

Rule Proposal Notice

Water Quality

June 2011

Amend financial assistance rules for clean water projects

The Department of Ecology (Ecology) proposes to adopt amendments to Chapter 173-98 WAC and Chapter 173-95A WAC. The rule proposal will be published in the Washington State Register on July 6, 2011.

The purpose of this rule proposal is to amend Chapter 173-98 WAC to establish funding categories, ceiling amounts, and project eligibility for Green Project Reserves projects (energy and/or water efficient, green infrastructure, and environmentally innovative) and forgivable principal loans (loans that do not have to be paid back) as part of the Washington State Water Pollution Control Revolving Fund (Revolving Fund).

The rule also includes proposed amendments to Chapter 173-95A WAC that will maintain consistency between the Revolving Fund and the state Centennial Clean Water Fund (Centennial) rules.

Ecology issued a Determination of Nonsignificance (DNS) under the State Environmental Policy Act. This document and the proposed rule language are available for review and comment until August 3, 2011.

Public hearing schedule

Ecology will hold a public hearing at 2 p.m. on July 26, 2011.

The public hearing will be held at the four sites listed below. The sites will be linked through video conferencing. Interested parties can attend any of the four sites to participate in the public hearing. Lacey will be the lead site for the hearing.

Lacey - Lead site

Ecology Headquarters Office
300 Desmond Drive SE
Lacey, WA 98503

Bellevue

Ecology NW Regional Office
3190 - 160th Ave. SE
Bellevue, WA 98008-5452

Spokane

Ecology Eastern Regional Office
4601 N. Monroe Street
Spokane, WA 99205-1295

Yakima

Ecology Central Regional Office
15 West Yakima Ave - Ste.200
Yakima, WA 98902-3452

WHY IT MATTERS

These rule updates will ensure transparency and provide the framework to administer the state's clean water funds in a consistent manner.

Changes will allow Ecology to continue to receive federal funds for the Revolving Fund program, which provides financial assistance to local jurisdictions for water quality improvement projects throughout the state.

Proposed amendments include:

- Incorporating provisions for Green Project Reserves and forgivable principal loans.
- How funds are allocated between project categories.
- Creating a set-aside for pre-construction activities.
- Maintaining consistency between the Revolving Fund and Centennial programs.
- Setting a minimum score on applications in order to receive funding.

Contact information:

Joseph Coppo
360-407-6510
joseph.coppo@ecy.wa.gov

Special accommodations:

If you need this document in a format for the visually impaired, call the Water Quality at 360-407-6502.

Persons with hearing loss, call 711 for Washington Relay Service. Persons with a speech disability, call 877-833-6341.

How to submit your comments

Comment period ends August 3, 2011.

You can give us your official comments in the following ways:

1. Testify at the public hearing.
2. Email your comments to:
joseph.coppo@ecy.wa.us
3. Mail comments to:
Department of Ecology
Joseph Coppo
PO Box 47600
Olympia, WA 98504-7600

Ecology's response to your comments

All of the comments Ecology receives will become part of the official record. We will respond to all comments in a document called a Concise Explanatory Statement (CES). The CES is required by the Administrative Procedure Act (RCW 34.05) and is published after the rule is adopted. You will find your name listed in the document with a reference to where, in the document, Ecology responded your comments.

Expected adoption date

Ecology expects to adopt this rule no earlier than September 7, 2011.

More information

For more information about the funding programs and this rule making:

- **Centennial Grant Program**
www.ecy.wa.gov/programs/wq/funding/FundingPrograms/Centennial/Cent.html
- **State Revolving Fund**
www.ecy.wa.gov/programs/wq/funding/FundingPrograms/CWSRF/cwsrf.html
- **Rule-making documents**
www.ecy.wa.gov/laws-rules/wac17398/1014.html

Sign up for email updates

To receive updates about this rule making, please sign up for the WQ Grant and Loans email list at: <http://listserv.wa.gov/cgi-bin/wa?A0=ECY-WQ-GRANTS-LOAN>

Ecology Director's decision to proceed with rule making

The Director determined it is critical to the state budget to complete rule making related to federal funding for the SRF (see OFM exemption criteria 3 (e)). For more information on Ecology's implementation of the Executive Order, visit:
www.ecy.wa.gov/laws-rules/rulemaking_suspension.html

