



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017) (Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: August 15, 2018

TIME: 10:41 AM

WSR 18-17-100

Agency: Department of Ecology AO #18-05

Subject of possible rule making: Chapter 173-566 WAC – Streamflow Restoration Funding is a new rule for the implementation of Chapter 1, Laws of 2018 (ESSB 6091) and Chapter 90.94 RCW. The Streamflow Restoration Funding program will finance watershed planning projects under RCW 90.94.020, watershed restoration and enhancement projects under RCW 90.94.030, and the collection of data and completion of studies necessary to develop, implement, and evaluate watershed restoration and enhancement projects under Chapter 1, Laws of 2018, statewide.

Statutes authorizing the agency to adopt rules on this subject: RCW 90.54.040 – Water Resources Act of 1971, RCW 43.21A.080 – Department of Ecology, and Chapter 90.94 RCW – Streamflow Restoration Act.

Reasons why rules on this subject may be needed and what they might accomplish: In addition to fees collected from applicants for building permits and divisions of land where the development would rely on permit-exempt wells, the Legislature authorized \$300,000,000 to be appropriated over 15 years. The rule will establish process and criteria for prioritizing and approving funding applications, and developing and implementing funding contracts with recipients. This will make funding decisions and contracting more transparent, consistent, and defensible.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: None

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

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Ecology will follow the standard process for the adoption of rules under the Administrative Procedure Act (Chapter 34.05 RCW).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

Name: Rebecca Inman	(If necessary) Name:
Address: Department of Ecology Water Resources Program PO Box 47600 Olympia, WA 98407-6000	Address:
Phone: 360-407-6450	Phone:
Fax: N/A	Fax:
TTY: People with speech disability may call TTY at 877-833-6341. People with impaired hearing may call Washington Relay Service at 711.	TTY:
Email: Rebecca.Inman@ecy.wa.gov	Email:
Web site: http://www.ecy.wa.gov/programs/wr/rules/wac173556.html	Web site:
Other: Sign up for the WRP ListServ: https://listserv.ecology.wa.gov/scripts/wa-ECOLOGY.exe?A)=WATER-RESOURCES	Other: Six public workshops are scheduled: Ecology's Central Regional Office 1250 W Alder St, Union Gap 98903 1:00 pm, Tuesday, October 2, 2018

Omak Public Library
30 S Ash Street, Omak 98841
1:00 pm, Wednesday, October 3, 2018

Spokane Library - Shadle Branch
2111 W Wellesley Ave, Spokane 99205
1:00 pm, Thursday, October 4, 2018

Ecology Headquarters
300 Desmond Drive, Lacey 98503
1:00 pm, Monday, October 8, 2018

Kitsap Regional Library
1301 Sylvan Way, Bremerton 98310
2:00 pm, Monday, October 15, 2018

Everett Public Library
2702 Hoyt Ave, Everett 98201
1:00 pm, Tuesday, October 23, 2018

Additional comments: Interested parties can stay informed about the rulemaking and public involvement opportunities as described above. Ecology will extend an offer for government-to-government consultation with tribal governments during each phase of rule development.

Date: August 15, 2018	Signature: 
Name: Mary Verner	
Title: Water Resources Program Manager	