

POTPOURRI
Department of Environmental Quality
Office of the Secretary
Legal Affairs and Criminal Investigations Division

Notice of Public Hearing
Substantive Changes to Proposed Rule WQ111
Water Quality Standards Triennial Revision
(LAC 33:IX.1109)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that the department is seeking to incorporate substantive changes to proposed regulation (LAC 33:IX.1109) (Log number WQ111S), which was originally noticed as WQ111 in the January 20, 2023, issue of the *Louisiana Register*. (2306Pot1)

The department has proposed substantive changes to address comments received during the public comment period of proposed rule WQ111. The changes clarify the proposed rule language. In the interest of clarity and transparency, the department is providing public notice and opportunity to comment on the proposed changes to the amendments of the regulation in question. The department is also providing an interim response to comments received on the initial regulation proposal.

A strikeout/underline/shaded version of the proposed rule that distinguishes original proposed language from language changed by this proposal and the interim response to comments are available on the department's website under Rules and Regulations at <https://www.deq.louisiana.gov/page/rules-regulations>

The following changes are to be incorporated into the Notice of Intent:

Title 33
ENVIRONMENTAL QUALITY
Part IX. Water Quality
Subpart 1. Water Pollution Control

Chapter 11. Surface Water Quality Standards

§1109. Policy

Water quality standards policies concerned with the protection and enhancement of water quality in the state are discussed in this Section. Policy statements on antidegradation, water use, water body exception classification, compliance schedules, variances, short-term activity authorization,

errors, severability, revisions to standards, and sample collection and analytical procedures are described.

A. — K.4.e.i. ...

ii. Poydras-Verret Marsh Wetland - Designated Naturally Dystrophic Waters Segment. ~~One or more of the~~ The following criteria are applicable:

(a). — (b). ...

iii. Breaux Bridge Swamp and Thibodaux Swamp - Designated Naturally Dystrophic Waters Segment. following criteria are applicable:

(a). — (c). ...

iv. Bayou Ramos Swamp Wetland - Designated Naturally Dystrophic Waters Segment. The following criteria are applicable:

4.e.iv.(a). — 6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2074(B)(1).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 10:745 (October 1984), amended LR 15:738 (September 1989), LR 17:264 (March 1991), LR 17:966 (October 1991), LR 20:883 (August 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2546 (November 2000), LR 29:557 (April 2003), amended by the Office of the Secretary, Legal Affairs Division, LR 33:457 (March 2007), LR 33:828 (May 2007), amended by the Office of the Secretary, Legal Division, LR 40:2243 (November 2014), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 46:1546 (November 2020), amended by the Office of the Secretary, Legal Affairs Division, LR 49:

A public hearing on the substantive changes will be held via Zoom on July 27, 2023, at 1:30 p.m. Interested persons are invited to attend and submit oral comments on the substantive changes via PC, Mac, Linux, iOS, or Android at <https://deqlouisiana.zoom.us/j/81527125613?pwd=TGgrVH0wcGdJZFhN2L0F1WG9CbTIBUT09>, password 985711, or by telephone at (636) 651-3182 using the conference code 725573. Should individuals with a disability need an accommodation in order to participate, contact William Little at the address given below, or at (225) 219-3985.

All interested persons are also invited to submit written comments on the substantive changes. Persons commenting should reference this proposed regulation as WQ111S. Such

comments must be received no later than July 27, 2023, at 4:30 p.m., and should be sent to William Little, Attorney Supervisor, Office of the Secretary, Legal Affairs and Criminal Investigations Division, P.O. Box 4302, Baton Rouge, LA 70821-4302, by fax (225) 219-4068, or emailed to DEQ.Reg.Dev.Comments@la.gov. The comment period for the substantive changes ends on the same date as the public hearing. Copies of these substantive changes can be purchased by contacting the LDEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of WQ111S. This proposed regulation is available on the Internet at <https://www.deq.louisiana.gov/page/rules-regulations>.

These substantive changes to WQ111 are available for inspection at the following LDEQ office locations from 8:00 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 111 New Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70374; and 201 Evans Road, Bldg. 4, Suite 420, New Orleans, LA 70123.

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