



DEPARTMENT OF
ECOLOGY
State of Washington

**Rule Implementation Plan
Chapter 173-167 WAC
Emergency Drought Funding - 2021**

July 2021

Publication 21-11-008

Publication and Contact Information

This document is available on the Department of Ecology's website at:
<https://apps.ecology.wa.gov/publications/summarypages/2111008.html>

For more information contact:

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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.

Implementation Plan

Chapter 173-167 WAC

Emergency Drought Funding - 2021

Water Resources Program
Washington State Department of Ecology
Olympia, Washington

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Purpose

The Washington State Department of Ecology (Ecology) provides the information in this implementation plan to meet agency and Administrative Procedure Act (RCW 34.05.328) requirements related to rule adoptions.

Introduction

On July 28, 2021, Ecology adopted Chapter 173-167 WAC, Emergency Drought Funding (AO # 21-11). The purpose of this rule implementation plan is to inform those who must comply with Chapter 173-167 WAC about how Ecology intends to:

- Implement and enforce the rule.
- Inform and educate persons affected by the rule.
- Promote and assist voluntary compliance for the rule.
- Evaluate the rule.
- Train and inform Ecology staff about the new rule.

Also included in this plan is information about:

- Supporting documents that may need to be written or revised because of the new rule or amended rule.
- Other resources where more information about the rule is available.
- Contact information for Ecology employees who can answer questions about the rule implementation.

Implementation and Enforcement

Ecology's Water Resources Program staff at headquarters and regional offices will implement this rule. This grant program will provide funding to implement measures that reduce hardship caused by drought. Ecology staff will make funding decisions based on the applicant and eligibility criteria defined in the rule.

This rule does not create a compliance or enforcement obligation for the regulated public. There is no anticipated enforcement related to this rule. Voluntary applicants must meet eligibility criteria and agency grant/contract standards (see "Promoting and Assisting Voluntary Compliance" and the "More Information" sections).

Informing and Educating Persons Affected by the Rule

Upon rule adoption, Ecology will issue a news release, communicate with tribes, post announcements on social media, send Listserv notifications (Washington Water Supply list, Water Resources list, Water Resources Advisory Committee list, WAC Track list), and post to our website.

Ecology has produced grant application guidance, and staff will be available to provide technical assistance for applicants throughout the process.

Ecology will create a publication describing the 2021 drought response, including a summary of activities and projects completed under the funding rule.

Promoting and Assisting Voluntary Compliance

This rule does not create a compliance obligation for the regulated public. Those that wish to apply for funding through the emergency drought grant program are required to meet eligibility requirements set in rule. The rule, the grant website, the grant guidance, and the Tier 2 application and accompanying instructions provide additional guidance on how we will evaluate project proposals and support applicants in developing sound proposals. Ecology staff will also be available to provide technical assistance.

Ecology will support local partners promoting voluntary water conservation using methods and messaging that have worked well in the past.

Evaluating the Rule

Public bodies will likely experience impacts from drought at various times throughout the current drought declaration. Balancing the immediate need with long-term planning is critical. In balancing these interests, it is essential that projects are chosen based on their effectiveness to alleviate immediate emergency drought-related hardship and will be implemented in a timely fashion. Since funding is currently limited, the agency is prioritizing the most immediate and imminent threats by first prioritizing projects that address imminent human health, fisheries, and agricultural emergency drought needs as easily and as expediently as possible. Fulfilling these criteria will in turn help us determine effectiveness of rule implementation.

Training and Informing Ecology Staff

Ecology will use staff meetings, agency website, and e-mail to train and inform agency staff about the emergency drought grant funding. The agency drought funding coordinator, fiscal staff, and regional representatives will collaborate to implement the rule.

List of Supporting Documents that May Need to be Written or Revised

All documents related to this grant program have been updated.

More Information

The [rulemaking webpage](https://www.ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC-173-167-2021) is at <https://www.ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC-173-167-2021>.

Publication 17-01-004 provides the [Administrative Requirements for Recipients of Ecology Grants and Loans Managed in EAGL](https://apps.ecology.wa.gov/publications/SummaryPages/1701004.html) and is available at: <https://apps.ecology.wa.gov/publications/SummaryPages/1701004.html>.

[Publication 21-11-014](https://apps.ecology.wa.gov/publications/SummaryPages/2111014.html) provides guidance on 2021 emergency drought funding under chapter 173-167 WAC and is available at <https://apps.ecology.wa.gov/publications/SummaryPages/2111014.html>.

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