PROPOSED RULE MAKING

CR-102 (June 2012)  
(Implements RCW 34.05.320)  
Do NOT use for expedited rule making

Agency: Department of Ecology AO # 13-11

☐ Preproposal Statement of Inquiry was filed as WSR 14-03-122; or  
☐ Expedited Rule Making--Proposed notice was filed as WSR __________; or  
☐ Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

☐ Original Notice  
☐ Supplemental Notice to WSR __________  
☐ Continuance of WSR __________


Hearing location(s):

CenterPlace Regional Event Center  
Great Room  
2426 N. Discovery Place  
Spokane Valley, WA 99216

Submit written comments to:


Or to: Ann Wessel  
Address: 1440 10th ST, Ste 102  
Bellingham, WA 98225-7028  
(360) 715-5215  
e-mail awes461@ecy.wa.gov  
fax (360)715-5225 by November 7, 2014, 5:00 pm

Date of intended adoption: December 15, 2014  
(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The rule will establish a Water Resources Management Program for the Spokane River and the SVRP Aquifer. The purposes of this rule are to:

(a) Establish instream flow levels necessary to protect wildlife, fish, scenic, aesthetic, recreation, water quality and other environmental values, navigational values, and stock watering requirements;
(b) Meet water resource management objectives of the Spokane area watershed plans adopted under Chapter 90.82 RCW;
(c) to protect existing water rights; and
(d) Establish and protect Washington State interests in the water resources of the Spokane River.

This rule will establish Ecology's policies to guide the protection, use, and management of Spokane River basin surface water and the SVRP Aquifer within the boundary of the rule area. It will protect existing water rights, establish instream flows, and set forth a program for the management and administration of future water allocation and use.

The purpose of the amendment to WAC 173-555-010 is to clarify the application of Chapter 173-555 WAC in the area where the new rule (Chapter 173-557 WAC) will overlap with the existing rule (Chapter 173-555 WAC).

Reasons supporting proposal: This rule will further the State of Washington’s water management goals and Ecology’s statutory obligation to protect instream resources. This rule is consistent with implementation of watershed plans adopted under the Watershed Planning Act, Chapter 90.82 RCW.

Statutory authority for adoption: chapters 43.27A, 90.22, 90.54, 90.82, 90.03, 90.44, and 18.104 RCW

Statute being implemented: chapters 90.22, 90.54, and 90.82 RCW
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

- **Private**
- **Public**
- [x] **Governmental**

**Name of agency personnel responsible for:**

<table>
<thead>
<tr>
<th>Name</th>
<th>Office Location</th>
<th>Phone</th>
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<tbody>
<tr>
<td>Drafting...........</td>
<td>Ann Wessel</td>
<td>(360) 715-5215</td>
</tr>
<tr>
<td>Implementation....</td>
<td>Keith Stoffel</td>
<td>(509) 329-3464</td>
</tr>
<tr>
<td>Enforcement.......</td>
<td>Keith Stoffel</td>
<td>(509) 329-3464</td>
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**Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?**

- [x] Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

  A copy of the statement may be obtained by contacting:
  - OR: Department of Ecology
    - Water Resources Program Publications
    - Address: PO Box 47600
      - Olympia, WA 98504-7600
    - phone (360) 407-6872
    - fax (360) 407-7162
    - e-mail: WRPublications@ecy.wa.gov

- [ ] No. Explain why no statement was prepared.

**Is a cost-benefit analysis required under RCW 34.05.328?**

- [x] Yes  A preliminary cost-benefit analysis may be obtained by contacting:
  - OR: Department of Ecology
    - Water Resources Program Publications
    - Address: PO Box 47600
      - Olympia, WA 98504-7600
    - phone (360) 407-6872
    - fax (360) 407-7162
    - e-mail: WRPublications@ecy.wa.gov

- [ ] No: Please explain: