



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

<input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR <u>14-03-122</u> ; or	<input checked="" type="checkbox"/> Original Notice
<input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____ ; or	<input type="checkbox"/> Supplemental Notice to WSR _____
<input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).	<input type="checkbox"/> Continuance of WSR _____

Title of rule and other identifying information: Ecology proposes adopting a new rule: Chapter 173-557 WAC - Water Resources Management Program for the Spokane River and Spokane Valley Rathdrum Prairie (SVRP) Aquifer. Ecology also proposes amending WAC 173-555-010 General Provision, the applicability provision of Chapter 173-555 WAC, Water Resources Program in the Little Spokane River Basin, WRIA 55.

Hearing location(s):

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

Date: Wednesday, October 22, 2014
Time: Open house@ 6:00pm, formal public hearing@7:00pm

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

Submit written comments to:

<http://www.ecy.wa.gov/programs/wr/rules/557-pi.html>

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

Assistance for persons with disabilities: Contact
Tony Rossiter by Wednesday, October 15, 2014

TTY (800) 833-6388 or (360) 407-6878

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

Is rule necessary because of a:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

DATE
9/12/2014

NAME (type or print)
Polly Zehm

SIGNATURE
Polly Zehm

TITLE
Deputy Director

CODE REVISER USE ONLY

**OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED**

**DATE: September 17, 2014
TIME: 9:23 AM**

WSR 14-19-114

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
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Ann Wessel	Bellingham, WA	(360) 715-5215
Implementation.... Keith Stoffel	Spokane, WA	(509) 329-3464
Enforcement..... Keith Stoffel	Spokane, WA	(509) 329-3464

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?

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:

Department of Ecology webpage at:

<http://www.ecy.wa.gov/programs/wr/rules/557-ov.html>

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?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Department of Ecology webpage at:

<http://www.ecy.wa.gov/programs/wr/rules/557-ov.html>

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No: Please explain: