

Title 400 WAC

PUGET SOUND PARTNERSHIP

Chapters

- 400-04** Puget Sound partnership—State Environmental Policy Act procedures.
400-06 Communications—Public records.

DISPOSITION OF CHAPTERS FORMERLY CODIFIED IN THIS TITLE

Chapter 400-12 LOCAL PLANNING AND MANAGEMENT OF NONPOINT SOURCE POLLUTION

400-12-100	Authority. [Statutory Authority: 1996 c 138, 96-23-057, § 400-12-100, filed 11/19/96, effective 12/20/96. Statutory Authority: RCW 90.70.055 and 90.70.060. 88-06-053 (Order 88-01), § 400-12-100, filed 3/2/88.] Repealed by 10-12-009, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.71 RCW.	400-12-410	Watershed management committees. [Statutory Authority: Chapter 90.70 RCW. 91-22-096, § 400-12-410, filed 11/6/91, effective 12/7/91. Statutory Authority: RCW 90.70.055 and 90.70.060. 88-06-053 (Order 88-01), § 400-12-410, filed 3/2/88.] Repealed by 10-12-009, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.71 RCW.
400-12-110	Purpose. [Statutory Authority: Chapter 90.70 RCW. 91-22-096, § 400-12-110, filed 11/6/91, effective 12/7/91. Statutory Authority: RCW 90.70.055 and 90.70.060. 88-06-053 (Order 88-01), § 400-12-110, filed 3/2/88.] Repealed by 10-12-009, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.71 RCW.	400-12-415	Planning and implementing entities. [Statutory Authority: Chapter 90.70 RCW. 91-22-096, § 400-12-415, filed 11/6/91, effective 12/7/91.] Repealed by 10-12-009, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.71 RCW.
400-12-120	Applicability. [Statutory Authority: 1996 c 138, 96-23-057, § 400-12-120, filed 11/19/96, effective 12/20/96. Statutory Authority: Chapter 90.70 RCW. 91-22-096, § 400-12-120, filed 11/6/91, effective 12/7/91. Statutory Authority: RCW 90.70.055 and 90.70.060. 88-06-053 (Order 88-01), § 400-12-120, filed 3/2/88.] Repealed by 10-12-009, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.71 RCW.	400-12-420	Schedule for preparation and review of action plan. [Statutory Authority: Chapter 90.70 RCW. 91-22-096, § 400-12-420, filed 11/6/91, effective 12/7/91. Statutory Authority: RCW 90.70.055 and 90.70.060. 88-06-053 (Order 88-01), § 400-12-420, filed 3/2/88.] Repealed by 10-12-009, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.71 RCW.
400-12-200	Definitions. [Statutory Authority: 1996 c 138, 96-23-057, § 400-12-200, filed 11/19/96, effective 12/20/96. Statutory Authority: Chapter 90.70 RCW. 91-22-096, § 400-12-200, filed 11/6/91, effective 12/7/91. Statutory Authority: RCW 90.70.055 and 90.70.060. 88-06-053 (Order 88-01), § 400-12-200, filed 3/2/88.] Repealed by 10-12-009, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.71 RCW.	400-12-500	Overview. [Statutory Authority: Chapter 90.70 RCW. 91-22-096, § 400-12-500, filed 11/6/91, effective 12/7/91. Statutory Authority: RCW 90.70.055 and 90.70.060. 88-06-053 (Order 88-01), § 400-12-500, filed 3/2/88.] Repealed by 10-12-009, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.71 RCW.
400-12-210	Overview. [Statutory Authority: Chapter 90.70 RCW. 91-22-096, § 400-12-210, filed 11/6/91, effective 12/7/91. Statutory Authority: RCW 90.70.055 and 90.70.060. 88-06-053 (Order 88-01), § 400-12-210, filed 3/2/88.] Repealed by 10-12-009, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.71 RCW.	400-12-515	Phase 1—Watershed characterization and goals and objectives development. [Statutory Authority: Chapter 90.70 RCW. 91-22-096, § 400-12-515, filed 11/6/91, effective 12/7/91.] Repealed by 10-12-009, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.71 RCW.
400-12-220	Public involvement. [Statutory Authority: Chapter 90.70 RCW. 91-22-096, § 400-12-220, filed 11/6/91, effective 12/7/91. Statutory Authority: RCW 90.70.055 and 90.70.060. 88-06-053 (Order 88-01), § 400-12-220, filed 3/2/88.] Repealed by 10-12-009, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.71 RCW.	400-12-525	Phase 2—Action plan nonpoint pollution control strategy. [Statutory Authority: 1996 c 138, 96-23-057, § 400-12-525, filed 11/19/96, effective 12/20/96. Statutory Authority: Chapter 90.70 RCW. 91-22-096, § 400-12-525, filed 11/6/91, effective 12/7/91.] Repealed by 10-12-009, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.71 RCW.
400-12-305	Initial watershed ranking. [Statutory Authority: Chapter 90.70 RCW. 91-22-096, § 400-12-305, filed 11/6/91, effective 12/7/91.] Repealed by 10-12-009, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.71 RCW.	400-12-535	Phase 3—Action plan implementation strategy. [Statutory Authority: 1996 c 138, 96-23-057, § 400-12-535, filed 11/19/96, effective 12/20/96. Statutory Authority: Chapter 90.70 RCW. 91-22-096, § 400-12-535, filed 11/6/91, effective 12/7/91.] Repealed by 10-12-009, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.71 RCW.
400-12-320	Five-year review. [Statutory Authority: Chapter 90.70 RCW. 91-22-096, § 400-12-320, filed 11/6/91, effective 12/7/91. Statutory Authority: RCW 90.70.055 and 90.70.060. 88-06-053 (Order 88-01), § 400-12-320, filed 3/2/88.] Repealed by 10-12-009, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.71 RCW.	400-12-545	Phase 4—Action plan review and approval. [Statutory Authority: 1996 c 138, 96-23-057, § 400-12-545, filed 11/19/96, effective 12/20/96. Statutory Authority: Chapter 90.70 RCW. 91-22-096, § 400-12-545, filed 11/6/91, effective 12/7/91.] Repealed by 10-12-009, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.71 RCW.
400-12-400	Lead agency for watershed planning. [Statutory Authority: Chapter 90.70 RCW. 91-22-096, § 400-12-400, filed 11/6/91, effective 12/7/91. Statutory Authority: RCW 90.70.055 and 90.70.060. 88-06-053 (Order 88-01), § 400-12-400, filed 3/2/88.] Repealed by 10-12-009, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.71 RCW.	400-12-555	SEPA review. [Statutory Authority: Chapter 90.70 RCW. 91-22-096, § 400-12-555, filed 11/6/91, effective 12/7/91.] Repealed by 10-12-009, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.71 RCW.
		400-12-565	Revisions. [Statutory Authority: Chapter 90.70 RCW. 91-22-096, § 400-12-565, filed 11/6/91, effective 12/7/91.] Repealed by 10-12-009, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.71 RCW.
		400-12-605	Decision of department. [Statutory Authority: Chapter 90.70 RCW. 91-22-096, § 400-12-605, filed 11/6/91, effective 12/7/91.] Repealed by 10-12-009, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.71 RCW.
		400-12-615	Responsibilities of implementing entities. [Statutory Authority: 1996 c 138, 96-23-057, § 400-12-615, filed 11/19/96, effective 12/20/96. Statutory Authority: Chapter 90.70 RCW. 91-22-096, § 400-12-615, filed 11/6/91, effective 12/7/91.] Repealed by 10-12-009, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.71 RCW.
		400-12-625	Lead agency responsibilities. [Statutory Authority: Chapter 90.70 RCW. 91-22-096, § 400-12-625, filed 11/6/91, effective 12/7/91.] Repealed by 10-12-009, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.71 RCW.
		400-12-635	Department responsibilities. [Statutory Authority: Chapter 90.70 RCW. 91-22-096, § 400-12-635, filed 11/6/91, effective 12/7/91.] Repealed by 10-12-009, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.71 RCW.

- 400-12-645 County responsibilities. [Statutory Authority: 1996 c 138, 96-23-057, § 400-12-645, filed 11/19/96, effective 12/20/96.] Repealed by 10-12-009, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.71 RCW.
- 400-12-700 Default procedure. [Statutory Authority: 1996 c 138, 96-23-057, § 400-12-700, filed 11/19/96, effective 12/20/96. Statutory Authority: Chapter 90.70 RCW. 91-22-096, § 400-12-700, filed 11/6/91, effective 12/7/91. Statutory Authority: RCW 90.70.055 and 90.70.060. 88-06-053 (Order 88-01), § 400-12-700, filed 3/2/88.] Repealed by 10-12-009, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.71 RCW.
- 400-12-710 Exceptions. [Statutory Authority: RCW 90.70.055 and 90.70.060. 88-06-053 (Order 88-01), § 400-12-710, filed 3/2/88.] Repealed by 10-12-009, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.71 RCW.
- 400-12-720 Severability. [Statutory Authority: RCW 90.70.055 and 90.70.060. 88-06-053 (Order 88-01), § 400-12-720, filed 3/2/88.] Repealed by 10-12-009, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.71 RCW.

Chapter 400-04 WAC

PUGET SOUND PARTNERSHIP—STATE ENVIRONMENTAL POLICY ACT PROCEDURES

WAC

- 400-04-010 Authority.
- 400-04-020 Adoption by reference.
- 400-04-040 Additional definitions.
- 400-04-504 Availability of environmental documents.
- 400-04-510 Public notice.
- 400-04-680 Appeals.
- 400-04-902 Partnership SEPA policies.
- 400-04-910 Designation of responsible official.

WAC 400-04-010 Authority. The Puget Sound partnership adopts these procedures under the State Environmental Policy Act (SEPA), RCW 43.21C.120 and the SEPA rules, WAC 197-11-904.

[Statutory Authority: Chapter 90.71 RCW. 10-12-009, § 400-04-010, filed 5/20/10, effective 6/20/10. Statutory Authority: RCW 43.21C.120. 86-04-054 (Order 86-01, Resolution No. 4), § 400-04-010, filed 2/3/86.]

WAC 400-04-020 Adoption by reference. The partnership hereby adopts by reference the following sections of the 1984 SEPA rules, chapter 197-11 of the Washington Administrative Code.

PART ONE - PURPOSE/AUTHORITY

- 197-11-030 Policy.

PART TWO - GENERAL REQUIREMENTS

- 197-11-040 Definitions.
- 197-11-050 Lead agency.
- 197-11-055 Timing of the SEPA process.
- 197-11-060 Content of environmental review.
- 197-11-070 Limitations on actions during SEPA process.
- 197-11-080 Incomplete or unavailable information.
- 197-11-090 Supporting documents.
- 197-11-100 Information required of applicants.

PART THREE - CATEGORICAL EXEMPTIONS AND THRESHOLD DETERMINATION

- 197-11-300 Purpose of this part.
- 197-11-305 Categorical exemptions.

- 197-11-310 Threshold determination required.
- 197-11-315 Environmental checklist.
- 197-11-330 Threshold determination process.
- 197-11-335 Additional information.
- 197-11-340 Determination of nonsignificance (DNS).
- 197-11-350 Mitigated DNS.
- 197-11-360 Determination of significance (DS)/initiation of scoping.
- 197-11-390 Effect of threshold determination.

PART FOUR - ENVIRONMENTAL IMPACT STATEMENT (EIS)

- 197-11-400 Purpose of EIS.
- 197-11-402 General requirements.
- 197-11-405 EIS types.
- 197-11-406 EIS timing.
- 197-11-408 Scoping.
- 197-11-410 Expanded scoping. (Optional)
- 197-11-420 EIS preparation.
- 197-11-425 Style and size.
- 197-11-430 Format.
- 197-11-435 Cover letter or memo.
- 197-11-440 EIS contents.
- 197-11-442 Contents of EIS on nonproject proposals.
- 197-11-443 EIS contents when prior nonproject EIS.
- 197-11-444 Elements of the environment.
- 197-11-448 Relationship of EIS to other considerations.
- 197-11-450 Cost-benefit analysis.
- 197-11-455 Issuance of DEIS.
- 197-11-460 Issuance of FEIS.

PART FIVE - COMMENTING

- 197-11-500 Purpose of this part.
- 197-11-502 Inviting comment.
- 197-11-504 Availability and cost of environmental documents.
- 197-11-508 SEPA register.
- 197-11-535 Public hearings and meetings.
- 197-11-545 Effect of no comment.
- 197-11-550 Specificity of comments.
- 197-11-560 FEIS response to comments.
- 197-11-570 Consulted agency costs to assist lead agency.

PART SIX - USING EXISTING ENVIRONMENTAL DOCUMENTS

- 197-11-600 When to use existing environmental documents.
- 197-11-610 Use of NEPA documents.
- 197-11-620 Supplemental environmental impact statement—Procedures.
- 197-11-625 Addenda—Procedures.
- 197-11-630 Adoption—Procedures.
- 197-11-635 Incorporation by reference—Procedures.
- 197-11-640 Combining documents.

PART SEVEN - SEPA AND AGENCY DECISIONS

- 197-11-650 Purpose of this part.
- 197-11-655 Implementation.
- 197-11-660 Substantive authority and mitigation.

PART EIGHT - DEFINITIONS

197-11-700	Definitions.
197-11-702	Act.
197-11-704	Action.
197-11-706	Addendum.
197-11-708	Adoption.
197-11-710	Affected tribe.
197-11-712	Affecting.
197-11-714	Agency.
197-11-716	Applicant.
197-11-718	Built environment.
197-11-720	Categorical exemption.
197-11-722	Consolidated appeal.
197-11-724	Consulted agency.
197-11-726	Cost-benefit analysis.
197-11-728	County/city.
197-11-730	Decisionmaker.
197-11-732	Department.
197-11-734	Determination of nonsignificance (DNS).
197-11-736	Determination of significance (DS).
197-11-738	EIS.
197-11-740	Environment.
197-11-742	Environmental checklist.
197-11-744	Environmental document.
197-11-746	Environmental review.
197-11-748	Environmentally sensitive area.
197-11-750	Expanded scoping.
197-11-752	Impacts.
197-11-754	Incorporation by reference.
197-11-756	Lands covered by water.
197-11-758	Lead agency.
197-11-760	License.
197-11-762	Local agency.
197-11-764	Major action.
197-11-766	Mitigated DNS.
197-11-768	Mitigation.
197-11-770	Natural environment.
197-11-772	NEPA.
197-11-774	Nonproject.
197-11-776	Phased review.
197-11-778	Preparation.
197-11-780	Private project.
197-11-782	Probable.
197-11-784	Proposal.
197-11-786	Reasonable alternative.
197-11-788	Responsible official.
197-11-790	SEPA.
197-11-792	Scope.
197-11-793	Scoping.
197-11-794	Significant.
197-11-796	State agency.
197-11-797	Threshold determination.
197-11-799	Underlying governmental action.

PART NINE - CATEGORICAL EXEMPTIONS

197-11-800	Categorical exemptions.
197-11-880	Emergencies.
197-11-890	Petitioning DOE to change exemptions.

PART TEN - AGENCY COMPLIANCE

197-11-900	Purpose of this part.
197-11-912	Procedures on consulted agencies.
197-11-914	SEPA fees and costs.
197-11-916	Application to ongoing actions.
197-11-918	Lack of agency procedures.
197-11-920	Agencies with environmental expertise.
197-11-922	Lead agency rules.
197-11-924	Determining the lead agency.
197-11-926	Lead agency for governmental proposals.
197-11-928	Lead agency for public and private proposals.
197-11-930	Lead agency for private projects with one agency with jurisdiction.
197-11-932	Lead agency for private projects requiring licenses from more than one agency, when one of the agencies is a county/city.
197-11-934	Lead agency for private projects requiring licenses from a local agency, not a county/city, and one or more state agencies.
197-11-936	Lead agency for private projects requiring licenses from more than one state agency.
197-11-938	Lead agencies for specific proposals.
197-11-940	Transfer of lead agency status to a state agency.
197-11-942	Agreements on lead agency status.
197-11-944	Agreements on division of lead agency duties.
197-11-946	DOE resolution of lead agency disputes.
197-11-948	Assumption of lead agency status.

PART ELEVEN - FORMS

197-11-960	Environmental checklist.
197-11-965	Adoption notice.
197-11-970	Determination of nonsignificance (DNS).
197-11-980	Determination of significance and scoping notice (DS).
197-11-985	Notice of assumption of lead agency status.
197-11-990	Notice of action.

[Statutory Authority: Chapter 90.71 RCW. 10-12-009, § 400-04-020, filed 5/20/10, effective 6/20/10. Statutory Authority: RCW 43.21C.120. 86-04-054 (Order 86-01, Resolution No. 4), § 400-04-020, filed 2/3/86.]

WAC 400-04-040 Additional definitions. "Director" means the executive director of the partnership as established in RCW 90.71.240.

"Ecosystem coordination board" or "ECB" means the representative group that advises and assists the leadership council as established in RCW 90.71.250.

"Leadership council" means the seven-member group appointed by the governor as established in RCW 90.71.220.

"Partnership" means the agency of the Puget Sound partnership consisting of the seven-member leadership council, an executive director, an ecosystem coordination board, and a Puget Sound science panel and/or agency staff.

"Science panel" means the group that advises and assists the leadership council as established in RCW 90.71.270.

[Statutory Authority: Chapter 90.71 RCW. 10-12-009, § 400-04-040, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.70 RCW and RCW 43.21C.120. 90-17-063, § 400-04-040, filed 8/15/90, effective

9/15/90. Statutory Authority: RCW 43.21C.120. 86-04-054 (Order 86-01, Resolution No. 4), § 400-04-040, filed 2/3/86.]

WAC 400-04-504 Availability of environmental documents. There shall be established at the offices of the partnership a file containing all official partnership SEPA documents. Agencies and the public shall have access to this file.

[Statutory Authority: Chapter 90.71 RCW. 10-12-009, § 400-04-504, filed 5/20/10, effective 6/20/10. Statutory Authority: RCW 43.21C.120. 86-04-054 (Order 86-01, Resolution No. 4), § 400-04-504, filed 2/3/86.]

WAC 400-04-510 Public notice. When these rules require notice to be given under this section, the partnership shall inform the public and other agencies that an environmental document is being prepared or is available, and public hearing(s), if any, will be held by the following notice procedures:

(1) Publish notice in at least one newspaper of general circulation in each county, city, or general area in which the proposal is located or which the proposal affects;

(2) Notifying the news media via news releases, public service announcements and personal contact; and

(3) Sending notice to the official partnership mailing list. The official partnership list shall be kept on file and be available for inspection by the public. Individual members of the partnership's advisory bodies shall receive notice.

(4) Any other of the notice procedures listed in WAC 197-11-510, as appropriate.

[Statutory Authority: Chapter 90.71 RCW. 10-12-009, § 400-04-510, filed 5/20/10, effective 6/20/10. Statutory Authority: RCW 43.21C.120. 86-04-054 (Order 86-01, Resolution No. 4), § 400-04-510, filed 2/3/86.]

WAC 400-04-680 Appeals. There shall be no administrative appeals of partnership SEPA determinations. Any person may informally request, either orally or in writing, the responsible official to reconsider a determination. The official shall reconsider the determination and provide a response, but as this is not a formal appeal as described by RCW 43.21C.075 and WAC 197-11-680, the official is not required to make a record or furnish reasons for the decision. Any informal request to reconsider a partnership SEPA determination shall be made within thirty days of the determination.

[Statutory Authority: Chapter 90.71 RCW. 10-12-009, § 400-04-680, filed 5/20/10, effective 6/20/10. Statutory Authority: RCW 43.21C.120. 86-04-054 (Order 86-01, Resolution No. 4), § 400-04-680, filed 2/3/86.]

WAC 400-04-902 Partnership SEPA policies. The partnership adopts by reference the state environmental policy as set forth in SEPA, RCW 43.21C.020. To carry out this policy, the partnership will use all practicable means consistent with other essential considerations of state policy to improve and coordinate plans, functions, and resources, and to mitigate adverse impacts resulting from proposals to the end that the state and its citizens may:

(1) Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;

(2) Assure for all people of Washington safe, healthful, productive, and aesthetically and culturally pleasing surroundings;

(3) Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable or unintended consequences;

(4) Preserve important historic, cultural, and natural aspects of our national heritage;

(5) Maintain, wherever possible, an environment which supports diversity and variety of individual choice;

(6) Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities;

(7) Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

[Statutory Authority: Chapter 90.71 RCW. 10-12-009, § 400-04-902, filed 5/20/10, effective 6/20/10. Statutory Authority: RCW 43.21C.120. 86-04-054 (Order 86-01, Resolution No. 4), § 400-04-902, filed 2/3/86.]

WAC 400-04-910 Designation of responsible official. The partnership's director, or the director's designee, shall serve as the responsible official.

[Statutory Authority: Chapter 90.71 RCW. 10-12-009, § 400-04-910, filed 5/20/10, effective 6/20/10. Statutory Authority: RCW 43.21C.120. 86-04-054 (Order 86-01, Resolution No. 4), § 400-04-910, filed 2/3/86.]

Chapter 400-06 WAC

COMMUNICATIONS—PUBLIC RECORDS

WAC

400-06-010	Purpose.
400-06-020	Definitions.
400-06-090	Public records available.
400-06-110	Requests for public records.
400-06-120	Copying.
400-06-130	Exemptions.
400-06-140	Review of denials of public records request.
400-06-150	Protection of public records.
400-06-160	Records index.
400-06-170	Communications.
400-06-180	Request for public record—Form.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

400-06-030	Authority operations and procedures. [Statutory Authority: Chapter 90.70 RCW and RCW 43.21C.120. 90-17-063, § 400-06-030, filed 8/15/90, effective 9/15/90. Statutory Authority: RCW 42.17.250 through 42.17.320, 1985 c 451 and chapter 90.70 RCW. 86-04-055 (Order 86-02, Resolution No. 5), § 400-06-030, filed 2/3/86.] Repealed by 10-12-009, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.71 RCW.
400-06-050	Puget Sound water quality authority officers—Terms. [Statutory Authority: Chapter 90.70 RCW and RCW 43.21C.120. 90-17-063, § 400-06-050, filed 8/15/90, effective 9/15/90. Statutory Authority: RCW 42.17.250 through 42.17.320, 1985 c 451 and chapter 90.70 RCW. 86-04-055 (Order 86-02, Resolution No. 5), § 400-06-050, filed 2/3/86.] Repealed by 10-12-009, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.71 RCW.
400-06-060	Puget Sound water quality authority—Regular meetings. [Statutory Authority: RCW 42.17.250 through 42.17.320, 1985 c 451 and chapter 90.70 RCW. 86-04-055 (Order 86-02, Resolution No. 5), § 400-06-060, filed 2/3/86.] Repealed by 10-12-009, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.71 RCW.
400-06-070	Puget Sound water quality authority—Description of organization. [Statutory Authority: Chapter 90.70 RCW. 91-20-076, § 400-06-070, filed 9/27/91, effective 10/28/91. Statutory Authority: Chapter 90.70 RCW and RCW 43.21C.120. 90-17-063, § 400-06-070, filed 8/15/90, effective 9/15/90. Statutory Authority: RCW

42.17.250 through 42.17.320, 1985 c 451 and chapter 90.70 RCW. 86-04-055 (Order 86-02, Resolution No. 5), § 400-06-070, filed 2/3/86.] Repealed by 10-12-009, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.71 RCW.

WAC 400-06-010 Purpose. The purpose of this chapter is to describe the partnership's communications to ensure compliance by the partnership with the provisions of chapter 42.56 RCW dealing with public records.

[Statutory Authority: Chapter 90.71 RCW. 10-12-009, § 400-06-010, filed 5/20/10, effective 6/20/10. Statutory Authority: RCW 42.17.250 through 42.17.320, 1985 c 451 and chapter 90.70 RCW. 86-04-055 (Order 86-02, Resolution No. 5), § 400-06-010, filed 2/3/86.]

WAC 400-06-020 Definitions. (1) The terms "agency," "public record," and "writing" shall have the meaning as stated in RCW 42.56.010.

(2) "Partnership" means the Puget Sound partnership.

(3) "Director" means the executive director of the partnership as established in RCW 90.71.240.

(4) "Public records officer" means the partnership staff member so designated by the director.

[Statutory Authority: Chapter 90.71 RCW. 10-12-009, § 400-06-020, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.70 RCW and RCW 43.21C.120. 90-17-063, § 400-06-020, filed 8/15/90, effective 9/15/90. Statutory Authority: RCW 42.17.250 through 42.17.320, 1985 c 451 and chapter 90.70 RCW. 86-04-055 (Order 86-02, Resolution No. 5), § 400-06-020, filed 2/3/86.]

WAC 400-06-090 Public records available. All public records of the agency, as defined in WAC 400-06-020, are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by RCW 42.56.210.

[Statutory Authority: Chapter 90.71 RCW. 10-12-009, § 400-06-090, filed 5/20/10, effective 6/20/10. Statutory Authority: RCW 42.17.250 through 42.17.320, 1985 c 451 and chapter 90.70 RCW. 86-04-055 (Order 86-02, Resolution No. 5), § 400-06-090, filed 2/3/86.]

WAC 400-06-110 Requests for public records. In accordance with requirements of chapter 42.56 RCW that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied or copies of such records may be obtained, by members of the public, upon compliance with the following procedures:

(1) A request shall be made in writing (or by fax or electronic mail if desired) upon a form prescribed by the partnership, which shall be available at its office. A request that is made other than upon the form prescribed by the office is permissible, but must provide the information listed in (a) through (e) of this subsection. The form shall be presented to the public records officer; or to any member of the partnership's staff, if the public records officer is not available, at the office of the agency during customary office hours. The request shall include the following information:

(a) The name, address, telephone numbers, and organization represented, if any, of the person requesting the record;

(b) The time of day and calendar date on which the request was made;

(c) The nature of the request;

(d) If the matter requested is referenced within the current index maintained by the records officer, a reference to the requested record as it is described in such current index; and

(e) If the requested matter is not identifiable by reference to the partnership's current index, an appropriate description of the record requested.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer or staff member to whom the request is made to assist the member of the public in appropriately identifying the public record requested.

[Statutory Authority: Chapter 90.71 RCW. 10-12-009, § 400-06-110, filed 5/20/10, effective 6/20/10. Statutory Authority: RCW 42.17.250 through 42.17.320, 1985 c 451 and chapter 90.70 RCW. 86-04-055 (Order 86-02, Resolution No. 5), § 400-06-110, filed 2/3/86.]

WAC 400-06-120 Copying. No fee shall be charged for the inspection of public records. The partnership shall charge a reasonable fee in the amount necessary to reimburse the partnership for its actual costs incident to copying, including staff time directly related to copying and mailing.

[Statutory Authority: Chapter 90.71 RCW. 10-12-009, § 400-06-120, filed 5/20/10, effective 6/20/10. Statutory Authority: RCW 42.17.250 through 42.17.320, 1985 c 451 and chapter 90.70 RCW. 86-04-055 (Order 86-02, Resolution No. 5), § 400-06-120, filed 2/3/86.]

WAC 400-06-130 Exemptions. (1) The partnership reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 400-06-110 is exempt under any provision of chapter 42.56 RCW.

(2) All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the records withheld.

[Statutory Authority: Chapter 90.71 RCW. 10-12-009, § 400-06-130, filed 5/20/10, effective 6/20/10. Statutory Authority: RCW 42.17.250 through 42.17.320, 1985 c 451 and chapter 90.70 RCW. 86-04-055 (Order 86-02, Resolution No. 5), § 400-06-130, filed 2/3/86.]

WAC 400-06-140 Review of denials of public records request. (1) Any person who objects to the denial of a request for public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement by the public records officer or other staff member, which constituted or accompanied the denial.

(2) Immediately after receiving a written request for review of a decision denying a public record, the public records officer or other staff member denying the request shall refer it to the director who shall consider the matter and either affirm or reverse such denial. The request shall be returned with a final decision, within two business days following the original denial.

(3) Administrative remedies shall not be considered exhausted until the partnership has returned the petition with a decision, or until the close of the second business day following denial of inspection, whichever occurs first.

[Statutory Authority: Chapter 90.71 RCW. 10-12-009, § 400-06-140, filed 5/20/10, effective 6/20/10. Statutory Authority: RCW 42.17.250 through

42.17.320, 1985 c 451 and chapter 90.70 RCW. 86-04-055 (Order 86-02, Resolution No. 5), § 400-06-140, filed 2/3/86.]

WAC 400-06-150 Protection of public records. (1) No person shall knowingly alter, deface, or destroy public records of the partnership.

(2) Original copies of public records of the partnership shall not be removed from the offices of the partnership.

(3) Care and safekeeping of public records of the partnership, furnished pursuant to a request for inspection or copying, shall be the sole responsibility of the requestor.

(4) Records furnished for public inspection or copying shall be returned in good condition and in the same file sequence or organization as when furnished.

(5) Boisterous or otherwise disruptive conduct by those requesting public records of the partnership shall not be permitted.

[Statutory Authority: Chapter 90.71 RCW. 10-12-009, § 400-06-150, filed 5/20/10, effective 6/20/10. Statutory Authority: RCW 42.17.250 through 42.17.320, 1985 c 451 and chapter 90.70 RCW. 86-04-055 (Order 86-02, Resolution No. 5), § 400-06-150, filed 2/3/86.]

WAC 400-06-160 Records index. (1) A chronological index is maintained providing identifying information as to all governmental records issued, adopted, or promulgated on or after August 21, 1985, which are deemed by the partnership to fall within the purview of RCW 42.56.070 and which are not exempted under any provision of chapter 42.56 RCW.

(2) The current index promulgated by the partnership shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection. The records index shall be updated at least annually.

[Statutory Authority: Chapter 90.71 RCW. 10-12-009, § 400-06-160, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.70 RCW and RCW 43.21C.120. 90-17-063, § 400-06-160, filed 8/15/90, effective 9/15/90. Statutory Authority: RCW 42.17.250 through 42.17.320, 1985 c 451 and chapter 90.70 RCW. 86-04-055 (Order 86-02, Resolution No. 5), § 400-06-160, filed 2/3/86.]

WAC 400-06-170 Communications. All communications regarding the actions or decisions of the partnership, including activities pertaining to the administration or enforcement of chapter 42.56 RCW or these rules, shall be addressed to the Public Records Officer, Puget Sound Partnership, P.O. Box 40900, Olympia, Washington 98504-0900.

[Statutory Authority: Chapter 90.71 RCW. 10-12-009, § 400-06-170, filed 5/20/10, effective 6/20/10. Statutory Authority: Chapter 90.70 RCW. 91-20-076, § 400-06-170, filed 9/27/91, effective 10/28/91. Statutory Authority: RCW 42.17.250 through 42.17.320, 1985 c 451 and chapter 90.70 RCW. 86-04-055 (Order 86-02, Resolution No. 5), § 400-06-170, filed 2/3/86.]

WAC 400-06-180 Request for public record—Form.

STATE OF WASHINGTON
PUGET SOUND PARTNERSHIP
REQUEST FOR PUBLIC RECORD

Date of Request:
Requested By:
.....
.....

STATE OF WASHINGTON
PUGET SOUND PARTNERSHIP
REQUEST FOR PUBLIC RECORD

Public Records or Information Requested:
.....
.....

Requester Must Read and Sign:

I understand that I must abide by the rules and regulations published by the Puget Sound Partnership for the protection of public records, a copy of which I have read and understand.

I understand that I will be charged a reasonable fee to reimburse the partnership actual costs associated with fulfilling my request.

Requester's Signature

Completed by Partnership Public Records Officer:

Date of Receipt:

Number of Copies:

Amount Received: \$

Reason if Partnership is Unable to Comply:

Public Records Officer Signature:

Public records of the agency are provided for inspection and copying subject to the following regulations:

- (1) No person shall knowingly alter, deface, or destroy public records of the partnership.
- (2) Original copies of public records of the agency shall not be removed from the offices of the partnership.
- (3) Care and safekeeping of public records of the partnership, furnished pursuant to a request for inspection or copying, shall be the sole responsibility of the requestor.
- (4) Records furnished for public inspection or copying shall be returned in good condition and in the same file sequence or organization as when furnished.
- (5) Boisterous or otherwise disruptive conduct by those requesting public records of the partnership shall not be permitted.

I have read, understand, and will comply with the above-stated regulations.

.....
(Signature and date)

[Statutory Authority: Chapter 90.71 RCW. 10-12-009, § 400-06-180, filed 5/20/10, effective 6/20/10. Statutory Authority: RCW 42.17.250 through 42.17.320, 1985 c 451 and chapter 90.70 RCW. 86-04-055 (Order 86-02, Resolution No. 5), § 400-06-180, filed 2/3/86.]