

AMENDATORY SECTION (Amending Order 97-15, filed 3/30/98, effective 4/30/98)

**WAC 173-531A-060 Permit conditions.** (1) All permits issued for waters reserved under WAC 173-531A-040 or 173-531A-050 after the effective date of this chapter and prior to July 27, 1997, shall be subject to the provisions of chapter 173-563 WAC - instream resources protection program for the main stem Columbia River in Washington state.

(2) Any application for waters reserved under WAC 173-531A-040 or 173-531A-050 (~~which is considered for approval or denial after July 27, 1997~~) on which a decision is made by the department after July 27, 1997, and prior to July 11, 2005, (the effective date of chapter 173-565 WAC), will be evaluated for possible impacts on fish and existing water rights. The department will consult with appropriate local, state, and federal agencies and Indian tribes in making this evaluation. Any permit which is then approved for the use of such waters will be, if deemed necessary, subjected to instream flow protection or mitigation conditions determined on a case-by-case basis through the evaluation conducted with the agencies and tribes.

(3) Applications for water reserved under WAC 173-531A-040 or 173-531A-050 on which a decision is made by the department after July 11, 2005, will be subject to the requirements of chapter 173-565 WAC.