. People with speech disability may call TTY at 877-833-6341.

Your Right to Appeal: You have a right to appeal the final general permit and general permit coverage for a specific facility to the

pollution control hearings board. The appeal process is governed by chapters 43.21B RCW and 371-08 WAC.

- Appeals of the general permit issuance must be filed **within thirty days of issuance** of the general permit. See the *Appeal of the General Permit Focus Sheet* for more information at <https://fortress.wa.gov/ecy/publications/documents/1710009.pdf>.
- Appeals of general permit coverage for a specific facility must be filed **within thirty days of the effective date of coverage**. See the *Appeal of a General Permit Coverage Focus Sheet* for more information at <https://fortress.wa.gov/ecy/publications/documents/1710007.pdf>.

If you have questions, please contact Laurie Niewolny at laurie.niewolny@ecy.wa.gov or 360-584-8852.