Please issue clarification that “groundwater” as a “Waters of the State” is bounded by the saturation limits. Please issue clarification that discharge percolating through an unsaturated soil layer is not part of the “Waters of the State” until it reaches a defined boundary, such as the seasonal high-water table. Please issue clarification that discharge must meet groundwater standards when it reaches this boundary and becomes part of a Waters of the State.

Clarification is needed because RCW 90.48 names “underground waters” as a “Waters of the State.” It is easy to misinterpret “underground waters” as “any water below the soil surface.” However, the use of the collective noun “waters” as opposed to the general noun “water” indicates that the RCW is referring to a body of water that has a definable boundary (an aquifer, an underground river, a lake in a cave) and is not referring to moisture in a shallow soil layer.