



# 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: July 29, 2025

TIME: 8:17 AM

WSR 25-16-033

**Agency:** Department of Ecology AO # 24-13

**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:** Ecology is adopting amendments to Chapter 173-158 WAC Flood Plain Management. This rulemaking implements changes that were made to the state's floodplain management law with the passage of Senate Bill 5649 in 2024. The amendments instruct Ecology how to review and approve waivers that would allow certain homes located in certain flood-prone areas to be structurally altered so that they are more protected from flooding.

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

New:

Repealed:

Amended: Chapter 173-158 WAC

Suspended:

**Statutory authority for adoption:** RCW 86.16.041

**Other authority:** N/A

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

Adopted under notice filed as WSR 25-09-073 on April 16, 2025 (date).

Describe any changes other than editing from proposed to adopted version: There were no changes from the proposed to adopted version of this rule.

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

Name:

Address:

Phone:

Fax: N/A

TTY: For Washington Relay Service or TTY call 711 or 877-833-6341.

Email:

Web site:

Other:

**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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____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>1</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	Repealed	_____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New	_____	Amended	_____	Repealed	_____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>1</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	<u>1</u>	Repealed	_____

**Date Adopted:** July 29, 2025

**Name:** Casey D. Sixkiller

**Title:** Director

**Signature:**

