

WSR 25-06-051  
PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
FISH AND WILDLIFE

[Order 25-07—Filed February 28, 2025, 9:50 a.m.]

Subject of Possible Rule Making: The Washington department of fish and wildlife (department) is considering amendments to rules in chapter 220-660 WAC, Hydraulic code, that may include the impacts of sea-level rise and climate change.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.12.047, and 77.55.021.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department wishes to incorporate emerging environmental issues, such as climate change, in the continued development of the hydraulic code.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department is the sole authority regulating hydraulic projects under chapter 77.55 RCW, and the only state agency that regulates hydraulic projects solely for the protection of all fish life. The United States Army Corps of Engineers, Washington department of ecology, Washington department of natural resources, Washington state parks [and recreation], and local governments also regulate certain aspects of hydraulic projects under their own authorities. National Marine Fisheries Service and United States Fish and Wildlife Service regulate the "take" of threatened or endangered species listed under the federal Endangered Species Act. Tribes regulate fisheries and certain aspects of construction projects on tribal lands. State, federal, and local government entities will be invited to comment on draft rules during the rule-making process. The department will conduct government-to-government consultation with tribes.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rules Coordinator, P.O. Box 43200, Olympia, WA 98504-3200, phone 855-925-2801, project code #11166, fax 360-902-2162, email [hydrauliccoderulesupdatecr101@publicinput.com](mailto:hydrauliccoderulesupdatecr101@publicinput.com), website <https://publicinput.com/hydrauliccoderulesupdatecr101>, <https://wdfw.wa.gov/about/regulations/development>.

Additional comments: Assistance for language translation, alternate format, or reasonable accommodation, contact Title VI/ADA compliance coordinator, phone 360-902-2349, TTY 1-800-833-6388 or 711, email [Title6@dfw.wa.gov](mailto:Title6@dfw.wa.gov). For more information, see <https://wdfw.wa.gov/accessibility/requests-accommodation>.

February 28, 2025  
Scott Bird  
Rules Coordinator