



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do **NOT** use for expedited rule making

Agency: Department of Ecology AO # 04-11

Subject of possible rule making: This rulemaking will propose a new rule, Chapter 173-546 WAC, for management of the waters in the Entiat River Basin (WRIA 46). The rule will, at a minimum, adopt instream flows, make a determination regarding water availability in the basin, and reserve water for future out-of-stream uses meeting certain criteria.

Statutes authorizing the agency to adopt rules on this subject: Chapter 43.27A RCW, Chapter 90.54 RCW, and Chapter 90.82 RCW.

Reasons why rules on this subject may be needed and what they might accomplish: The rule will establish a Water Resource Management Program for the Entiat River watershed (WRIA 46). The rule will govern water allocation, instream resources protection, and management of the waters in the watershed.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: This rule is being developed in coordination with the recommendations of the Entiat WRIA Planning Unit (EWPU). The EWPU is comprised of two environmental organizations (Audubon and the NW Ecosystem Alliance), the Yakama Nation, several federal agencies (e.g., the Natural Resources Conservation Service and US Forest Service), the City of Entiat, Entiat Irrigation District, Chelan County, several local business interests (Longview Fiber, local partnership ditch companies), landowners, and other interested parties in the watershed. Implementation and monitoring of the rule will be done by the Department of Ecology and partners through the EWPU, to assess how closely water use and instream resource protection and restoration actions track the forecasts of the EWPU, so the program can be adjusted if necessary to accomplish its goals.

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe): The process authorized by, and described in, Chapter 90.82 RCW, Watershed Planning.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication (List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.):

Sarah Walker, Chelan County Conservation District (EWPU Co-Coordinator), (509) 664-0271, sarah-walker@wa.nacdnet.org

Also:
John Monahan, CRO, 15 W. Yakima Avenue, Suite 200, Yakima, WA, 98902, (509) 457-7112, jmon461@ecy.wa.gov

Thom Lufkin, Ecology HQ, PO Box 47600, Olympia, WA, 98504-7600, (360) 407-6631, tlhw461@ecy.wa.gov

DATE 8/13/04	<p style="text-align: center;">CODE REVISER USE ONLY</p> <p style="text-align: center;">CODE REVISER'S OFFICE STATE OF WASHINGTON FILED</p> <p style="text-align: center;">AUG 18 2004</p> <p style="text-align: center;">TIME 9:07 AM WSR 04-17-134</p>
NAME (TYPE OR PRINT) Joe Stohr	
SIGNATURE <i>JOE STOHR</i>	
TITLE Water Resources Program Manager	