

PUBLIC NOTICE

WASHINGTON COASTAL ZONE MANAGEMENT PROGRAM WASHINGTON DEPARTMENT OF ECOLOGY

DATE: July 26, 2019

NOTICE: Section 307(f) of the federal Coastal Zone Management Act (CZMA) states that requirements – regulations or standards – established or adopted by a state or local government pursuant to the federal Clean Water Act “shall be incorporated” into any program developed under the CZMA.

Program Change Guidance issued in July 1996 by the National Oceanic and Atmospheric Administration’s (NOAA) Office for Coastal Management (OCM) calls for states with Coastal Zone Management programs to issue a notice informing the public, interested parties, federal, state and tribal governments that provisions of the state’s Clean Water Act (the “Water Pollution Control Act - RCW 90.48) and its implementing regulations (contained in the Washington Administrative Code - WAC) have been incorporated into their coastal programs.

The Department of Ecology, as administrator of the Washington Coastal Zone Management Program (WCZMP), is notifying the public that the Washington State legislature passed a law relating to non-native finfish and marine aquaculture, which took effect on June 7, 2018. That law is codified in several pieces of legislation, and it amends chapter 90.48 RCW by adding a new section as follows:

(1) The department may issue national pollutant discharge elimination system permits associated with nonnative marine finfish aquaculture only if these activities are performed under a lease of state-owned aquatic lands in effect on the effective date of this section. The department may not issue national pollutant discharge elimination system permits in connection with any of these activities or operations after the expiration date of the relevant lease of state-owned aquatic lands in effect on the effective date of this section.

The new section will be incorporated into the WCZMP upon publication of this notice.

To see a full copy of the legislation, please refer to:

<https://fortress.wa.gov/ecy/ezshare/SEA/CZMPProgChg/WtrPollCtrlActAquaJul2019/AquacultureRPC.pdf>

There is no public comment period for this action. If you have questions, please contact Therese Swanson at the Department of Ecology at (360) 407-6789 or tswa461@ecy.wa.gov or Jackie Chandler at jcha461@ecy.wa.gov.