Title of rule and other identifying information: (Describe Subject)
Chapter 173-526 WAC, Water Resources Management Program for the Cowlitz Watershed (WRIA 26)

Hearing location(s):

May 26, 2010 – 7:00 PM  May 27, 2010 – 7:00 PM
Longview, WA  Morton, WA
Cowlitz County  Morton School District
Training Center  Lecture Room
1900 “1st” Avenue  152 Westlake Avenue

Submit written comments (preferably via email) to:

Name: Travis Burns
Address: Department of Ecology, Water Resources Program
PO Box 47600, Olympia WA 98504-7600
(360) 407-7207
e-mail tbur461@ecy.wa.gov
fax (360) 407-6574 by: June 4, 2010

Assistance for persons with disabilities: Contact
Judy Beitel by May 21, 2010
TTY (800) 833-6388 or (360) 407-6878

Date of intended adoption: July 15, 2010
(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules: In order to better manage water resources in WRIA 25, the local Watershed Planning Unit recommended that Ecology adopt, in rule, a water resource management strategy for the Basin. Recommendations were approved by Wahkiakum, Lewis, Cowlitz and Skamania county commissioners in July 2006.

The key rule elements include:

- Setting instream flow levels in the watersheds to protect aquatic resources, including habitat for threatened and endangered salmonids;
- Closing sub-basins to future withdrawals with the exception of seasonal water use from the region’s larger streams;
- Establishing limited reservations of water for future use; and
- Specifying conditions for accessing the water reserves to benefit instream resources and better manage limited supply.

Reasons supporting proposal: RCW 90.82.130(4) states when a watershed plan is approved by a watershed planning unit and the county legislative authority, Ecology, as a participating member of the planning unit, is obligated to use the plan for making future water resource decisions for the watershed. The proposal also furthers Ecology’s water management goals and statutory obligations.

Is rule necessary because of a:

- Federal Law?  Yes  No
- Federal Court Decision?  Yes  No
- State Court Decision?  Yes  No

If yes, CITATION:

Statutory authority for adoption: RCW 90.82, 90.54, 90.22, 90.03, and 90.44

Statute being implemented: RCW 90.03, 90.44, 90.54, and 90.82
Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:
NA

<table>
<thead>
<tr>
<th>Name of proponent: (person or organization)</th>
<th>Department of Ecology</th>
</tr>
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<tbody>
<tr>
<td>Name of agency personnel responsible for:</td>
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<tr>
<td><strong>Drafting</strong></td>
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<td>Office Location</td>
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Has a small business economic impact statement been prepared under chapter 19.85 RCW?

- **Yes.** Attach copy of small business economic impact statement.
  
  A copy of the statement may be obtained by contacting:
  
  or:
  
  Name: Barbara Anderson
  
  Address: Department of Ecology
  
  300 Desmond Dr. SE
  
  Lacey, WA 98504
  
  phone (360) 407-6607
  
  fax (360) 407-7162
  
  e-mail btov461@ecy.wa.gov

- **No.** Explain why no statement was prepared.

Is a cost-benefit analysis required under RCW 34.05.328?

- **Yes** A preliminary cost-benefit analysis may be obtained by contacting:
  
  or:
  
  Name: Barbara Anderson
  
  Address: Department of Ecology
  
  300 Desmond Dr. SE
  
  Lacey, WA 98504
  
  phone (360) 407-6607
  
  fax (360) 407-7162
  
  e-mail btov461@ecy.wa.gov

- **No:** Please explain: