PROPOSED RULE MAKING

CR-102 (June 2004)
(Implements RCW 34.05.320)
Do NOT use for expedited rule making

Title of rule and other identifying information: (Describe Subject)

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:

CODE REVISER USE ONLY

DATE: April 19, 2010
TIME: 1:18 PM
WSR 10-09-071

(COMPLETE REVERSE SIDE)
Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:
NA

Name of proponent: (person or organization) Department of Ecology

Name of agency personnel responsible for:

<table>
<thead>
<tr>
<th>Name</th>
<th>Office Location</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drafting...........</td>
<td>Travis Burns</td>
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<td>Implementation.....</td>
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<tr>
<td>Enforcement........</td>
<td>Thomas Loranger</td>
<td>(360) 407-6058</td>
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</tbody>
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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: