



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: April 11, 2018

TIME: 2:15 PM

WSR 18-09-031

Agency: Department of Ecology AO # 17-01

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes No If Yes, explain:

Purpose: The rule amendment makes the rule consistent with current practices, removes unused funding language, corrects out of date agency information, and improves the rule's clarity and consistency.

Recent legislative provisos for drought relief funding varied from the language in WAC 173-166, requiring the adoption of an emergency rule. We will continue to adopt emergency rules to implement drought relief programs when authorized by the Legislature. Removing the funding language from the permanent rule improves clarity, versus having two rules for nearly identical functions, and allows for funding decisions having an alternate appeal process.

Citation of rules affected by this order:

- New:
- Repealed:
- Amended: Chapter 173-166 WAC
- Suspended:

Statutory authority for adoption: RCW 43.83B.420

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 18-02-085 on January 2, 2018 (date).
Describe any changes other than editing from proposed to adopted version: None

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

- Name:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Web site:
- Other:

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___

The number of sections adopted at the request of a nongovernmental entity:

New	___	Amended	___	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	___	Amended	<u>6</u>	Repealed	<u>4</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	<u>6</u>	Repealed	<u>4</u>
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The number of sections adopted using:

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

Date Adopted: April 11, 2018

Name: Maia Bellon

Title: Director

Signature:

