

Chapter 332-10 WAC

PUBLIC RECORDS—DEPARTMENT OF NATURAL RESOURCES AND BOARD OF NATURAL RESOURCES

| | |
|---|--|
| <p>WAC 332-10-010 332-10-020 332-10-030 332-10-040 332-10-041 332-10-050 332-10-060 332-10-070 332-10-080 332-10-090 332-10-100 332-10-105 332-10-110 332-10-120 332-10-130 332-10-140 332-10-145 332-10-170 332-10-180 332-10-190</p> | <p>Purpose of rules. Definition. Description of organization of department of natural resources. Operations and procedures of the department of natural resources. Meetings of board of natural resources. Public records available. Public records officer for the department of natural resources and the board of natural resources. Office hours. Requests for public records. Copying. Exemptions. Statement of reason for denial of request for records. Reviews of denials of public records requests. Protection of public records. Records index for the department. Address for communication requests. Notification roster of interested persons. Fees for performing the following service. Application fee. Exceptions.</p> |
|---|--|

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

| | |
|---|---|
| <p>332-10-035 332-10-045 332-10-065 332-10-135 332-10-150 332-10-160</p> | <p>Description of organization of board of natural resources. [Order 262, § 332-10-035, filed 6/16/76.] Repealed by WSR 91-14-014 (Order 574), filed 6/24/91, effective 7/25/91. Statutory Authority: RCW 34.05.220, 34.05.230 and 42.17.250. Operations and procedures of board of natural resources. [Order 262, § 332-10-045, filed 6/16/76.] Repealed by WSR 91-14-014 (Order 574), filed 6/24/91, effective 7/25/91. Statutory Authority: RCW 34.05.220, 34.05.230 and 42.17.250. Public records officer for the board of natural resources. [Order 262, § 332-10-065, filed 6/16/76.] Repealed by WSR 18-03-001, filed 1/3/18, effective 2/3/18. Statutory Authority: RCW 42.56.040, 42.56.070, 42.56.100, 42.56.120, 42.56.520, and 2017 c 304. Records index for the board. [Order 262, § 332-10-135, filed 6/16/76.] Repealed by WSR 91-14-014 (Order 574), filed 6/24/91, effective 7/25/91. Statutory Authority: RCW 34.05.220, 34.05.230 and 42.17.250. Promulgation. [Statutory Authority: RCW 79.01.088, WSR 80-17-021 (Order 349, Resolution No. 310), § 332-10-150, filed 11/13/80.] Repealed by WSR 83-24-055 (Order 406), filed 12/6/83. Statutory Authority: RCW 79.01.088 and 79.01.720. Definition. [Statutory Authority: RCW 79.01.088, WSR 80-17-021 (Order 349, Resolution No. 310), § 332-10-160, filed 11/13/80.] Repealed by WSR 83-24-055 (Order 406), filed 12/6/83. Statutory Authority: RCW 79.01.088 and 79.01.720.</p> |
|---|---|

WAC 332-10-010 Purpose of rules. The purpose of this chapter shall be to insure compliance by the department of natural resources and the board of natural resources with the provisions of chapter 42.56 RCW, Public Records Act, and in particular with RCW 42.56.040 through 42.56.550 of that act dealing with public records.

[Statutory Authority: RCW 42.56.040, 42.56.070, 42.56.100, 42.56.120, 42.56.520, and 2017 c 304. WSR 18-03-001, § 332-10-010, filed 1/3/18, effective 2/3/18; Order 262, § 332-10-010, filed 6/16/76.]

(1/3/18)

WAC 332-10-020 Definition. The following definitions shall apply in this chapter:

(1) "Public record" includes any writing containing information relating to the conduct of governmental or the performance of any governmental or proprietary function prepared, owned, used or retained by the department regardless of physical form or characteristics. See RCW 42.56.010 (3).

(2) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums and other documents. See RCW 42.56-010(4).

(3) "Board" means the board of natural resources, a policy setting board whose six members serve in an ex officio capacity. The duties of the board are described in RCW 43.30.215.

(4) "Department" means the department of natural resources which is:

(a) A regulatory agency with regard to geology activities on state and privately owned land, and outdoor burning on state and privately owned forest land;

(b) A proprietary land management agency for state-owned land under the jurisdiction of the department;

(c) A service and information repository agency regarding surveys and maps of the state, farm forestry advice and general geology information;

(d) An agency that administers and enforces state forest protection laws and the forest practices regulations of the forest practices board and the department of ecology on state and privately owned forest land.

(5) "Commissioner" means the commissioner of public lands who is an elected official and serves as the administrator of the department. The commissioner, in accordance with RCW 43.30.430, has delegated to the supervisor of the department the direct supervision of the department activities.

(6) "Supervisor" means the supervisor of natural resources. RCW 43.30.020(6).

[Statutory Authority: RCW 42.56.040, 42.56.070, 42.56.100, 42.56.120, 42.56.520, and 2017 c 304. WSR 18-03-001, § 332-10-020, filed 1/3/18, effective 2/3/18. Statutory Authority: RCW 43.30.020, 43.30.170, 42.17-250, 34.05.220. WSR 01-07-049 (Order 705), § 332-10-020, filed 3/16/01, effective 4/16/01. Statutory Authority: RCW 34.05.220, 34.05.230 and 42.17.250. WSR 91-14-014 (Order 574), § 332-10-020, filed 6/24/91, effective 7/25/91; Order 262, § 332-10-020, filed 6/16/76.]

WAC 332-10-030 Description of organization of department of natural resources. (1) The department of natural resources consists of a board of natural resources, an

[Ch. 332-10 WAC p. 1]

administrator, and a supervisor. The administrative office of the department and its staff are located in Olympia, Washington 98504. Field offices of the department are located at:

| Region Office | Address |
|-------------------|---|
| Olympic | 411 Tillicum Lane, Forks, WA 98331 |
| Northwest | 919 North Township Street, Sedro Woolley, WA 98284 |
| South Puget Sound | 950 Farman Ave. N., Enumclaw, WA 98022 |
| Pacific Cascade | 601 Bond Road, Castle Rock, WA 98611 |
| Southeast | 713 East Bowers Road, Box 280, Ellensburg, WA 98926 |
| Northeast | 225 South Silke Road, Colville, WA 99114 |

(2) Map.

[Statutory Authority: RCW 43.30.215, WSR 14-17-078, § 332-10-030, filed 8/18/14, effective 9/18/14. Statutory Authority: RCW 34.05.220, 34.05.230 and 42.17.250, WSR 91-14-014 (Order 574), § 332-10-030, filed 6/24/91, effective 7/25/91; Order 262, § 332-10-030, filed 6/16/76.]

WAC 332-10-040 Operations and procedures of the department of natural resources. (1) The legal authority for the department's activities is provided principally by:

- (a) The State Enabling Act, Sections 10 through 19;
- (b) The state Constitution, Articles III, XV, XVI, XVII and Amendment 15;
- (c) The Revised Code of Washington, Titles 43, 46, 58, 70, 76, 78, 79 and 84 RCW;
- (d) The Washington Administrative Code, Titles 222 and 332 WAC.

(2) The commissioner and the board acting under their respective legal authorities determine policy for the department. The supervisor of the department:

- (a) Provides direct supervision over the department's activities.
- (b) Implements department policy through a line-functional staff comprised of several divisions and regional offices. The divisions develop operational programs and procedures within their respective specialties of resource management. These programs and procedures are carried out through the regional offices.

[Statutory Authority: RCW 42.56.040, 42.56.070, 42.56.100, 42.56.120, 42.56.520, and 2017 c 304, WSR 18-03-001, § 332-10-040, filed 1/3/18, effective 2/3/18. Statutory Authority: RCW 43.30.020, 43.30.170, 42.17-250, 34.05.220, WSR 01-07-049 (Order 705), § 332-10-040, filed 3/16/01, effective 4/16/01. Statutory Authority: RCW 34.05.220, 34.05.230 and 42.17.250, WSR 91-14-014 (Order 574), § 332-10-040, filed 6/24/91, effective 7/25/91; Order 262, § 332-10-040, filed 6/16/76.]

WAC 332-10-041 Meetings of board of natural resources. (1) Regular meetings of the board of natural resources shall be held on the first Tuesday of every month except August. If a regular meeting falls on a holiday, such regular meeting shall be held on the next business day. A schedule of meetings will be published in the Washington

Register in January of each year. Changes to the schedule will be published in the state register pursuant to RCW 42.30.075. Special meetings may be held pursuant to RCW 42.30.080. Any person may obtain information about locations and meeting times by contacting the Department of Natural Resources, P.O. Box 47001, Olympia, Washington 98504-7001. The public is invited to attend and comment at all meetings.

(2) Members of the board of natural resources may participate by telephone in any regular or special meeting so long as a speaker phone is available at the public meeting location. To assure that all discussions comply with RCW 42.30.030, if more than one board member is participating by telephone, then each such board member shall use a separate telephone line or a separate telephone. If other electronic means of attending meetings from remote locations are available, board members may employ these means so long as board discussion can be heard by those attending the public meeting consistent with the Open Public Meetings Act RCW 42.30. Board members participating by telephone or other electronic means may vote on any matter and shall be considered as part of the quorum.

[Statutory Authority: RCW 43.30.150 (5), (6), (9), and 42.30.030, WSR 02-19-058 (Order 707), § 332-10-041, filed 9/12/02, effective 10/13/02. Statutory Authority: RCW 43.30.150 and 42.30.070, WSR 92-20-060 (Order 606), § 332-10-041, filed 10/2/92, effective 11/2/92.]

WAC 332-10-050 Public records available. All public records of the department are deemed to be available for public inspection and copying pursuant to these rules, unless the record falls within the specific exemptions of the Public Records Act or other statute which exempts or prohibits disclosure of specific information or records. RCW 42.56.070 (1).

The department is not required to retain every record it ever created or used. The department manages their records according to the state government general records retention schedule and the department of natural resources specific records retention schedule. Both schedules are available through the office of the secretary of state.

[Statutory Authority: RCW 42.56.040, 42.56.070, 42.56.100, 42.56.120, 42.56.520, and 2017 c 304, WSR 18-03-001, § 332-10-050, filed 1/3/18, effective 2/3/18. Statutory Authority: RCW 34.05.220, 34.05.230 and 42.17.250, WSR 91-14-014 (Order 574), § 332-10-050, filed 6/24/91, effective 7/25/91; Order 262, § 332-10-050, filed 6/16/76.]

WAC 332-10-060 Public records officer for the department of natural resources and the board of natural resources. (1) The public records officer for the department of natural resources shall also serve as the public records officer for the board of natural resources. The name and contact information of the agency's public records officer to whom members of the public may direct requests for disclosure of public records and who will oversee the agency's compliance with the public records disclosure requirements of this chapter shall be published in the state register at the time of designation and maintained thereafter on the code reviser web site for the duration of the designation. RCW 42.56.580.

(2) The public records officer shall be responsible for the following: The implementation of the department's rules and regulations regarding release of public records, coordinating the staff of the department in this regard, and generally insur-

ing compliance by the staff with the public records disclosure requirements of chapter 42.56 RCW.

[Statutory Authority: RCW 42.56.040, 42.56.070, 42.56.100, 42.56.120, 42.56.520, and 2017 c 304. WSR 18-03-001, § 332-10-060, filed 1/3/18, effective 2/3/18. Statutory Authority: RCW 34.05.220, 34.05.230 and 42.17.250. WSR 91-14-014 (Order 574), § 332-10-060, filed 6/24/91, effective 7/25/91; Order 262, § 332-10-060, filed 6/16/76.]

WAC 332-10-070 Office hours. Public records shall be available for inspection and copying, by appointment, during the customary office hours of the department for a minimum of thirty hours per week, except weeks that include state legal holidays. For the purpose of this chapter, the customary office hours shall be from 9:00 a.m. until 3:00 p.m., Monday through Friday, excluding legal holidays. RCW 42.56.090. Such inspection and copying may be postponed if, in the department's opinion, it would interfere with duties related to an emergency at a regional office or the fire control division in central headquarters.

[Statutory Authority: RCW 42.56.040, 42.56.070, 42.56.100, 42.56.120, 42.56.520, and 2017 c 304. WSR 18-03-001, § 332-10-070, filed 1/3/18, effective 2/3/18. Statutory Authority: RCW 34.05.220, 34.05.230 and 42.17.250. WSR 91-14-014 (Order 574), § 332-10-070, filed 6/24/91, effective 7/25/91; Order 262, § 332-10-070, filed 6/16/76.]

WAC 332-10-080 Requests for public records. Public records shall be available for inspection and copying, and the department shall, upon request for identifiable public records, make them promptly available to any person including, if applicable, on a partial or installment basis as records that are part of a larger set of requested records are assembled or made ready for inspection or disclosure. The department shall not deny a request for identifiable public records solely on the basis that the request is overbroad. The department shall not distinguish among persons requesting records, and such persons shall not be required to provide information as to the purpose for the request except to establish whether inspection and copying would violate RCW 42.56.070(8) or 42.56.240 (14), or other statute which exempts or prohibits disclosure of specific information or records to certain persons. The department facilities shall be made available to any person for the copying of public records except when and to the extent that this would unreasonably disrupt the operations of the agency. The department shall honor requests received in person during the department's normal office hours, or by mail or email, for identifiable public records unless exempted by provisions of this chapter. No official format is required for making a records request; however, the department may recommend that requestors submit requests using an agency provided form or web page. RCW 42.56.080.

The department may deny a "bot" request (a request that an agency reasonably believes was automatically generated by a computer program or script), when it is one of multiple requests from the requestor received within a twenty-four-hour period. RCW 42.56.080(3). The department must establish that responding would cause excessive interference with other department essential functions.

Requests for public records must be for "identifiable" records. A request for all or substantially all of the department's records is not a valid public records request, provided that a request for all records regarding a particular topic or containing a particular keyword or name shall not be consid-

(1/3/18)

ered a request for all the department's records. RCW 42.56.-080.

[Statutory Authority: RCW 42.56.040, 42.56.070, 42.56.100, 42.56.120, 42.56.520, and 2017 c 304. WSR 18-03-001, § 332-10-080, filed 1/3/18, effective 2/3/18. Statutory Authority: RCW 34.05.220, 34.05.230 and 42.17.250. WSR 91-14-014 (Order 574), § 332-10-080, filed 6/24/91, effective 7/25/91; Order 262, § 332-10-080, filed 6/16/76.]

WAC 332-10-090 Copying. No fee shall be charged for the inspection of public records or locating public documents and making them available for copying except as provided by the Public Records Act, chapter 42.56 RCW. For copies of records, maps, photos, reports, and other nonstandard items the department shall charge a reasonable fee determined by the department payable at the time copies are furnished. This charge is the amount necessary to reimburse the department for its actual costs of copying. The department may require a deposit of up to ten percent of the estimated cost of providing copies for a request.

In addition to the charge imposed for providing copies of public records and for the use by any person of agency equipment copying costs, the agency may charge a customized service charge to reimburse the agency up to the actual cost under RCW 42.56.120(3) if the agency estimates that the request would require the use of information technology expertise to prepare data compilations, or provide customized electronic access services when such compilations and customized access services are not used by the agency for the other agency purposes. The department will notify the requestor of the customized service charge to be applied to the request, including an explanation of why the customized service charge applies, a description of the specific expertise, and a reasonable estimate cost of the charge.

[Statutory Authority: RCW 42.56.040, 42.56.070, 42.56.100, 42.56.120, 42.56.520, and 2017 c 304. WSR 18-03-001, § 332-10-090, filed 1/3/18, effective 2/3/18; Order 262, § 332-10-090, filed 6/16/76.]

WAC 332-10-100 Exemptions. Some records are exempt from disclosure, in whole or in part. If the department believes that a record is exempt from disclosure and should be withheld, the public records officer or designee will state the specific exemption and provide a brief explanation of why the record or a portion of the record is being withheld. If only a portion of a record is exempt from disclosure, but the remainder is not exempt, the public records officer or designee will redact the exempt portions, provide the nonexempt portions, and indicate to the requestor why portions of the record are being redacted. RCW 42.56.070(1).

[Statutory Authority: RCW 42.56.040, 42.56.070, 42.56.100, 42.56.120, 42.56.520, and 2017 c 304. WSR 18-03-001, § 332-10-100, filed 1/3/18, effective 2/3/18. Statutory Authority: RCW 34.05.220, 34.05.230 and 42.17.250. WSR 91-14-014 (Order 574), § 332-10-100, filed 6/24/91, effective 7/25/91; Order 262, § 332-10-100, filed 6/16/76.]

WAC 332-10-105 Statement of reason for denial of request for records. When the department or board refuses, in whole or part, inspections of any public record, it shall include 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.

[Order 262, § 332-10-105, filed 6/16/76.]

WAC 332-10-110 Reviews of denials of public records requests. (1) Any person who objects to the denial of a request for a 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 supervisor of the department. The supervisor or his designee shall immediately 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 department has returned the petition with a decision or until the close of the second business day following denial of inspection, whichever occurs first.

[Order 262, § 332-10-110, filed 6/16/76.]

WAC 332-10-120 Protection of public records. In order to adequately protect the public records in the custody of the department, the following guidelines shall be adhered to by any person inspecting such public records:

(1) No public records shall be removed from the department's premises.

(2) Inspection of any public record shall be conducted in the presence of a designated department employee.

(3) No public records may be marked or defaced in any manner during inspection.

(4) Public records which are maintained in a file or jacket, or chronological order, may not be dismantled except for purposes of copying and then only by a designated employee of the department.

(5) Access to file cabinets, shelves, vaults, etc., is restricted to the department.

[Statutory Authority: RCW 34.05.220, 34.05.230 and 42.17.250. WSR 91-14-014 (Order 574), § 332-10-120, filed 6/24/91, effective 7/25/91; Order 262, § 332-10-120, filed 6/16/76.]

WAC 332-10-130 Records index for the department.

(1) The department maintains the following methods to index its records:

(a) *Automated Tract Book.* An enterprise content management (ECM) software solution which organizes and stores digital documents and related indexed data for all significant land transactions since statehood concerning the acquisition, transfer, exchange, disposition and management encumbrance activities of state lands owned and managed by the department. It is searchable by legal description, i.e., section - township - range, grantor name, lessor, lessee, file-contract number, etc. The *Automated Tract Book* is managed by the office of the chief lands recorder also known as the department's title and records office.

(b) Commissioner and department orders. Indexed from 1975 to present by year and order number. Commissioner and department orders contain and indicate subject and/or file jacket number.

(c) Board of natural resources meeting index and resolutions. Board meetings are tape recorded and written minutes

prepared. These are indexed by date and are available for inspection through the public records officer in the commissioner's office.

(d) Administrative rule docket. The department has historically maintained an index of administrative rules adopted by the department. It is formatted by: Date, department rule number, subject, and contact person. Beginning in 1990 the format was expanded to conform with the requirements of RCW 34.05.315. This index is located in the office of the rules coordinator.

(e) To conform with RCW 42.56.070(5), the following indexes and files are maintained by the rules coordinator in the department's administrative office:

(i) All records issued before July 1, 1990, for which the department has maintained an index;

(ii) Final orders entered after June 30, 1990, that are issued in adjudicative proceedings as defined in RCW 34.05.-010(1) and that contain an analysis or decision of substantial importance to the department in carrying out its duties;

(iii) Declaratory orders entered after June 30, 1990, that are issued pursuant to RCW 34.05.240 and that contain an analysis or decision of substantial importance to the department in carrying out its duties;

(iv) Interpretive statements as defined in RCW 34.05.-010(8) that were entered after June 30, 1990; and

(v) Policy statements as defined in RCW 34.05.010(14) that were entered after June 30, 1990.

Copies of all indexes shall be available for public inspection and copying during business hours and in accordance with WAC 332-10-080. The indexes shall be kept current and updated annually. Selected final and declaratory orders that contain an analysis or decision of substantial importance to the agency in carrying out its duties, and interpretive and policy statements will be indexed chronologically by date, applicable program, hearing title, description of subject matter, citation to the law involved, or a selected combination of these, as appropriate.

(f) Rule-making file. To conform with RCW 34.05.370, the department maintains an official rule-making file for each rule that the department proposes by publication in the state register or adopts. Some rules apply to specific programs within the department, while others, such as those adopted under the State Environmental Policy Act and the Administrative Procedure Act, apply department-wide. The administrative offices of divisions that administer specific programs maintain the rule-making files that apply to those programs. The department rules coordinator maintains the rule-making files for rules that apply department-wide.

(g) Department policy and procedure library. The department maintains a comprehensive electronic policy and procedures library. The library includes policy statements and procedures used to implement the department's administrative functions and mandated responsibilities. It is organized by program activity, i.e., wildfire, timber sales, administrative functions, etc. Documents are available to all staff from the agency's internal web site.

(h) Bibliography of department publications. It is common practice for the department to publish important policy and management plans as well as reports on specific subjects regarding resource management. The bibliography can be obtained through the department's policy office.

(2) The department does not use a central filing system. Records are maintained in each of the regional offices spread throughout the state and in each of the divisions in the administrative office. Many of the land ownership and encumbrance records are located in the department's title and records office at agency headquarters and are typically identified by legal description such as section - township - range or department file-contract number. Each organizational unit maintains a record system to meet its specific needs. The department can respond to requests for records, by the public describing the type of information they are seeking. General correspondence related to governmental and regulatory activities and internal services can usually be identified by subject and usually in the division responsible for that activity. Regulatory permits and licenses may be identified by legal description or application number. Correspondence and other data related to proprietary activities are identified by application number and can be cross-referenced by legal description.

[Statutory Authority: RCW 42.56.040, 42.56.070, 42.56.100, 42.56.120, 42.56.520, and 2017 c 304. WSR 18-03-001, § 332-10-130, filed 1/3/18, effective 2/3/18. Statutory Authority: RCW 34.05.220, 34.05.230 and 42.17.250. WSR 91-14-014 (Order 574), § 332-10-130, filed 6/24/91, effective 7/25/91; Order 262, § 332-10-130, filed 6/16/76.]

WAC 332-10-140 Address for communication requests. Requests for public records may be communicated by email, telephone, or fax, as well as the following means:

- (1) Online: Department of Natural Resources web site;
- (2) Mail: Department of Natural Resources, Public Disclosure Office, P.O. Box 47014, Olympia, WA 98504-7014.

[Statutory Authority: RCW 42.56.040, 42.56.070, 42.56.100, 42.56.120, 42.56.520, and 2017 c 304. WSR 18-03-001, § 332-10-140, filed 1/3/18, effective 2/3/18. Statutory Authority: RCW 34.05.220, 34.05.230 and 42.17.250. WSR 91-14-014 (Order 574), § 332-10-140, filed 6/24/91, effective 7/25/91; Order 262, § 332-10-140, filed 6/16/76.]

WAC 332-10-145 Notification roster of interested persons. To conform with the requirements of RCW 34.05.-230, the department maintains a roster of interested persons who have requested in writing to the department rules coordinator, to be notified of all interpretive and policy statements issued by the department. The roster is kept in the rules coordinator's office and is updated once each year. Persons not indicating a desire to continue on the roster will be eliminated during the yearly update. Whenever the department issues an interpretive or policy statement, a copy of the statement will be sent to each person listed on the roster.

[Statutory Authority: RCW 34.05.220, 34.05.230 and 42.17.250. WSR 91-14-014 (Order 574), § 332-10-145, filed 6/24/91, effective 7/25/91.]

WAC 332-10-170 Fees for performing the following service. Charges for the following categories of services will be collected and transmitted to the state treasurer for deposit:

- (1) Twenty-five dollars for the approval of any assignment of contract of sale, assignment of lease, assignment of bill of sale or assignment of right of way.
- (2) Twenty-five dollars for the division of contracts or leases pursuant to RCW 79.01.236.
- (3) Five dollars for certification of any document.
- (4) The department will use the statutory fee schedule in RCW 42.56.120(2).

(1/3/18)

[Statutory Authority: RCW 42.56.040, 42.56.070, 42.56.100, 42.56.120, 42.56.520, and 2017 c 304. WSR 18-03-001, § 332-10-170, filed 1/3/18, effective 2/3/18. Statutory Authority: RCW 42.17.250 and 42.17.300. WSR 92-22-076 (Order 600), § 332-10-170, filed 11/2/92, effective 12/3/92. Statutory Authority: RCW 79.01.088 and 79.01.720. WSR 83-24-055 (Order 406), § 332-10-170, filed 12/6/83. Statutory Authority: RCW 79.01.088. WSR 80-17-021 (Order 349, Resolution No. 310), § 332-10-170, filed 11/13/80.]

WAC 332-10-180 Application fee. An applicant to purchase or lease any public land or valuable materials shall pay a twenty-five dollar application fee, except for oil and gas leases as specified by WAC 332-12-230.

[Statutory Authority: RCW 79.01.618, 79.01.088 and 79.01.720. WSR 87-21-005 (Order 523, Resolution No. 571), § 332-10-180, filed 10/9/87. Statutory Authority: RCW 79.01.088 and 79.01.720. WSR 83-24-055 (Order 406), § 332-10-180, filed 12/6/83. Statutory Authority: RCW 79.01.088. WSR 80-17-021 (Order 349, Resolution No. 310), § 332-10-180, filed 11/13/80.]

WAC 332-10-190 Exceptions. The following applicants are exempt from paying the fees set forth in WAC 332-10-170 and 332-10-180:

- (1) Any agency, political subdivision or municipal corporation of this state, or any agency of the United States;
- (2) Any lease or sale of land, valuable materials, minerals, coal, oil or gas, which is initiated by the department;
- (3) Applicants for a coal mining option contract who shall instead pay the fees required by RCW 79.01.656.
- (4) Assignment transferring contract or leasehold interest by operation of law.

[Statutory Authority: RCW 79.01.088 and 79.01.720. WSR 83-24-055 (Order 406), § 332-10-190, filed 12/6/83. Statutory Authority: RCW 79.01.-088. WSR 80-17-021 (Order 349, Resolution No. 310), § 332-10-190, filed 11/13/80.]