



DEPARTMENT OF
ECOLOGY
State of Washington

Concise Explanatory Statement

Chapter 173-201A WAC

**Water Quality Standards for Surface Waters
of the State of Washington**

*Summary of Rule Making and Response to
Comments*

May 2011
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Publication and Contact Information

This publication is available on the Department of Ecology's website at <http://www.ecy.wa.gov/biblio/1110029.html>

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Ecology publishes this document to meet the requirements of the Washington State Administrative Procedure Act (RCW 34.05.325)

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Concise Explanatory Statement
Chapter 173-201A WAC
Water Quality Standards for Surface Waters of the
State of Washington

Summary of Rule Making and Response to Comments

Water Quality Program
Washington State Department of Ecology
Olympia, Washington 98504-7600

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Introduction

The purpose of a Concise Explanatory Statement is to:

- Meet the Administrative Procedure Act (APA) requirements for agencies to prepare a Concise Explanatory Statement (RCW 34.05.325).
- Provide reasons for adopting the rule.
- Describe any differences between the proposed rule and the adopted rule.
- Provide Ecology's response to public comments.

This Concise Explanatory Statement provides information on The Washington State Department of Ecology's (Ecology) rule adoption for:

Title: Water Quality Standards for Surface Waters of the State of Washington
WAC Chapter(s): WAC 173-201A-010 – 600, and WAC 173-201A-610 - 612
Adopted date: April 20, 2011
Effective date: May 21, 2011

Ecology filed a corrected order of adoption on May 9, 2011. See the *Differences between the Proposed Rule and Adopted Rule* section below for more information.

Title: Water Quality Standards for Surface Waters of the State of Washington
WAC: WAC 173-201A-602
Adopted Date: May 9, 2011.
Effective date: June 9, 2011.

To see more information related to this rule making or other Ecology rule makings please visit our web site: www.ecy.wa.gov/lawsandrules

Reasons for Adopting the Rule

Portions of the surface water quality standards (Chapter 173-201A WAC) adopted in 2003 and 2006 contained typographic errors and narrative text or tables that needed more clarity. This rule-making process is limited to correcting those minor, non-substantive changes. These changes make the rule more accurate and easier to understand, and clarifies certain sections of the rule which have caused confusion for some stakeholders.

Chapter 90.48.035 RCW provides clear and direct authority for Ecology to revise the water quality standards. Additionally, 40 CFR 131.20 requires states or tribes (with primacy for clean water act actions) to review and update the Water Quality Standards periodically.

Differences between the Proposed Rule and Adopted Rule

RCW 34.05.325(6)(b)(ii) requires Ecology to describe the differences between the text of the proposed rule as published in the *Washington State Register* and the text of the rule as adopted, other than editing changes, stating the reasons for the differences.

There are two differences between the proposed rule filed on January 18, 2011 and the adopted rule filed on April 20, 2011. Ecology made these changes for all or some of the following reasons:

- In response to comments we received.
- To ensure clarity and consistency.
- To meet the intent of the authorizing statute.

The following content describes the changes and Ecology’s reasons for making them.

WAC Section Citation	Proposed Rule Language Filed on January 18, 2011	Adopted Rule Language Filed on April 20, 2011	Explanation for the change
173-201A-600(2)	The water quality standards for surface waters for the state of Washington do not apply to segments of waters that are on Indian reservations, <u>unless specifically authorized by the USEPA.</u>	The water quality standards for surface waters for the state of Washington do not apply to segments of waters that are on Indian reservations, <u>except for surface waters overlying fee lands on the Puyallup reservation consistent with the Puyallup Tribe Land Claims Settlement of 1989.</u>	The United States Environmental Protection Agency (USEPA) region 10 reviewed the proposed revision and felt the proposed language did not accurately mirror the jurisdiction language used by USEPA and the federal regulations. Ecology acknowledged that the USEPA’s second proposed language option met the needs of the describing the necessary correction to WAC 173-201A-600(2).

173-201A-602 WRIA 10 Puyallup-White	Swam Creek.	Swan <u>u</u> Creek.	The proposed rule language, filed on January 18, 2011, included a record in WAC 173-201A-602 of a stream in WRIA 10 called Swam Creek. Two individuals submitted comments stating that Swam Creek was the incorrect stream name, and that it should be changed to Swan Creek. Based on these comments, and verified on other map sources, Ecology agreed that the stream name should be Swan Creek and corrected the rule language.
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Ecology filed a second order of adoption on May 9, 2011. This order made a correction to WAC 173-201A-602. This order includes the strikethrough and underline language for all portions of section 602 to conform to RCW 34.05.395. The previous rule language did not include one page of the section 602 table that should have been deleted, however the rule did include the language Ecology was proposing for that page. The second order removes duplicated text and leaves the newly amended text.

Response to Comments and Commenter Index

Ecology accepted comments from January 18, 2011 until March 16, 2011. Four public hearings were held in March at Spokane, Yakima, Lacey and Bellevue. A specific email box (swqs@ecy.wa.gov) was provided for sending electronic comments. Ecology received six emails and zero hearing testimonies.

Commenter Index

Table 1 (below) lists the names of organizations or individuals who submitted a comment on the rule proposal, the Ecology assigned comment ID, and the page(s) where you can find Ecology’s response to the comment.

Table 1: List of Commenters and Where Their Comments may be Found			
Individual Commenter	Representing	Comment ID	Comment ID Location(s), by page number
Bohn, Greg	Washington State Department of Ecology	1	5
Brazil, Brian	TransAlta	2	6
Jennings, Jannine	United States Environmental Protection Agency (EPA), Region 10	3	6
Johnson, Ken	Weyerhaeuser	4	6, 7, 8, 9

Naylor, Char	Puyallup Tribe of Indians	5	9
Ragland, Isabel	Pierce Stream Team	6	9

Response to Comments

Table 2 (below) lists the summarized comment on the rule proposal, the Ecology assigned comment ID, and Ecology’s response to the comment.

Table 2: List of Comments and Ecology’s Response		
Comment	Comment ID	Ecology Response
The correction that I am proposing is as follows: In Table 602 in WAC 173-201A-602 under WRIA 37, the listing for “Sulphur Creek” should be corrected to “Sulphur Creek Wasteway”.	1	Upon review, we found that Sulphur Creek and Sulphur Creek Wasteway are two different water bodies. Changing the waterbody name would assign new designated uses to Sulphur Creek Wasteway, and is outside the scope of this rule revision. No rule language changed as a result of this comment.
<p>We would like to make a suggestion that two of the three segments of Hanaford creek currently listed separately as "Spawning/Rearing" in the proposal could be easily combined into a single listing. The segments are currently listed as: "Hanaford Creek and all the tributaries from the mouth to east boundary of Sec. 25-T15N-R2W (river mile 4.1)." and "Hanaford Creek and all the tributaries from the east boundary of Sec. 25-T15N-R2W (river mile 4.1) to the unnamed tributary at latitude 46.7295 longitude - 122.6812 except where designated Char."</p> <p>These segments could be joined into a single listing as" "Hanaford Creek and all the tributaries from the mouth to the unnamed tributary at latitude 46.7295 longitude -122.6812 except where designated Char."</p>	2	<p>The two Hanaford Creek segments you mention do have the same Aquatic Life Use of Spawning/Rearing. However, the segment described as “Hanaford Creek and all tributaries from mouth to east boundary of Sec. 25-T15N-R2W (river mile 4.1)”² has a footnote stating “dissolved oxygen shall exceed 6.5 mg/L.” This criterion differs from the dissolved oxygen criteria of 8.0 mg/L normally associated with the Spawning/Rearing Aquatic Life Use.</p> <p>Based on the differing dissolved oxygen criteria, the two segment listings in Table 602 cannot be combined. No rule language changed as a result of this comment.</p>
EPA Region 10 has reviewed the proposed	3	Ecology reviewed the three language

Table 2: List of Comments and Ecology’s Response

Comment	Comment ID	Ecology Response
<p>revision to WAC 173-201A-600(2) and has some concerns regarding the language utilized in the modified phrase. In order to ensure consistency between state and federal regulations and thus minimize the potential for future confusion, we suggest this wording be modified to mirror the language used by EPA and the federal regulations.</p>		<p>options provided by EPA for WAC 173-201A-600(2) and selected option two as the most appropriate option.</p> <p>The WAC 173-201A-600(2) rule language was changed to: “The water quality standards for surface waters for the state of Washington do not apply to segments of waters that are on Indian reservations, except for surface waters overlying fee lands on the Puyallup reservation consistent with the Puyallup Tribe Land Claims Settlement of 1989.”</p>
<p>Weyerhaeuser NR Company operates a number of manufacturing facilities located on and having stormwater discharges to estuarine waters. A proposed modification to WAC 173-201A-210(1)(e)(i) specifically addresses “estuaries or marine waters.” Because it is conceivable these facilities may have in-water construction activities in the future, the following questions are offered to gain clarity on Ecology’s regulatory intentions:</p> <ol style="list-style-type: none"> 1. Which section of regulation provides the definitive classification of a marine waterbody -- the information in Table 612 (WAC 173-201A-612) where a physical boundary is specified, or WAC 173-201A-260(3)(d) which relies on an applied definition of salinity? To create a specific example, what if 95% of the salinity values at Chehalis River mile 3.2 have vertically averaged daily maximum salinity values greater than one part per thousand? Is this marine or fresh water? Table 612 	<p>4</p>	<p>Ecology reviewed your questions and determined no rule language needs to be changed as a result of this comment. Responses to the three questions asked by Weyerhaeuser are as follows:</p> <p>Response to Question 1: A delineation between marine and freshwater, that follows WAC 173-201A-260(3)(e), supersedes the physical boundaries outlined in Tables 602 and 612. In the example given for the Chehalis River at mile 3.2, the marine criteria would apply because greater than 5% of the values are greater than 1 part per thousand (ppt). (Ninety-five percent is the requirement for applying the freshwater criteria, whereas 5% of the salinity values are required to determine marine criteria.) Where information is not available to determine this delineation, the more stringent criteria apply.</p> <p>Response to Question 2: The intent of the WQ Standards is not to have the delineation between marine and</p>

Table 2: List of Comments and Ecology’s Response

Comment	Comment ID	Ecology Response
<p>indicates this location on the Chehalis River should be classified as fresh water; the physical data classify as marine.</p> <p>2. If the answer to #1 is that the salinity criteria control the classification, does Ecology recognize that the fresh/marine water interface will shift up and downriver based on combinations of seasonal river flow and tidal action? Is that OK?</p> <p>3. The proposed WAC 173-201A-210(1)(e)(i) lumps the requirements for “estuaries or marine waters.” Is there any regulatory distinction between estuaries and marine waters in any aspect of this rule?</p>		<p>freshwater shift up and downriver. The delineation is based on an annual dataset of the highest daily salinity values, each averaged across the water column profile. This would correlate with the highest tide of each day of the year and would include different seasonal flow scenarios that occur throughout the year. The percent threshold refers to 95% of the annual dataset of daily maximum salinity values.</p> <p>However, if it is anticipated that the marine criteria apply, Ecology does not require data to be collected for an entire year. For example, if 5% (18-19 days) or more of the daily maximum salinity values (each calculated as a profile average) are greater than 1 ppt then the water body is considered marine for all pollutant criteria except for bacteria (threshold is instead 10ppt) as describe in WAC 173-201A-260(3)(e).</p> <p>Alternatively, to determine that the receiving water is designated as freshwater for applying the surface water quality criteria, low flow season data is needed (when it is expected that marine water would most influence salinity at the upper reaches of an estuary). This information is necessary to confirm that these daily maximum salinity values (calculated as a profile average) are less than 1ppt (or 10ppt in the case of bacteria).</p> <p>Ecology recognizes that this methodology, in some cases near the ascribed delineation of marine and fresh water, will require a longer monitoring period (up to a year). In these cases where the necessary</p>

Table 2: List of Comments and Ecology’s Response

Comment	Comment ID	Ecology Response
		<p>salinity data are not yet available or the available data do not conclusively delineate the boundary, WAC 173-201A-260(3)(c) and WAC 173-201A-260(3)(d) indicate that the most stringent criteria for a given parameter apply.</p> <p>Ecology has recently received requests for further guidance on this section of the surface water quality standards. We are currently working on agency guidance that will better explain the implementation of 173-201A-260(3)(e) and will provide standard operating procedures for obtaining a vertically averaged daily maximum salinity value. In the interim before this guidance is developed, Ecology requests that any determination be made in consultation with Ecology’s Water Quality Program on a site specific basis.</p> <p>Response to Question 3: For the purposes of applying mixing zones, WAC 201A-400(7)(b)(ii) geographically delineates which open waters of the state are estuarine. This section describes the state waters that are considered estuarine or oceanic for the purposes of applying mixing zones. The marine criteria in WAC 201A-210 apply to both estuarine and marine waters, providing that these waters meet the salinity requirements described in WAC 173-201A-260(3)(e).</p>
<p>p.33 Typo. Correct spelling is Swan Creek, not Swam Creek. There is a Swan Creek in WRIA 10 that flows from the Midland area of Pierce County north and</p>	<p>5, 6</p>	<p>Upon review, a correction was made to change the name back to Swan Creek.</p>

Table 2: List of Comments and Ecology's Response		
Comment	Comment ID	Ecology Response
empties into Clear Creek just upstream of the confluence with the Puyallup River. If that is the stream the regs are referring to then the Swan is correct.		

Appendix A: Copies of all written comments

Bohn, Greg (Washington State Department of Ecology):

Conklin, Becca (ECY)

From: Bohn, Gregory (ECY)
Sent: Tuesday, February 08, 2011 10:47 AM
To: ECY RE SWQS
Cc: Braley, Susan (ECY); Merz, Jonathan (ECY); McKinney, Charlie (ECY)
Subject: additional correction for 173-201A

Becca:

The following correction to Chapter 173-201A WAC was discussed in a string of e-mails during the summer of last year. I was told to wait until a rule-making of the standards would occur. I am reading through the present corrections planned for Chapter 173-201A and found that the correction is not in the document (#11-10-004) which indicates that comments must be supplied to you by March 16, 2011.

The correction that I am proposing is as follows: In Table 602 in WAC 173-201A-602 under WRIA 37, the listing for "Sulphur Creek" should be corrected to "Sulphur Creek Wasteway". As previously discussed with other WQ staff, the historical record shows that the sampling occurred in the wasteway. No sampling has ever occurred in Sulphur Creek, which is a distinct waterbody that is one of many tributaries to the Sulphur Creek Wasteway. The wasteway is the waterbody that actually discharges into the Yakima River, and was given a downgraded Class B category in the previous version of the standards due to it being a large irrigation return collector.

A number of years back, "Sulphur Creek Wasteway" was inadvertently changed to "Sulphur Creek" and thus the present time is perfect time to change it back to "Sulphur Creek Wasteway".

I am available to answer any questions that you may have regarding this matter.

Greg Bohn
WQ/CRO

Brazil, Brian (TransAlta):

Conklin, Becca (ECY)

From: Brian Brazil [Brian_Brazil@transalta.com]
Sent: Thursday, March 17, 2011 8:33 AM
To: ECY RE SWQS
Subject: Water Quality Standards, Chapter 173-201A

TransAlta supports the proposed changes WAC Chapter 173-201A. In particular we request that the proposed changes to Table 602 be carried out to correct errors in stream segment listings.

We would like to make a suggestion that two of the 3 segments of Hanaford creek currently listed separately as "Spawning/Rearing" in the proposal could be easily combined into a single listing. The segments are currently listed as: "Hanaford Creek and all the tributaries from the mouth to east boundary of Sec. 25-T15N-R2W (river mile 4.1)." and "Hanaford Creek and all the tributaries from the east boundary of Sec. 25-T15N-R2W (river mile 4.1) to the unnamed tributary at latitude 46.7295 longitude -122.6812 except where designated Char."

These segments could be joined into a single listing as"
"Hanaford Creek and all the tributaries from the mouth to the unnamed tributary at latitude 46.7295 longitude - 122.6812 except where designated Char."

Thank you for consideration of this comment.

Brian Brazil
Environmental Manager

Ph: 360-807-8031 | Cell: 360-508-0053
913 Big Hanaford Rd | Centralia, WA 98531



www.transalta.com

Jennings, Jannine (United States Environmental Protection Agency, Region 10):



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

MAR 16 2011

OFFICE OF
WATER AND WATERSHEDS

Ms. Becca Conklin
Washington Department of Ecology
Surface Water Quality Standards
P.O. Box 47600
Olympia, WA 98504-7600

Dear Ms. Conklin:

Thank you for the opportunity to comment on the proposed revisions to Washington's Surface Water Quality Standards contained at WAC 173-201A. The Washington State Department of Ecology (Ecology) published the proposed rule changes to the Washington State Register on February 2, 2011 and accepted public comments through March 16, 2011. The proposed revisions increase the clarity of the standards and correct several language and typographic errors that Ecology has identified in the current version of the State's water quality standards which were adopted in 2006.

EPA has reviewed the proposed revisions and wishes to provide comments on one specific change. Ecology has proposed the following the revision to WAC 173-201A-600(2) (new language is underlined):

The water quality standards for surface waters for the State of Washington do not apply to segments of waters that are on Indian reservations, unless specifically authorized by the USEPA.

EPA Region 10 has reviewed the proposed revision and has some concerns regarding the language utilized in the modified phrase. While EPA authorizes Tribes to implement the water quality standards program for Tribal waters, the Clean Water Act and its regulations do not determine the ownership of a waterbody. Thus, for all waters in Indian Country (defined in 18 U.S.C. Section 1151), the authority for Clean Water Act implementation and water quality standards lies with either the Tribe or EPA, not the state. In order to ensure consistency between state and federal regulations and thus minimize the potential for future confusion, we suggest this wording be modified to mirror the language used by EPA and the federal regulations. One suggested alternative to the proposed revision to WAC 173-201A-600(2) is:

Option 1:

Washington surface water quality standards apply to all waters within the State of Washington, with the exception of waters that are within Indian Country, as defined in 18 U.S.C. Section 1151.

Waters on the Puyallup Reservation are governed by the Puyallup Tribe Land Claims Settlement of 1989 and thus present a situation unique to that reservation that is unlikely to be found elsewhere in the State. Therefore, it would also be accurate to write this exemption specific to the Puyallup Reservation. EPA would like to present two additional options for this approach:

Option 2:

The water quality standards for surface waters for the State of Washington do not apply to segments of waters that are on Indian reservations, except for surface waters overlying fee lands on the Puyallup reservation consistent with the Puyallup Tribe Land Claims Settlement of 1989.

or

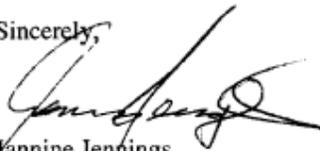
Option 3:

The water quality standards for surface waters for the State of Washington do not apply to segments of waters that are on Indian reservations with the following exceptions: Clarks Creek, Clear Creek, Swam Creek, Wapato Creek and Hylebos Creek. These are tributaries to the Puyallup River which remain under the State's jurisdiction for the purposes of surface water quality standards since they overly fee lands on the Puyallup reservation consistent with the Puyallup Tribe Land Claims Settlement of 1989.

We believe these suggested alternatives more clearly articulate the relationship of water quality standards between the State of Washington and Indian Country, specifically relative to the Puyallup reservation.

Again, thank you for the opportunity to comment on Washington's proposed water quality standards revisions. We look forward to engaging with you throughout the continuation of this process. If you have any questions or wish to discuss this matter further, please call me at (206) 553-2724 or Matthew Szelag at (206) 553-5171.

Sincerely,



Jannine Jennings
Water Quality Standards Unit Manager
Office of Water & Watersheds

cc: Susan Braley, Ecology
Melissa Gildersleeve, Ecology

Johnson, Ken (Weyerhaeuser):

Environment, Health & Safety



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E-Mail: ken.johnson@weyerhaeuser.com

February 14, 2011

Becca Conklin
Department of Ecology
Water Quality Program
P.O. Box 47600
Olympia, WA 98504-7600

Sent by Electronic Mail

Subject: Comment on Proposed Amendments to WAC 173-201A

Dear Ms. Conklin:

Weyerhaeuser NR Company operates a number of manufacturing facilities located on and having stormwater discharges to estuarine waters. A proposed modification to WAC 173-201A-210(1)(e)(i) specifically addresses "estuaries or marine waters." Because it is conceivable these facilities may have in-water construction activities in the future, the following questions are offered to gain clarity on Ecology's regulatory intentions:

1. Which section of regulation provides the definitive classification of a marine waterbody -- the information in Table 612 (WAC 173-201A-612) where a physical boundary is specified, or WAC 173-201A-260(3)(d) which relies on an applied definition of salinity? To create a specific example, what if 95% of the salinity values at Chehalis River mile 3.2 have vertically averaged daily maximum salinity values greater than one part per thousand? Is this marine or fresh water? Table 612 indicates this location on the Chehalis River should be classified as fresh water; the physical data classify as marine.
2. If the answer to #1 is that the salinity criteria control the classification, does Ecology recognize that the fresh/marine water interface will shift up and downriver based on combinations of seasonal river flow and tidal action? Is that OK?
3. The proposed WAC 173-201A-210(1)(e)(i) lumps the requirements for "estuaries or marine waters." Is there any regulatory distinction between estuaries and marine waters in any aspect of this rule?

Thank you for considering these questions.

Sincerely,

Ken Johnson
Corporate Environmental Manager

Naylor, Char (Puyallup Tribe of Indians):

Conklin, Becca (ECY)

From: Char Naylor [char.naylor@puyalluptribe.com]
Sent: Tuesday, January 25, 2011 10:33 AM
To: ECY RE SWQS

p.33 Typo. Correct spelling is Swan Creek, not Swam Creek.

Char Naylor
Puyallup Tribe of Indians
Water Quality Manager
Phone: 253-680-5520, 253-841-0382

Ragland, Isabel (Pierce Stream Team):

Conklin, Becca (ECY)

From: Isabel Ragland [isabelr@piercecountycd.org]
Sent: Friday, February 04, 2011 2:10 PM
To: Conklin, Becca (ECY)
Subject: minor changes to the water quality standards

Hi Becca,

I took a quick look at the changes and I believe on page 33 down at the bottom where a creek name is changed from Swan to Swam is incorrect. There is a Swan Creek in WRIA 10 that flows from the Midland area of Pierce County north and empties into Clear Creek just upstream of the confluence with the Puyallup River. If that is the stream the regs are referring to then the Swan is correct.

Thanks,
Isabel

Isabel Ragland
Pierce Stream Team
5430 66th Ave E
P.O. Box 1057
Puyallup, WA 98371
253-845-2973

Appendix B: Transcripts from public hearings.

Lacey, Washington – March 2, 2011

This hearing was held simultaneously via video conference in Yakima, Bellevue, and Spokane.

Washington State Department of Ecology Surface Water Quality Standards Hearing for the Proposed Rule Public Comment Period

Verbatim Transcription of Public Hearing Held before Hearing Officer

Dave Zink – Lacey, Washington

Hearing simultaneously via video conference before the following hearing officers:

Cynthia Wall – Spokane, Washington

Dave Holland – Yakima, Washington

Betty Leonard – Bellevue, Washington

Hearing Officer Dave Zink: All recording? Let the... I'm Dave Zink, hearing officer for this hearing. This afternoon we are to conduct the hearing on the rule proposal for Chapter 173 –201A Washington Administrative Code - Water Quality Standards of the State of Washington.

Let the record show that it is 1:47 Pacific Standard Time, I think, and on Wednesday, March 2, 2011. This hearing is being held in the, at the Department of Ecology Headquarters building, 300 Desmond Drive, Lacey, Washington 98504. And, being held simultaneously to this Lacey hearing through video conference in the Department of Ecology Eastern Regional Office Building, 4601 North Monroe Street, Spokane, Washington 99205, the Department of Ecology Central Regional Office Building at 15 West Yakima Avenue, Suite 200, Yakima, Washington 98902, and at the Department of Ecology Northwest Regional Office Building, at 3190 160th Avenue Southeast in Bellevue, Washington.

A legal notice of this hearing was published in the Washington State Register on the 2nd of February 2011, as Washington State Register 11-03-066.

In addition, notices of the hearing were sent as email notices to about 1,500 interested people, interested people, via e-mail, ListServ, and standard mail, and a news release was issued on the 3rd of February 2011.

Okay, next section is testimony. The hearing officers at each location will call speakers in the order that they signed in. We'll start with Spokane, then move to Yakima, then Bellevue, and then finish here in Lacey. Then I'll open the floor for anyone else who has decided to comment. Once everyone who has indicated that they would like to testify has had the opportunity, I will open it up for others that might be coming in.

Okay, remember comments should be about 4-5 minutes. When you reach that limit, I will ask you to summarize your comments so that the next person can come up to testify. When we, so when we call your name, please step up to the front, state your name and address for the record. Speak clearly, so that we can get a good recording of your testimony. We will begin with Cynthia Wall in Spokane. Have you any people that want to testify?

Cynthia Wall: No, I don't think so.

Dave Zink: Okay. Move onto Yakim... [Interruption by Dave Holland]. Say again?

Dave Holland: No, there's nobody that has signed up to testify.

Dave Zink: In Yakima?

Dave Holland: Yes.

Dave Zink: Okay, next is Betty Leonard in Bellevue. Have you any people that want to speak, Betty?

Betty Leonard: No.

Dave Zink: Okay. And same situation here, at Central? Does anyone want to say anything? Okay. If, okay. So, about written comments. Please, if you would like to send Ecology written comments, remember they must be postmarked by the 16th of March, 2011. And send them to the address on the, okay, should I read that out? Send them to Department of Ecology, Water Quality Program, Becca Conklin, that's B-E-C-C-A, last name C-O-N-K-L-I-N, at P. O. Box 47600, Olympia, WA 98504-7600. The email address is swqs@ecy.wa.gov. That was sierra whiskey Quebec sierra at ecy.wa.gov. Fax, our fax number is (360) 407-6426.

All testimony received at this hearing and, along with all written comments postmarked no later than 16th of March 2011, will be part of the official hearing record for this proposal.

If you would like to receive a copy of the Concise Explanatory Statement, please contact Becca by email at swqs@ecy.wa.gov. Phone number, (360) 407-6413, or fax, (360) 407-6426.

The next step is adoption. Ecology Director Ted Sturdevant, or the acting Director, if he's away, will look at the public comments, the Concise Explanatory Statement, other rule documentation, and staff recommendations and will make a decision about adopting the proposal. Adoption is scheduled, currently scheduled for no earlier than the 6th of April 2011. It will go into effect 31 days after it has, after it is adopted and filed with the Code Reviser. If we can be of further help to you, please do not hesitate to ask or you can contact Becca Conklin if you have other questions. On behalf of the Department of Ecology, thank you for coming. I appreciate, I appreciate your cooperation and courtesy. Let the record show that this hearing is adjourned at 1:52, Pacific Standard Time. Okay, stop record now.