

**WSR 22-01-131
PERMANENT RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Filed December 13, 2021, 3:56 p.m., effective January 13, 2022]

Effective Date of Rule: Thirty-one days after filing.

Purpose: A new rule in chapter 220-660 WAC is necessary to implement RCW 77.55.480. This statute was passed into law as E2SHB 1382 (chapter 75, Laws of 2021) during the 2021 legislative session. The statute creates a habitat recovery pilot program. The program provides a streamlined permitting process so that qualified habitat recovery projects may advance to construction quickly and efficiently, thereby creating jobs and further bolstering the natural resources and natural resource economy. Washington department of fish and wildlife will evaluate qualified hydraulic project approval applications according to the process described in statute. Other aspects of chapter 220-660 WAC remain unchanged.

Citation of Rules Affected by this Order: New WAC 220-660-490 Habitat recovery projects.

Statutory Authority for Adoption: RCW 77.04.012, 77.12.047, 77.55.021, and 34.05.328.

Adopted under notice filed as WSR 21-19-115 on September 20, 2021.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 1, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: December 3, 2021.

Larry M. Carpenter, Chair
Fish and Wildlife Commission

OTS-3323.1

NEW SECTION

WAC 220-660-490 Habitat recovery projects. Projects must satisfy the requirements outlined in RCW 77.55.480, to be processed as a streamlined habitat recovery project. Requirements outlined in that statute are incorporated herein by reference as if fully set forth herein. Copies of this statute, available to the public on request, are also available online at <https://app.leg.wa.gov/RCW/default.aspx?cite=77.55.480>.

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