

WSR 23-01-001

DEPARTMENT OF ECOLOGY

[Filed December 7, 2022, 12:02 p.m.]

PUBLIC NOTICE

Announcing the Draft Aquatic and Invasive Species Control General Permit and Fact Sheet for Review and Comment

The Washington state department of ecology (ecology) proposes to reissue the draft Aquatic and Invasive Species Control National Pollutant Discharge Elimination System (NPDES) and state waste discharge general permit (permit). The new permit will replace the three permits listed below, which were previously issued to Washington state agencies and have now expired. The revised draft permit and fact sheet, which explains the legal and technical basis for the permit, are available with any associated documents for review and public comment from **Wednesday, December 21, 2022, through Monday, February 6, 2023, at 11:59 p.m.** Ecology will host informational workshops and public hearings on the draft permit.

- **Aquatic invasive species** (Washington department of fish and wildlife (WDFW) - expired September 15, 2021).
- **Fisheries resource management** (WDFW - expired September 30, 2020).
- **Invasive moth control** (Washington state department of agriculture - expired July 23, 2009).

Purpose of the Permit: The permit provides statewide NPDES coverage for the use of specific chemicals to control invasive and introduced species of fish, animals, and insects. Under federal and state water quality laws (Federal Clean Water Act and State Water Pollution Control Act), state agencies that apply pesticides either directly or indirectly to waters of the state must obtain permit authorization for their discharge.

Applying for Coverage under the Permit: Coverage under this permit is only available to Washington state agencies. Agencies 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 (SEPA) requirements (WAC 173-226-200). Access to the application is available online at <https://ecology.wa.gov/AISC-general-permit>.

Copies of the Draft Permit and Fact Sheet: The draft permit and fact sheet are available online at <https://ecology.wa.gov/AISC-general-permit> by end of day on December 21, 2022. You may also request copies from Jackie Lince at 360-407-6600 or email jacl461@ecy.wa.gov.

Submitting Written Comments: Ecology will accept written comments on the draft permit from **Wednesday, December 21, 2022, through Monday, February 6, 2023, at 11:59 p.m.** Ecology prefers online comment submission via the eComment form (link below) on the permit web page. Written comments by mail must be postmarked by **Monday, February 6, 2023**. Comments should reference specific permit text when possible.

Online via the eComment form: <https://wq.ecology.commentinput.com/?id=E3uSi>. **By mail:** Send to Shawn Ultican (see ecology contact below).

Ecology Contact: Shawn Ultican, Washington State Department of Ecology, P.O. Box 47696, phone 360-407-6283, Olympia, WA 98504-7696, email shawn.ultican@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.

Public Workshops and Hearings: The purpose of the workshops is to explain the general permit and to answer questions prior to the formal public hearing. The purpose of the hearings is to provide an opportunity for people to give formal oral testimony on the proposed draft permit. Oral testimony will receive the same consideration as written comments submitted.

The public hearings will begin immediately following each public workshop and will conclude when public testimony is complete. The draft aquatic and invasive species control general permit workshop and hearing webinars will occur on **January 24, 2023, at 10:00 a.m.**, join Zoom at <https://waecy-wa-gov.zoom.us/j/87065939694>; and on **January 25, 2023, at 5:30 p.m.**, join Zoom at <https://waecy-wa-gov.zoom.us/j/89578880349>.

*Workshops and hearings offered via Zoom allow individuals to view the presentation and provide testimony via computer or mobile device.

Issuing the Permit: After ecology receives and considers all public comments, we will make a final decision on permit issuance. Ecology expects to make a decision on the general permit in **March of 2023**.