

Rule Adoption Notice



More Information

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<https://ecology.wa.gov/Regulations-Permits/Laws-rules/Rulemaking/WAC-173-166-Aug17>

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Special Accommodations

To request ADA accommodation including materials in a format for the visually impaired, call Ecology at 360-407-6872 or visit <https://ecology.wa.gov/accessibility>. People with impaired hearing may call Washington Relay Service at 711. People with speech disability may call TTY at 877-833-6341.

Ecology has amended Chapter 173-166 WAC - Emergency Drought Relief

The Department of Ecology has adopted rule amendments to Chapter 173-166 WAC – Emergency Drought Relief. Notice of the rule adoption will be published in the Washington State Register on May 2, 2018.

We have revised the rule to:

- Make it consistent with actual practices.
- Remove unused funding language inconsistent with later legislative budget provisos. This amendment will ensure funding decisions are not directed to an improper appeal process beyond statutory authority.
- Correct out-of-date agency information.
- Improve clarity and consistency in the rule.

Why did we amend the rule?

Recent legislative provisos for drought relief funding varied from the language in Chapter 173-166 WAC, requiring us to adopt an emergency rule to implement the drought relief funding program. Removing the funding language from the permanent rule improves clarity, versus having two rules for nearly identical functions, and allows for funding decisions having an alternate appeal process. Ecology will continue to rely on emergency rules to disburse drought relief funding until a permanent funding source is established.

Photo by: Knowledge-Changes-Perception

Related links

- [CR-102 \(PDF\)](https://ecology.wa.gov/DOE/files/64/64bfe47f-c33f-4702-8136-d456aee0389d.pdf)
https://ecology.wa.gov/DOE/files/64/64bfe47f-c33f-4702-8136-d456aee0389d.pdf
- [Adopted rule language \(PDF\)](https://ecology.wa.gov/DOE/files/06/06214f22-facb-4968-8393-2b95082edf05.pdf)
https://ecology.wa.gov/DOE/files/06/06214f22-facb-4968-8393-2b95082edf05.pdf
- [Rule amendment overview](https://ecology.wa.gov/Regulations-Permits/Laws-rules/Rulemaking/WAC-173-166-Aug17)
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The amendment:

- Improves consistency within the rule and with statute
- Updates the rule to reflect current practices
- Makes the rule easier to implement and understand.

Rulemaking schedule

- We filed the rulemaking announcement (CR-101) in the Washington State Register in August 2017.
- In September 2017 we offered an informal public comment period on preliminary draft rule amendment language.
- We held a public comment period on the rule amendment proposal (CR-102) from January 2 to February 16, 2018.
- We adopted the rule amendment (CR-103) on April 11, 2018. It will take effect 31 days after adoption on May 12, 2018.