

---

SENATE BILL 5136

---

State of Washington                      64th Legislature                      2015 Regular Session

By Senators Bailey, Pearson, Ericksen, Honeyford, and Benton

Read first time 01/14/15. Referred to Committee on Agriculture,  
Water & Rural Economic Development.

1            AN ACT Relating to repealing an instream flow rule and adopting a  
2 new instream flow rule; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            NEW SECTION.        **Sec. 1.**    The legislature finds that the rule  
5 currently codified in chapter 173-503 WAC has unnecessarily resulted  
6 in hundreds of homeowners and businesses losing access to an  
7 uninterrupted groundwater supply. The department of ecology shall  
8 repeal the rule currently codified in chapter 173-503 WAC in its  
9 entirety. The department of ecology shall thereafter initiate a rule-  
10 making process consistent with chapter 34.05 RCW to adopt a new rule  
11 that replaces the rule that is currently codified at chapter 173-503  
12 WAC. The department of ecology shall ensure that the rule-making  
13 process includes ample opportunity for public input and thorough  
14 analysis of the economic costs of the department's proposed new rule.  
15 The priority date for the new rule shall not relate back to the  
16 priority date of the rule contained in chapter 173-503 WAC as it  
17 existed on the effective date of this section. The priority date for  
18 the new rule shall be no earlier than the date of adoption of the new  
19 final rule by the department of ecology.

--- END ---