WSR 26-16-072
DEPARTMENT OF ECOLOGY
[Filed August 4, 2026, 11:14 a.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 and state waste discharge general permit on August 26, 2026. The permit becomes effective October 1, 2026, and expires September 30, 2031.

Purpose of the Permit: Fish hatcheries in Washington must obtain coverage for finfish hatching and rearing operations to authorize discharge from raising 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 protect 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. § 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.

This permit has two main updates:

- **New reporting requirement:** Hatcheries must now report annually how much waterborne drugs and chemicals they use each day. While these facilities log the use of all drugs and chemicals used on site, this new requirement is an annual report submittal.
- **Clearer rules:** We combined all prohibited practices and best practices into one list in the operations and maintenance section of the general permit. Before, these rules were scattered throughout the permit and hard to find. Now they are in one place.

Applying for Coverage Under the Permit: Facilities covered under the existing permit that have submitted a renewal application are covered under the newly issued 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 (SEPA) requirements (WAC 173-226-200). Access to the application is available at https://secureaccess.wa.gov.

Public Notice Process and Comments: The previous permit was last issued August 18, 2021, and expires 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 coverage were shared on the permit's public web page. Ecology provided public notice of the draft general permit determinations and accepted public comments on the draft permit from April 1 through May 22, 2026. Two public meetings and hearings were held during this comment period via online statewide webinars on May 5 and 6. Ecology received written comments via our comments web application, by mail, by email, and by spoken comments provided during the public

hearings. The comments and ecology's responses are included as an appendix to the fact sheet for the draft general permit.

Right to Appeal: An appeal of the general permit terms and conditions, the content of the permit, is a formal challenge to the decisions made by ecology during the permit's development, specifically regarding the regulation of discharges into state waters. This appeal process is governed by chapters 43.21B RCW and 371-08 WAC. Appeals must be submitted within 30 days of the permit's issuance. For further details, refer to appeal of the general permit.

Copies of the Permit: The permit, fact sheet with responses to public comments, and related documents are available at https://ecology.wa.gov/FishHatcheryPermit. You may request hard copies from the water quality program by contacting Jackie Lince at jackie.lince@ecy.wa.gov or 360-407-6600.

Ecology Contact: Laurie Niewolny, Washington State Department of Ecology, Water Quality Program, P.O. Box 47696, Olympia, WA 98504-7696, phone 360-584-8852, email laurie.niewolny@ecy.wa.gov.

Americans with Disabilities Act (ADA) Accessibility: To request an ADA accommodation, email laurie.niewolny@ecy.wa.gov, call 360-584-8852, or dial 711 to call through the Washington telecommunications relay for services like text telephone. 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, envíe un correo electrónico a laurie.niewolny@ecy.wa.gov o llame al 360-584-8852. Si llama, pida que le conecten con un intérprete.