

Upper Kittitas Ground Water Rule, Chapter 173-539A WAC

The Department of Ecology is proposing to adopt a new rule for managing underground water resources in northern Kittitas County. The proposed ground water rule will be published in the Washington State Register on January 21, 2009. Ecology is taking public comments on the proposed rule until **February 20, 2009**.

The purpose of this rule proposal establishes a partial withdrawal of ground water within a portion of WRIA 39 in Kittitas County, Washington for purpose of implementing a Memorandum of Agreement (MOA) entered with Kittitas County on April 7, 2008. The partial withdrawal and associated restrictions are designed to minimize the potential for new uses of water to negatively affect flows in the Yakima River and its tributaries but do so in a way that minimizes effects on economic development. Based on technical investigations comprising the hydrologic investigation and characterization report, the potential for impairment of existing water rights can be considered during Kittitas County's review of certain land use applications along with any other environmental impacts. Mitigation or other risk management techniques can also be considered.

Ecology has issued a Determination of Nonsignificance (DNS) under the State Environmental Policy Act, a Small Business Economic Impact Statement (SBEIS), and a preliminary cost-benefit analysis, which are also available for review and comment until **February 20, 2009**.

Public hearings schedule

Cle Elum, WA
February 11, 2009 -- 7:00 pm
Walter Strom Middle School
Multi-purpose room
2694 State Route 903

Ellensburg, WA
February 12, 2009 - 7:00 pm
Hal Holmes Center
209 Ruby Street

WHY IT MATTERS

The rule proposal will provide groundwater use provisions for:

- Newly created residential developments
- Building residential structures on existing parcels
- For Compliance with the 5000 gallons per day exemption limit
- Hydrogeologic assessments for new developments

MORE INFORMATION

Ecology's Central
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Special Accommodations:

If you need this publication in an alternate format, call the Water Resources Program at (360) 407-6600. Persons with hearing loss, call 711 for Washington Relay Service. Persons with a speech disability, call (877) 833-6341.

How to submit your comments

Comment period ends **February 20, 2009**. Comments must be received by 5:00 pm.

You can give us your official comments in the following ways:

1. Testify at public hearings.
2. Visit our website and submit comments electronically at:
http://www.ecy.wa.gov/programs/wr/cro/kittitas_wp.html
3. Email your comments to Melissa Downes at: mnih461@ecy.wa.gov
4. Mail comments to:

Department of Ecology
Central Regional Office
Attn: Melissa Downes
15 West Yakima Ave., Ste. 200
Yakima WA 98902-3452

Ecology's response to your comments

All of the comments we receive will become part of the official record (Concise Explanatory Statement). The Concise Explanatory Statement is required by the Administrative Procedure Act (RCW 34.05) and is published after the rule is adopted. You will be able to find your name listed in the document with a reference to where, in the document, Ecology responded your comments.

Expected adoption date

Ecology expects to adopt this rule no earlier than **March 10, 2009**.