

Chapter 286-06 WAC

PUBLIC RECORDS

WAC

286-06-045	Committee and the salmon recovery funding board.
286-06-050	Public records available.
286-06-060	Responsibility.
286-06-065	Indexes.
286-06-070	Office hours.
286-06-080	Requests for public records.
286-06-090	Copying.
286-06-100	Exemptions.
286-06-110	Review of denials.
286-06-120	Protection of public records.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

286-06-010	Purpose. [Statutory Authority: RCW 43.99.010, 43.99.-110, 43.99.080, 43.99.120, 43.99.060, 42.17.370, 46.09.020, 46.09.170 and 46.09.240. WSR 83-01-030 (Order IAC 82-1), § 286-06-010, filed 12/8/82; Order 73-4, § 286-06-010, filed 12/19/73.] Repealed by WSR 94-17-095, filed 8/17/94, effective 9/17/94. Statutory Authority: RCW 43.98A.060(1), [43.98A].070(5), 43.99.080, 46.09.240 and 77.12.720.
286-06-020	Definitions. [Statutory Authority: Chapter 43.99 RCW. WSR 78-03-032 (Order 78-1), § 286-06-020, filed 2/17/78; Order 73-4, § 286-06-020, filed 12/19/73.] Repealed by WSR 83-01-030 (Order IAC 82-1), filed 12/1/82. Statutory Authority: RCW 43.99.010, 43.99.-110, 43.99.080, 43.99.120, 43.99.060, 42.17.370, 46.09.020, 46.09.170 and 46.09.240.
286-06-030	Description of the organization of the interagency committee for outdoor recreation. [Order 73-4, § 286-06-030, filed 12/19/73.] Repealed by WSR 94-17-095, filed 8/17/94, effective 9/17/94. Statutory Authority: RCW 43.98A.060(1), [43.98A].070(5), 43.99.080, 46.09.240 and 77.12.720.
286-06-040	Operations and procedures. [Statutory Authority: RCW 43.99.010, 43.99.110, 43.99.080, 43.99.120, 43.99.060, 42.17.370, 46.09.020, 46.09.170 and 46.09.240. WSR 83-01-030 (Order IAC 82-1), § 286-06-040, filed 12/8/82. Statutory Authority: Chapter 43.99 RCW. WSR 78-03-032 (Order 78-1), § 286-06-040, filed 2/17/78; Order 73-4, § 286-06-040, filed 12/19/73.] Repealed by WSR 94-17-095, filed 8/17/94, effective 9/17/94. Statutory Authority: RCW 43.98A.060(1), [43.98A].070(5), 43.99.080, 46.09.240 and 77.12.720.
286-06-130	Records index. [Order 73-4, § 286-06-130, filed 12/19/73.] Repealed by WSR 94-17-095, filed 8/17/94, effective 9/17/94. Statutory Authority: RCW 43.98A.-060(1), [43.98A].070(5), 43.99.080, 46.09.240 and 77.12.720.
286-06-140	Committee address. [Statutory Authority: Chapter 43.99 RCW. WSR 78-03-032 (Order 78-1), § 286-06-140, filed 2/17/78; Order 73-4, § 286-06-140, filed 12/19/73.] Repealed by WSR 94-17-095, filed 8/17/94, effective 9/17/94. Statutory Authority: RCW 43.98A.-060(1), [43.98A].070(5), 43.99.080, 46.09.240 and 77.12.720.
286-06-150	Adoption of form. [Order 73-4, § 286-06-150, filed 12/19/73.] Repealed by WSR 94-17-095, filed 8/17/94, effective 9/17/94. Statutory Authority: RCW 43.98A.-060(1), [43.98A].070(5), 43.99.080, 46.09.240 and 77.12.720.
286-06-990	Appendix A—Form—Request for public record. [Order 73-4, Appendix A (codified as WAC 286-06-990), filed 12/19/73.] Repealed by WSR 94-17-095, filed 8/17/94, effective 9/17/94. Statutory Authority: RCW 43.98A.-060(1), [43.98A].070(5), 43.99.080, 46.09.240 and 77.12.720.

WAC 286-06-045 Committee and the salmon recovery funding board. The committee provides support to the

(8/14/01)

salmon recovery funding board, as directed in RCW 79A.25.240, including administration and management of the salmon board's public records. Such records shall be managed and made available through the committee's public records officer in the same manner as provided for committee records and set forth in this chapter.

[Statutory Authority: RCW 34.05.370, 46.09.240(1), 79A.25.210, 79A.15.-070, 79A.25.080, chapter 42.17 RCW. WSR 01-17-056, § 286-06-045, filed 8/14/01, effective 9/14/01.]

WAC 286-06-050 Public records available. All public records of the committee and board, as defined in RCW 42.17.260, as now or hereafter amended, are available for public inspection and copying pursuant to this regulation, except as otherwise provided by law, including, but not limited to, RCW 42.17.255 and 42.17.310 and WAC 286-06-100 - Exemptions.

[Statutory Authority: RCW 34.05.370, 46.09.240(1), 79A.25.210, 79A.15.070, 79A.25.080, chapter 42.17 RCW. WSR 01-17-056, § 286-06-050, filed 8/14/01, effective 9/14/01. Statutory Authority: RCW 43.98A.-060(1), [43.98A].070(5), 43.99.080, 46.09.240 and 77.12.720. WSR 94-17-095, § 286-06-050, filed 8/17/94, effective 9/17/94. Statutory Authority: RCW 43.99.010, 43.99.110, 43.99.080, 43.99.120, 43.99.060, 42.17.370, 46.09.020, 46.09.170 and 46.09.240. WSR 83-01-030 (Order IAC 82-1), § 286-06-050, filed 12/8/82; Order 73-4, § 286-06-050, filed 12/19/73.]

WAC 286-06-060 Responsibility. The public records shall be available through a public records officer designated by the director. The public records officer shall be responsible for: Implementation of the rules and regulations regarding release of public records, coordinating the staff of the committee in this regard, and generally ensuring compliance with the public records disclosure requirements of chapter 42.17 RCW as now or hereafter amended.

[Statutory Authority: RCW 34.05.370, 46.09.240(1), 79A.25.210, 79A.15.070, 79A.25.080, chapter 42.17 RCW. WSR 01-17-056, § 286-06-060, filed 8/14/01, effective 9/14/01. Statutory Authority: RCW 43.98A.-060(1), [43.98A].070(5), 43.99.080, 46.09.240 and 77.12.720. WSR 94-17-095, § 286-06-060, filed 8/17/94, effective 9/17/94. Statutory Authority: RCW 43.99.010, 43.99.110, 43.99.080, 43.99.120, 43.99.060, 42.17.370, 46.09.020, 46.09.170 and 46.09.240. WSR 83-01-030 (Order IAC 82-1), § 286-06-060, filed 12/8/82. Statutory Authority: Chapter 43.99 RCW. WSR 78-03-032 (Order 78-1), § 286-06-060, filed 2/17/78; Order 73-4, § 286-06-060, filed 12/19/73.]

WAC 286-06-065 Indexes. (1) Through its public records officer, the committee shall maintain indexes for the records and files listed in subsection (2)(a) through (g) of this section. These indexes:

(a) Provide identifying information as to its files and records;

(b) Are available for public inspection and copying at its offices in the Natural Resources Building, Olympia, in the manner provided in this chapter for the inspection and copying of public records;

[Ch. 286-06 WAC p. 1]

(c) Are updated at least every five years and revised at appropriate intervals;

(d) Are public records even if the records to which they refer may not, in all instances, be subject to disclosure.

(2) Indexes of the following records and files are available:

- (a) Archived files;
- (b) Equipment inventory;
- (c) Committee and board policies and procedures, including manuals;
- (d) Active project files;
- (e) Publications such as brochures and special reports;
- (f) Policy statements entered after June 30, 1990, as defined in RCW 34.05.010(15), including grant program manuals;
- (g) Rule-making files, as described in RCW 34.05.370, for each rule proposed for adoption in the *State Register* and adopted.

(3) The following general records and files are available by reference to topic, and generally arranged alphabetically or chronologically within such topic. Due to volume, costs and/or complexity, however, no master index is maintained.

- (a) Administrative files;
- (b) Comprehensive park-recreation plans;
- (c) Summaries of committee staff meetings;
- (d) Closed/inactive project files;
- (e) General correspondence;
- (f) Attorney general opinions;
- (g) Financial records;
- (h) Summaries and memoranda of committee and board meetings;

(i) Final adjudicative proceeding orders entered after June 30, 1990, as defined in RCW 34.05.010(1) that contain an analysis or decision of substantial importance to the committee or board in carrying out its duties (each listed alphabetically by subject with a phrase describing the issue or issues and relevant citations of law);

(j) Declaratory orders entered after June 10, 1990, that contain an analysis or decision of substantial importance to the committee or board in carrying out its duties (each listed alphabetically by case name with a phrase describing the issue or issues and relevant citations of law);

(k) Interpretive statements as defined in RCW 34.05.-010(8) (each indexed by the committee or board program).

(4) Before June 30, 1990, the committee maintained no index of:

(a) Declaratory orders containing analysis or decisions of substantial importance to the committee in carrying out its duties;

(b) Interpretive statements as defined in RCW 34.05.-010(8);

(c) Policy statements as defined in RCW 34.05.010(14).

[Statutory Authority: RCW 34.05.370, 46.09.240(1), 79A.25.210, 79A.15.-070, 79A.25.080, chapter 42.17 RCW. WSR 01-17-056, § 286-06-065, filed 8/14/01, effective 9/14/01. Statutory Authority: RCW 42.17.260. WSR 98-08-014, § 286-06-065, filed 3/18/98, effective 4/18/98. Statutory Authority: RCW 43.98A.060(1), [43.98A].070(5), 43.99.080, 46.09.240 and 77.12.720. WSR 94-17-095, § 286-06-065, filed 8/17/94, effective 9/17/94.]

WAC 286-06-070 Office hours. Public records shall be available for inspection and copying during the committee's

customary office hours. Those hours shall be consistent with RCW 42.04.060 and 42.17.280, from 8:00 a.m. to noon and from 1:00 p.m. to 5:00 p.m., Monday through Friday, excluding legal holidays.

[Statutory Authority: RCW 43.98A.060(1), [43.98A].070(5), 43.99.080, 46.09.240 and 77.12.720. WSR 94-17-095, § 286-06-070, filed 8/17/94, effective 9/17/94; Order 73-4, § 286-06-070, filed 12/19/73.]

WAC 286-06-080 Requests for public records. Consistent with chapter 42.17 RCW, 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, preferably on a form prescribed by the director, which shall be available at its Olympia office or electronically. The request shall be presented to the public records officer or designee. The request shall include the following information:

- (a) The name of the person requesting the record;
- (b) The calendar date on which the request was made;
- (c) The nature of the request;
- (d) A reference to the requested record as it is described in any current index, if the matter requested is referenced within indexes;
- (e) An appropriate description of the record requested, if the requested matter is not identifiable in the indexes.

(2) Whenever a member of the public makes a request, the public records officer or designee shall ensure the request receives a "date received" stamp or equivalent notation and that assistance is provided in promptly identifying the public record requested as defined in RCW 42.17.320. The agency shall assist to the maximum extent consistent with ongoing operations, and retains the authority to condition records access to prevent unreasonable invasions of privacy, access to other information protected from disclosure by law, damage/disorganization, and excessive interference with office operations and equipment.

[Statutory Authority: RCW 34.05.370, 46.09.240(1), 79A.25.210, 79A.15.070, 79A.25.080, chapter 42.17 RCW. WSR 01-17-056, § 286-06-080, filed 8/14/01, effective 9/14/01. Statutory Authority: RCW 43.98A.-060(1), [43.98A].070(5), 43.99.080, 46.09.240 and 77.12.720. WSR 94-17-095, § 286-06-080, filed 8/17/94, effective 9/17/94; Order 73-4, § 286-06-080, filed 12/19/73.]

WAC 286-06-090 Copying. (1) No fee shall be charged for the inspection of public records.

(2) The director shall charge a fee of fifteen cents per page for providing copies of public records and for use of the committee's copy equipment. Copying in other formats shall be subject to a fee established by the director. These charges will be the amount necessary to reimburse the committee for its actual costs incident to such copying.

[Statutory Authority: RCW 34.05.370, 46.09.240(1), 79A.25.210, 79A.15.070, 79A.25.080, chapter 42.17 RCW. WSR 01-17-056, § 286-06-090, filed 8/14/01, effective 9/14/01. Statutory Authority: RCW 43.98A.-060(1), [43.98A].070(5), 43.99.080, 46.09.240 and 77.12.720. WSR 94-17-095, § 286-06-090, filed 8/17/94, effective 9/17/94; Order 73-4, § 286-06-090, filed 12/19/73.]

WAC 286-06-100 Exemptions. (1) The committee and/or board and the director reserve the right to determine that a public record requested in accordance with the proce-

dures outlined in WAC 286-06-080 is exempt under the provisions of state or federal law, or chapter 42.17 RCW.

(2) In addition, pursuant to chapter 42.17 RCW, the committee and/or board and the director reserve the right to delete identifying details when made available or published in cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy, or would disclose information otherwise protected by law.

(3) All denials of requests for public records, in whole or part, will 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 (or part) and a brief explanation of how the exemption applies to the record withheld.

[Statutory Authority: RCW 34.05.370, 46.09.240(1), 79A.25.210, 79A.15.-070, 79A.25.080, chapter 42.17 RCW. WSR 01-17-056, § 286-06-100, filed 8/14/01, effective 9/14/01. Statutory Authority: RCW 43.98A.060(1), [43.98A].070(5), 43.99.080, 46.09.240 and 77.12.720. WSR 94-17-095, § 286-06-100, filed 8/17/94, effective 9/17/94; Order 73-4, § 286-06-100, filed 12/19/73.]

WAC 286-06-110 Review of denials. (1) Any person who objects to the denial of a request for a public record may petition the director for review by submitting a written request. The request shall specifically refer to the written statement which constituted or accompanied the denial.

(2) After receiving a written request for review of a decision denying inspection of a public record, the director, or designee, will either affirm or reverse the denial by the end of the second business day following receipt according to RCW 42.17.320. This shall constitute final committee and/or board action. Whenever possible in such matters, the director shall first consult with the committee's or board's chair and members.

[Statutory Authority: RCW 34.05.370, 46.09.240(1), 79A.25.210, 79A.15.-070, 79A.25.080, chapter 42.17 RCW. WSR 01-17-056, § 286-06-110, filed 8/14/01, effective 9/14/01. Statutory Authority: RCW 43.98A.060(1), [43.98A].070(5), 43.99.080, 46.09.240 and 77.12.720. WSR 94-17-095, § 286-06-110, filed 8/17/94, effective 9/17/94. Statutory Authority: RCW 43.99.010, 43.99.110, 43.99.080, 43.99.120, 43.99.060, 42.17.370, 46.09.-020, 46.09.170 and 46.09.240. WSR 83-01-030 (Order IAC 82-1), § 286-06-110, filed 12/8/82; Order 73-4, § 286-06-110, filed 12/19/73.]

WAC 286-06-120 Protection of public records. Unless approved by the director, original records shall not be removed from the place designated for their inspection. The public records officer or designee may make reasonable arrangements for ensuring the security of the record(s) during inspections.

[Statutory Authority: RCW 34.05.370, 46.09.240(1), 79A.25.210, 79A.15.-070, 79A.25.080, chapter 42.17 RCW. WSR 01-17-056, § 286-06-120, filed 8/14/01, effective 9/14/01. Statutory Authority: RCW 43.98A.060(1), [43.98A].070(5), 43.99.080, 46.09.240 and 77.12.720. WSR 94-17-095, § 286-06-120, filed 8/17/94, effective 9/17/94; Order 73-4, § 286-06-120, filed 12/19/73.]