



DEPARTMENT OF
ECOLOGY
State of Washington

Rule Implementation Plan

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

Chapter 173-201A WAC

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Publication and Contact Information

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Purpose

Ecology provides the information in this implementation plan to meet agency and Administrative Procedure Act (RCW 34.05.328) requirements related to rule adoptions.

Introduction

The purpose of this rule implementation plan is to inform those who must comply with Chapter 173-201A WAC - Water Quality Standards for Surface Waters of the State of Washington - about how the Department of Ecology (Ecology) intends to:

- Implement and enforce the rule.
- Inform and educate persons affected by the rule.
- Promote and assist voluntary compliance for the rule.
- Evaluate the rule.
- Train and inform Ecology staff about the new or amended rule.

Also included in this plan is information about:

- Supporting documents that may need to be written or revised because of the new rule or amended rule.
- Other resources where more information about the rule is available.
- Contact information for Ecology employees who can answer questions about the rule implementation.

Implementation and Enforcement

The Washington State Department of Ecology (Ecology) will implement and enforce the revised rule in the same way the current rule is implemented and enforced. Part V of the revised rule (WAC 173-201A-500 through 173-201A-530) briefly discusses overall implementation, and other sections of the rule address specific implementation issues. This rulemaking did not result in any changes that would affect the way the state standards are implemented or enforced.

Informing and Educating Persons Affected by the Rule

Affected persons and the public were informed and educated about the proposed changes to the water quality standards throughout the past year. Since this rulemaking began, there have been stakeholder discussions and special presentations. During the formal rulemaking process, notices were sent to approximately 1,500 individuals informing them of Ecology's final changes to adopt the water quality standards. Public hearings on the formal rule proposal were held in four locations around the state in March 2011. The purpose of these hearings was to inform and educate the public on the reasons for the proposed changes and to give them an opportunity to formally testify on the proposal. During the public comment period, Ecology also consulted directly with interested and affected tribes.

All of the formal changes to the water quality standards are available to the public on Ecology's web site (www.ecy.wa.gov/programs/wq/swqs). This material includes the final regulatory language and supporting documentation. After rule adoption, notice will be sent to regulated entities, business associations, and other interested parties. Ecology will continue to be available to external interests to explain the formal rule changes.

Promoting and Assisting Voluntary Compliance

Ecology will continue to work with key interests to encourage voluntary compliance with the water quality standards. Ecology supports numerous water quality programs that, at least in part, promote voluntary compliance, including:

- TMDLs.
- Nonpoint Pollution Programs.
- 319 Grant Programs.
- SRF and Centennial Grants and Loans.
- Watershed Planning.

These programs provide a great deal of financial and technical support to entities voluntarily complying with the water quality standards. Ecology staff members are also available to provide technical assistance to permit holders, or other interested parties, upon request.

Evaluating the Rule

The purpose of the water quality standards is to restore and maintain the chemical, physical, and biological integrity of Washington's waters. More specifically, the water quality standards are designed to protect public health; public recreation in the waters; and the propagation of fish, shellfish, and wildlife. The numeric and narrative criteria in the water quality standards are intended to protect these beneficial uses.

The formal changes to the water quality standards will be considered to have achieved their purpose if they fully protect the beneficial uses. The water quality standards should also protect those beneficial uses in the least burdensome way.

Milestones are difficult to develop for the current revisions to the state standards. This is in large part because the revisions resulted in few changes to the designated uses and numeric criteria in the existing state regulation. One way that Ecology will measure success is when users have a better ability to interpret and understand the revised standards.

Training and Informing Ecology Staff

Throughout the rulemaking process, Ecology staff members have been informed of the proposed changes to the water quality standards. Headquarters' water quality standards staff have visited regional offices and held informational meetings for staff. Because this rulemaking did not result in any changes that would affect the way that the state standards are implemented or enforced, training on implementation and enforcement of the revised water quality standards is not necessary, but will be provided upon request.

List of Supporting Documents that May Need to be Written or Revised

Documents that may need to be revised:

- “Easy to read” version of the revised rule for the Water Quality Standards for Surface Waters of the State of Washington, Chapter 173-201A WAC (Ecology publication # 06-10-091).
- Waters Requiring Supplemental Spawning and Incubation Protection for Salmonid Species (Ecology publication # 06-10-038).
- Permit Writers Manual.
- TMDL guidance manual.
- Permits and applications will need to be updated to reflect the new citations.
- 303(d) listing policy for future listings will need to reflect new rule.

More Information

Please visit the Surface Water Quality Standards rule revision web page for more information on this rule: <http://www.ecy.wa.gov/programs/wq/swqs/RuleRev2011.html>

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