



# 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: May 27, 2026

TIME: 2:33 PM

WSR 26-12-038

**Agency:** Department of Ecology AO #24-09

**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:** Washington’s Streamflow Restoration Law (RCW 90.94.030) requires Ecology to conduct rulemaking after the adoption of watershed restoration plans. These plans were adopted on Dec 17, 2024.

We are adopting the requirements in RCW 90.94.030(4) into chapters 173-507, 173-508, 173-513, 173-514, and 173-515 WACs to fulfill our obligation under the Streamflow Restoration law.

These requirements have been in statute since 2018 and are now being incorporated into each chapter so that these important requirements don’t sunset.

**Citation of rules affected by this order:**

- New:
- Repealed:
- Amended: chapters 173-507, 173-508, 173-513, 173-514 and 173-515 WAC, Instream Resource Protection Program
- Suspended:

**Statutory authority for adoption:** RCW 90.94.030(3)(h)

**Other authority:** Ecology has completed an Environmental Justice Assessment in accordance with RCW 70A.02.060 as a part of this rulemaking.

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 25-23-063 on November 18, 2025 (date).

Describe any changes other than editing from proposed to adopted version: There were no changes from proposed language to adopted language.

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

Name: Department of Ecology, Water Resources Program  
 Address: P.O. Box 47600, Olympia WA 98504  
 Phone: 360-407-6000  
 Fax: N/A  
 TTY: For Washington Relay Service or TTY call 711 or 877-833-6341.  
 Email: [wrrulemaking@ecy.wa.gov](mailto:wrrulemaking@ecy.wa.gov)  
 Web site:  
 Other: N/A

**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	<u>5</u>	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	___	Repealed	___
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	___	Amended	<u>5</u>	Repealed	___
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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:** May 27, 2026

**Name:** Casey D. Sixkiller

**Title:** Director

**Signature:**

