



DEPARTMENT OF
ECOLOGY
State of Washington

Emergency Rule Adoption Notice

Management of Exempt Ground Water Wells in Kittitas County, Chapter 173-539A WAC

Ecology adopted an Emergency rule to implement the exempt well management measures identified in a Memorandum of Agreement (MOA) with Kittitas County. The Emergency rule will be in place while the agency moves forward with the adoption of a permanent rule. The CR101 for the permanent rule was filed along with the Emergency rule on July 8, 2008.

On April 7, 2008, Ecology and Kittitas County entered into a MOA to cooperatively manage exempt groundwater wells until more is known about the aquifers and water supplies in northern Kittitas County. The MOA establishes interim and long term management measures and calls for development of a comprehensive groundwater study and a permanent groundwater management rule

CONTACTS

Tom Tebb
15 W. Yakima
Suite 200
Yakima, WA 98902
(509) 574-3989
gteb461@ecy.wa.gov

MORE INFORMATION ONLINE

Visit Ecology's Web
site at:
[http://www.ecy.wa.gov/
programs/wr/cro/kittita
s_wp.html](http://www.ecy.wa.gov/programs/wr/cro/kittitas_wp.html)

Visit Kittitas County's
Web site at:
[http://www.co.kittitas.w
a.us/cds/current/](http://www.co.kittitas.wa.us/cds/current/)

To get updates on
Ecology's rule-making
activities, sign-up for
the **WAC Track** e-mail
list. Go to:
[www.ecy.wa.gov/mailli
st.html](http://www.ecy.wa.gov/maillist.html).

Requirements of the rule

The Emergency rule establishes a partial withdrawal of ground water allocations within the western portion of Kittitas County. See Attachment #1 in MOA. The Emergency rule will provide ground water use provisions for:

- Newly created residential developments
- Building residential structures on existing parcels
- Compliance with the 5000 gallons per day exemption limit
- Hydrogeologic assessments for new developments

The Emergency rule also addresses issues such as:

- Measuring water use
- Expediting the processing of Pilot water banking transactions
- Enforcement

Effective date of July 8, 2008

The Emergency rule, Chapter 173-539AWAC becomes effective July 8, 2008.

Appeal procedures

This adoption can be appealed under procedures described in the Administrative Procedure Act (RCW 34.05.330). For additional information about appealing this adoption please contact Jerry Thielen, Ecology's Regulatory Affairs Manager at (360) 407-7551 or by email jthi461@ecy.wa.gov.

Note: As a result of legislation passed in 2003 (ESSB 5766) Ecology is required to send out notification to businesses affected by rule adoptions. To comply with this law and to keep the regulated community better informed of Ecology rule adoptions, you are receiving this notification of a rule adoption.