S-0386.1

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**SENATE BILL 5136**

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**State of Washington 64th Legislature 2015 Regular Session**

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

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

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

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

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