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Ecology's recent history of misapplying regulatory standards casts a shadow over this new action. Ecology has recently been misusing its "Tier II" regulation to prevent measurable change in waters that are meeting state standards. Ecology's expanded use of Tier III designations could essentially prevent human activity in large portions of the state from headwaters to the ocean without any express approval by the Legislature, demonstrable benefit for water quality and without demonstrated support in affected communities.