



# PROPOSED RULE MAKING

## CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Ecology AO# 04-08

<input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR <u>04-08-061</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).	<input type="checkbox"/> Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject)

Amendment to Chapter 173-532 WAC, Water Resources Program for the Walla Walla Basin, WRIA 32.

Hearing location(s):

**Dayton**

March 14, 2007 7:00 PM

Dayton High School Auditorium

614 South 3<sup>rd</sup> Street

**Walla Walla**

March 15, 2007 7:00 PM

Department of Transportation Conference room

1210 G Street

Submit written comments to:

Department of Ecology Water Resources webpage at  
<http://www.ecy.wa.gov/programs/wr/instream-flows/wallawallabasin.html>

Or to: Travis Burns

Department of Ecology, Water Resources Program

PO Box 47600 Olympia WA 98504-7600

360 - 407-7207

e-mail [tbur461@ecy.wa.gov](mailto:tbur461@ecy.wa.gov)

fax (360) 407-6574

**by March 23, 2007**

Assistance for persons with disabilities:

Judy Beitel by March 7, 2007

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

Date of intended adoption: April 18, 2007

(Note: This is NOT the effective date)

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

The proposed rule amends the 1977 rule -- Chapter 173-532 WAC, Water Resources Program for the Walla Walla Basin, WRIA 32. In 2005 and consistent with the Watershed Planning Act, chapter 90.82 RCW, the Walla Walla Watershed Planning Unit recommended Ecology amends the existing rule to include instream flow levels, modify existing stream closures, and allow use of high flows for water storage projects that improve stream flows for salmon production. Other amendments include closure of the gravel aquifer and limitation on future permit-exempt groundwater use.

Reasons supporting proposal:

The adoption of these rule amendments is needed to protect instream values within the Walla Walla basin and to avoid injury of existing water rights from future appropriations of water.

Statutory authority for adoption:

Chapter 90.82 RCW, Watershed Planning Act; Chapter 90.54 RCW, Water Resources Act of 1971; Chapter 90.22 RCW, Minimum Water Flows and Levels Act; Chapter 90.03 RCW, Water Code; and Chapter 90.44 RCW, Regulation of Public Ground Waters.

Statute being implemented:

Chapters 90.22, 90.44, 90.54 and 90.82 RCW

Is rule necessary because of a:

Federal Law?

Yes  No

Federal Court Decision?

Yes  No

State Court Decision?

Yes  No

If yes, CITATION:

CODE REVISER USE ONLY

CODE REVISER'S OFFICE  
STATE OF WASHINGTON  
FILED

FEB 7 2007

TIME

10:31

AM  
PM

WSR

07-04-114

DATE

2/6/07

NAME (type or print)

Polly Zehm

SIGNATURE

TITLE

Deputy Director Department of Ecology

(COMPLETE REVERSE SIDE)

**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.....Hedia Adelsman/Travis Burns	Headquarters, Department of Ecology	(360) 407-6222 (360) 407-7207
Implementation.... Keith Stoffel	Eastern Regional Office, Department of Ecology	(509) 329-3464
Enforcement.....Keith Stoffel	Eastern Regional Office, Department of Ecology	(509) 329-3464

**Has a small business economic impact statement been prepared under chapter 19.85 RCW?**

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:  
Department of Ecology Water Resources webpage at  
<http://www.ecy.wa.gov/programs/wr/instream-flows/wallawallabasin.html>

Or by contacting:  
Travis Burns  
Department of Ecology, Water Resources Program  
PO Box 47600  
Olympia, WA 98504-7600  
Phone (360) 407-7207  
fax (360)407-6574  
e-mail [tbur461@ecy.wa.gov](mailto:tbur461@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 Water Resources webpage at  
<http://www.ecy.wa.gov/programs/wr/instream-flows/wallawallabasin.html>

Or by contacting:  
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No: Please explain: