WSR 26-07-056
DEPARTMENT OF ECOLOGY
[Filed March 17, 2026, 9:06 a.m.]

Public Notice: Announcing the Draft Upland Finfish Hatching and Rearing General Permit for Review and Comment

The Washington state department of ecology (ecology) proposes to reissue the upland finfish hatching and rearing National Pollutant Discharge Elimination System and state waste discharge general permit. The current permit was last issued August 18, 2021, and is scheduled to expire September 30, 2026. The draft general permit, fact sheet explaining the legal and technical basis for the permit, economic impact analysis, and a copy of the proposed application for new coverage are now available on the permit web page at https://ecology.wa.gov/FishHatcheryPermit. The public is invited to review and comment on the draft permit from 9:00 a.m., April 1, 2026, through 11:59 p.m., May 22, 2026. Ecology will host two public meetings and hearings on the draft permit.

Purpose of the Permit: Fish hatcheries in Washington must obtain coverage for finfish hatching and rearing operations to authorize discharge from raising or spawning salmon, trout, and other finfish species. These species are raised for a variety of reasons such as commercial sales, fishing opportunities, and conservation. The permit identifies various requirements and conditions to limit the discharge of pollutants, including uneaten feed, fish fecal matter, and medications and disease control chemicals, to be protective of water quality.

The upland finfish hatching and rearing general permit limits the discharge of pollutants to surface waters under the authority of the Federal Water Pollution Control Act, Title 33 U.S.C., Section 1251, and limits the discharge of pollutants to surface and groundwater under the authority of the state Water Pollution Control Act, chapter 90.48 RCW. When the permitted activities conducted by a specific class of industries are similar, ecology issues a general permit following chapter 173-226 WAC, rather than issuing a series of individual permits.

Economic Impact: Ecology evaluated the potential economic impacts of this permit, specifically determining how it could disproportionately affect small businesses. There are currently 84 facilities covered under this permit, most of which are government facilities. There are 11 private facilities. These fall under North American Industry Classification System code 1125 - Aquaculture. For the private facilities currently permitted, small businesses average 13.5 employees each and the largest 10 percent average 2,630 employees. The assessment concluded that the permit likely imposes disproportionate costs on small businesses. Using quarterly reporting and performance standards minimizes impact on a small business. However, the permit's impact on facilities of any size is difficult to legally and feasibly mitigate because more significant mitigation is not possible without reducing the effectiveness of the permit that regulates the discharge of pollutants to protect surface water and ground water quality, per the stated objectives of the Clean Water Act and state Water Pollution Control Act. The full economic impact analysis document is available on the permit web page.

Applying for Coverage Under the Permit: Facilities that are covered under the existing permit and have submitted a renewal for their coverage by April 1, 2026, will have coverage under the new permit.

New or unpermitted 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.

Copies of the Draft Permit and Fact Sheet: The draft permit, fact sheet, and related documents are available on the permit web page. You may also request hard copies from Jackie Lince, jackie.lince@ecy.wa.gov, 360-407-6600.

Submitting Comments: Ecology will accept comments on the draft permit from 9:00 a.m., April 1, 2026, through 11:59 p.m., May 22, 2026. Ecology prefers online comment submission. Written comments by mail must be postmarked by May 22, 2026, to be included in the public record. Comments should reference specific permit text when possible.

You can submit comments in the following ways:

- Submit comments online at https://wq.ecology.commentinput.com?id=pFK3uTJx2E (preferred method).
- By United States mail (postmarked by May 22, 2026) to Laurie Niewolny, Washington Department of Ecology, P.O. Box 47775, Olympia, WA 98504-7775.
- At one of our hearings.

Public Meetings and Hearings: We will host two online public meetings, using Zoom, in May; one in the afternoon and the second during the evening. We will share the same informational presentation at each session about the permit reissuance process and our proposed changes in the draft permit. A question-and-answer session will follow, then a formal public hearing. The hearings provide opportunity for the public to give formal spoken testimony on the proposed draft permit. The public hearings begin immediately following the meetings and conclude when public testimony is complete. Spoken testimony will receive the same consideration as written comments.

Afternoon Public Meeting and Hearing on May 5, 2026, at 1:30 p.m. Register in advance for this meeting at https://waecy-wa-gov.zoom.us/meeting/register/q9Q_it4IT56izMsneTo6YQ.

Evening Public Meeting and Hearing on May 6, 2026, at 5:30 p.m. Register in advance for this meeting at https://waecy-wa-gov.zoom.us/meeting/register/Hx2g3RSqQPy3Vqkb3s9BqQ.

After ecology receives and considers all public comments, we will make a final decision on permit content and its issuance. Ecology expects to decide later this summer.

Americans with Disabilities Act (ADA) Accessibility: Ecology is committed to providing people with disabilities access to our information and services by meeting or exceeding the requirements of state and federal laws.

To request an ADA accommodation, email laurie.niewolny@ecy.wa.gov, call 360-584-8852, or call ecology through the Washington telecommunication relay for services TTY at 711 or through your preferred relay service provider. Visit https://ecology.wa.gov/accessibility for more accessibility information.

Language Services: Ecology is committed to providing language services, including translation and interpretation, for people whose primary language is not English. To request these services, email laurie.niewolny@ecy.wa.gov or call 360-584-8852. If you call, ask for an interpreter to be connected with one.

El departamento de ecología está comprometido a ofrecer servicios de idioma, incluidos traducción e interpretación, para personas cuyo idioma principal no es el Inglés. Para solicitar estos servicios, en-

víe un correo electrónico a laurie.niewolny@ecy.wa.gov o llame al 360-584-8852. Si llama, pida que le conecten con un intérprete.

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