

Chapter 286-04 WAC
GENERAL

Last Update: 5/17/17

WAC

286-04-010 Definitions.
286-04-015 Address.
286-04-020 Duties of the board.
286-04-030 Mission and goals of the board.
286-04-050 Compliance with State Environmental Policy Act and other laws.
286-04-060 Policies and procedures.
286-04-070 Director's authority.
286-04-080 Federal overlay and requirements.
286-04-085 Petitions for declaratory order of a rule, order, or statute.
286-04-095 Petition for adoption, amendment or repeal of a rule.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

286-04-065 Project evaluations. [Statutory Authority: 2007 c 241 § 39, RCW 34.05.220, 34.05.230, and 42.56.040. WSR 14-09-074, § 286-04-065, filed 4/18/14, effective 5/19/14. 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, § 286-04-065, filed 8/17/94, effective 9/17/94.] Repealed by WSR 16-16-001, filed 7/20/16, effective 8/20/16. Statutory Authority: RCW 34.05.220, 42.56.040, 46.09.530, 79A.15.030, 79A.15.060, 79A.15.070, 79A.15.120, 79A.15.130, and 79A.25.210.

286-04-090 What is the history of the board's fund sources? [Statutory Authority: 2007 c 241 § 39, RCW 34.05.220, 34.05.230, and 42.56.040. WSR 14-09-074, § 286-04-090, filed 4/18/14, effective 5/19/14. Statutory Authority: RCW 79.90.245, 2004 c 276 and RCW 46.09.240. WSR 05-01-030, § 286-04-090, filed 12/3/04, effective 1/3/05. Statutory Authority: RCW 43.98A.060(1), 43.98A.070(5), 43.99.080(2), 46.09.240(1) and 77.12.720(4). WSR 96-08-044, § 286-04-090, filed 3/29/96, effective 4/29/96. 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, § 286-04-090, filed 8/17/94, effective 9/17/94.] Repealed by WSR 15-15-072, filed 7/13/15, effective 8/13/15. Statutory Authority: RCW 34.05.220, 42.56.040, 46.09.530, 79A.15.030, 79A.15.060, 79A.15.070, 79A.15.120, 79A.15.130, and 79A.25.210.

WAC 286-04-010 Definitions. For purposes of Title 286 WAC, unless the context clearly indicates otherwise the following definitions apply:

(1) "Acquisition" means the purchase or donation of fee or less than fee interests in real property. These interests include, but are not limited to, conservation easements, access or trail easements, covenants, water rights, leases, and mineral rights.

(2) "Agreement" or "project agreement" means the accord accepted by the office and the sponsor for the project and includes any supplemental agreements, any amendments to the agreement and any intergovernmental agreements.

(3) "Applicant" means any party that meets qualifying standards, including deadlines, for submission of an application soliciting a grant of funds from the board.

(4) "Application" means the documents and other materials that an applicant submits to the office to support the applicant's request for grant funds.

(5) "Board" means the recreation and conservation funding board as described in RCW 79A.25.110.

(6) "Chair" means the chair of the board as described in RCW 79A.25.110.

(7) "Development project" means a project that results in the construction of or work resulting in new elements including, but not limited to, structures, facilities and materials to enhance outdoor recreation resources.

(8) "Director" means the director of the office or that person's designee as described in RCW 79A.25.150.

(9) "Education and enforcement project" means a project that provides information, education, and outreach programs; encourages responsible recreational behaviors; and may provide law enforcement for the benefit of outdoor recreationists.

(10) "Education project" means a project that provides information, education, and outreach programs for the benefit of outdoor recreationists.

(11) "Maintenance project" means a project that maintains existing areas and facilities through repairs and upkeep for the benefit of outdoor recreationists.

(12) "Maintenance and operation project" means a project that maintains existing areas and facilities through repairs, upkeep, and routine servicing for the benefit of outdoor recreationists.

(13) "Manual(s)" means a compilation of state and federal laws; board rules, policies, and procedures; and director procedures, forms, and instructions assembled in manual form for dissemination to parties that participate in the board's or office's grant program(s).

(14) "Match" or "matching share" means the portion of the total project cost in the project agreement provided by the project sponsor.

(15) "Office" means the recreation and conservation office as described in RCW 79A.25.010.

(16) "Planning project" means a project that results in one or more of the following: A study, a plan, construction plans and specifications, and permits to increase the availability of outdoor recreational resources.

(17) "Preagreement cost" means a project cost incurred before the period of performance identified in an agreement.

(18) "Project" means the undertaking which is, or may be, funded in whole or in part with funds administered by the office on behalf of the board.

(19) "Project area" is a geographic area that delineates a grant assisted site which is subject to application and project agreement requirements.

(20) "Reimbursement" means the payment of funds from the office to the sponsor for eligible and allowable project costs that have already been paid by the sponsor per the terms of an agreement.

(21) "Renovation project" means a project that improves an existing site or structure in order to increase its service life or functions.

(22) "Restoration project" means a project that brings a site back to its historic function as part of a natural ecosystem or improving the ecological functionality of the site.

(23) "Sponsor" means an eligible applicant who has been awarded a grant of funds and is bound by an executed agreement; includes its officers, employees, agents, and successors.

[Statutory Authority: RCW 34.05.220, 42.56.040, 46.09.530, 79A.15.030, 79A.15.060, 79A.15.070, 79A.15.120, 79A.15.130, and 79A.25.210. WSR 17-11-071, § 286-04-010, filed 5/17/17, effective 6/17/17; WSR 15-15-072, § 286-04-010, filed 7/13/15, effective 8/13/15. Statutory Authority: 2007 c 241 § 39, RCW 34.05.220, 34.05.230, and 42.56.040. WSR 14-09-074, § 286-04-010, filed 4/18/14, effective 5/19/14. Statutory Authority: RCW 79.90.245, 2004 c 276 and RCW 46.09.240. WSR 05-01-030, § 286-04-010, filed 12/3/04, effective 1/3/05. Statutory Authority: RCW 43.99.080(2) and 46.09.240(1). WSR 98-08-014, § 286-04-010, filed 3/18/98, effective 4/18/98. Statutory Authority: RCW 43.98A.060(1), 43.98A.070(5), 43.99.080(2), 46.09.240(1) and 77.12.720(4). WSR 96-08-044, § 286-04-010, filed 3/29/96, effective 4/29/96. 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, § 286-04-010, filed 8/17/94, effective 9/17/94. Statutory Authority: Chapter 43.99 RCW.

WSR 86-23-038 (Order 86-2), § 286-04-010, filed 11/17/86. 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), § 286-04-010, filed 12/8/82. Statutory Authority: Chapter 43.99 RCW. WSR 79-09-124 (Order 79-1), § 286-04-010, filed 9/5/79; Order 3, § 286-04-010, filed 7/31/73; Order 1, § 286-04-010, filed 12/10/71.]

WAC 286-04-015 Address. All communications with the board, office, director and staff shall be directed to the recreation and conservation office at the Natural Resources Building, 1111 Washington Street S.E., P.O. Box 40917, Olympia, Washington 98504-0917, telephone 360-902-3000, fax 360-902-3026, web site www.rco.wa.gov.

[Statutory Authority: RCW 34.05.220, 42.56.040, 46.09.530, 79A.15.030, 79A.15.060, 79A.15.070, 79A.15.120, 79A.15.130, and 79A.25.210. WSR 15-15-072, § 286-04-015, filed 7/13/15, effective 8/13/15. Statutory Authority: 2007 c 241 § 39, RCW 34.05.220, 34.05.230, and 42.56.040. WSR 14-09-074, § 286-04-015, filed 4/18/14, effective 5/19/14. 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, § 286-04-015, filed 8/17/94, effective 9/17/94.]

WAC 286-04-020 Duties of the board. (1) The board was created by Initiative 215 Marine Recreation Land Act of 1964 (section 11, chapter 5, Laws of 1965) codified in chapter 79A.25 RCW.

(2) Membership of the board is defined in RCW 79A.25.110.

(3) The board is authorized to:

(a) Prepare, maintain and update statewide plans, including:

(i) A strategic recreation resource and open space or assessment and policy plan (RCW 79A.25.020) and a state trails plan (79A.35.040);

(ii) A nonhighway and off-road vehicle plan (RCW 46.09.370); and

(iii) Create and maintain data, studies, research, and other information relating to community outdoor athletic fields (RCW 79A.25.820);

(b) Administer funds from the outdoor recreation account (RCW 79A.25.060), recreation resources account (RCW 79A.25.190 and 79A.25.200), habitat conservation account (RCW 79A.15.020), riparian protection account (RCW 79A.15.120), farmland preservation account (RCW 79A.15.130), nonhighway and off-road vehicles activities program account (RCW 46.09.510), and other such accounts as may now or hereafter be established by the legislature;

(c) Establish acquisition policies and procedures for distributions from the habitat conservation account (RCW 79A.15.060), outdoor recreation account (RCW 79A.15.070), riparian protection account (RCW 79A.15.120), and farmland preservation account (RCW 79A.15.130);

(d) Recommend to the governor a prioritized list of applications for funding and make grant awards from the habitat conservation account (RCW 79A.15.060), outdoor recreation account (RCW 79A.15.070), riparian protection account (RCW 79A.15.120), and farmland preservation account (RCW 79A.15.130);

(e) Submit letters received as described in RCW 79A.15.110 to the governor and legislature;

(f) Establish a nonhighway and off-road vehicle advisory committee as described in RCW 46.09.340 and report to the committee once per

year on the expenditure of off-road vehicle funds and refunds from the motor vehicle fund;

(g) Distribute funds received from the off-road vehicle funds and refunds from the motor vehicle fund at least once per year as described in RCW 46.09.530;

(h) Determine the eligibility of applicants for the youth athletic facilities account as described in RCW 79A.25.820;

(i) Prescribe the terms and conditions for the making of grants in chapter 79A.25 RCW;

(j) Approve a conversion of use as described in RCW 79A.25.100 and 79A.15.030(8);

(k) Recommend to the governor potential candidates for the position of the director as described in RCW 79A.25.150; and

(l) Designate state recreation trails pursuant to RCW 79A.35.030.

(4) The board does not own or operate any outdoor recreation or resource facilities.

(5) The office, under the supervision of a director appointed by the governor, performs and accomplishes work on behalf of the board.

(6) The board:

(a) Conducts regular meetings, pursuant to RCW 42.30.075, according to a schedule it adopts in an open public meeting;

(b) May conduct special meetings at any time, pursuant to RCW 42.30.080, if called by the chair;

(c) Maintains an official record of its meetings in a recorded audio format, unless written minutes are otherwise indicated for logistical reasons;

(d) Defines a quorum as five of its members;

(e) Adopts parliamentary meeting procedure generally as described in *Robert's Rules of Order*.

[Statutory Authority: RCW 34.05.220, 42.56.040, 46.09.530, 79A.15.030, 79A.15.060, 79A.15.070, 79A.15.120, 79A.15.130, and 79A.25.210. WSR 15-15-072, § 286-04-020, filed 7/13/15, effective 8/13/15. Statutory Authority: 2007 c 241 § 39, RCW 34.05.220, 34.05.230, and 42.56.040. WSR 14-09-074, § 286-04-020, filed 4/18/14, effective 5/19/14. 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, § 286-04-020, 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), § 286-04-020, filed 12/8/82. Statutory Authority: Chapter 43.99 RCW. WSR 79-09-124 (Order 79-1), § 286-04-020, filed 9/5/79; WSR 78-03-032 (Order 78-1), § 286-04-020, filed 2/17/78; Order 3, § 286-04-020, filed 7/31/73; Order 1, § 286-04-020, filed 12/10/71.]

WAC 286-04-030 Mission and goals of the board. (1) The mission of the board as described in RCW 79A.25.005 is to:

(a) Create and work actively for the implementation of a unified statewide strategy for meeting the recreational needs of Washington's citizens;

(b) Represent and promote the interests of the state on recreational issues in concert with other state and local agencies and the governor;

(c) Encourage and provide interagency and regional coordination, and interaction between public and private organizations;

(d) Administer recreational grant-in-aid programs and provide technical assistance; and

(e) Serve as a repository for information, studies, research, and other data relating to recreation.

(2) To achieve the mission of the board as described in subsection (1) of this section the goals of the board and office are to:

(a) Develop a unified statewide strategy for recreational needs as described in RCW 79A.25.005 (1)(a) in conjunction with a strategic plan for the acquisition, renovation, and development of recreational resources and the preservation and conservation of open space as required by RCW 79A.25.020(3). The strategic plan shall address the statutory policy of the state and its agencies to preserve, conserve, and enhance recreational resources and open space as described in RCW 79A.25.005(1). The board shall actively work with other state agencies to implement the strategic plan;

(b) Utilize the board's open public meetings as a forum to discuss and address recreation and conservation issues of interest to the state and foster interagency and regional coordination between public and private organizations to address such issues;

(c) As members of the board, represent the interests of the state on recreational issues and provide consultation and recommendations to the governor as appropriate;

(d) Provide planning technical assistance, project technical assistance, and grant funding with a high level of accountability that is demonstrated by performance based management standards; and

(e) Serve as a repository for data and information related to recreation and conservation for inclusion in the strategic plan as described in subsection (2)(a) of this section and for use by other interested parties.

[Statutory Authority: RCW 34.05.220, 42.56.040, 46.09.530, 79A.15.030, 79A.15.060, 79A.15.070, 79A.15.120, 79A.15.130, and 79A.25.210. WSR 15-15-072, § 286-04-030, filed 7/13/15, effective 8/13/15. Statutory Authority: 2007 c 241 § 39, RCW 34.05.220, 34.05.230, and 42.56.040. WSR 14-09-074, § 286-04-030, filed 4/18/14, effective 5/19/14. Statutory Authority: RCW 43.98A.060(1), 43.98A.070(5), 43.99.080(2), 46.09.240(1) and 77.12.720(4). WSR 96-08-044, § 286-04-030, filed 3/29/96, effective 4/29/96. 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, § 286-04-030, 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), § 286-04-030, filed 12/8/82. Statutory Authority: Chapter 43.99 RCW. WSR 79-09-124 (Order 79-1), § 286-04-030, filed 9/5/79; Order 3, § 286-04-030, filed 7/31/73.]

WAC 286-04-050 Compliance with State Environmental Policy Act and other laws. (1) The board's and office's activities and programs in effect as of and after December 12, 1975, or pursuant to WAC 197-11-800, are exempt from threshold determinations and environmental impact statement requirements under the provisions of WAC 197-11-875.

(2) To the extent applicable, it is the responsibility of sponsors to comply with the provisions of chapter 197-11 WAC, the State Environmental Policy Act rules and comply with all applicable federal, state, and local laws and regulations regardless of whether the sponsor is a public or private organization.

[Statutory Authority: RCW 34.05.220, 42.56.040, 46.09.530, 79A.15.030, 79A.15.060, 79A.15.070, 79A.15.120, 79A.15.130, and 79A.25.210. WSR 15-15-072, § 286-04-050, filed 7/13/15, effective 8/13/15. Statutory Authority: 2007 c 241 § 39, RCW 34.05.220, 34.05.230, and 42.56.040. WSR 14-09-074, § 286-04-050, filed 4/18/14, effective 5/19/14. 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, § 286-04-050, filed 8/17/94, effective 9/17/94; Order 76-2, § 286-04-050, filed 6/30/76.]

WAC 286-04-060 Policies and procedures. (1) The board shall adopt plans, policies, and procedures per the duties of the board as described in WAC 286-04-020.

Board policies shall be considered and approved by the board in an open public meeting. Notice of such considerations will be given by distribution of the agenda for the meeting, press releases, formal meeting notice in the Washington State Register, or other such means as appropriate.

(2) The director shall approve administrative procedures to implement the board's policies and general grant administration per the duties of the director in WAC 286-04-070.

(3) The office shall publish the policies and the administrative procedures and make them available to applicants, sponsors and other interested parties.

(4) Applicants, sponsors, or other interested parties may petition the director for a waiver or waivers of those items dealing with administrative procedures. The director may refer any petition on an administrative procedure to the board for determination. Determinations on petitions for waivers made by the director are subject to review by the board at the request of the petitioner.

(5) Applicants, sponsors, or other interested parties may petition the board for a waiver or waivers of those items dealing with policy and procedures. Petitions for waivers of subjects dealing with board policy and procedures, those petitions referred by the director to the board, and determinations made in subsection (4) of this section at the request of the petitioner shall be considered by the board at an open public meeting.

[Statutory Authority: RCW 34.05.220, 42.56.040, 46.09.530, 79A.15.030, 79A.15.060, 79A.15.070, 79A.15.120, 79A.15.130, and 79A.25.210. WSR 15-15-072, § 286-04-060, filed 7/13/15, effective 8/13/15. Statutory Authority: 2007 c 241 § 39, RCW 34.05.220, 34.05.230, and 42.56.040. WSR 14-09-074, § 286-04-060, filed 4/18/14, effective 5/19/14. Statutory Authority: RCW 43.98A.060(1), 43.98A.070(5), 43.99.080(2), 46.09.240(1) and 77.12.720. WSR 98-08-014, § 286-04-060, filed 3/18/98, effective 4/18/98. Statutory Authority: RCW 43.98A.060(1), 43.98A.070(5), 43.99.080(2), 46.09.240(1) and 77.12.720(4). WSR 96-08-044, § 286-04-060, filed 3/29/96, effective 4/29/96. 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, § 286-04-060, 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), § 286-04-060, filed 12/8/82. Statutory Authority: Chapter 43.99 RCW. WSR 79-09-124 (Order 79-1), § 286-04-060, filed 9/5/79; WSR 78-03-032 (Order 78-1), § 286-04-060, filed 2/17/78.]

WAC 286-04-070 Director's authority. (1) Consistent with RCW 79A.25.020, and other applicable laws, the director is delegated the authority and responsibility to carry out policies and administrative functions of the board. This includes, but is not limited to the authority to:

(a) Supervise the administrative operations of the board, office, and their staff (RCW 79A.25.020(1));

(b) Administer recreation and conservation grant-in-aid programs and contracts, and provide technical assistance to state and local agencies (RCW 79A.25.020(2));

(c) Prepare and update a strategic plan for the acquisition, renovation, and development of recreational resources and the preservation and conservation of open space (RCW 79A.25.020(3));

(d) Represent and promote the interests of the state on recreational issues and further the mission of the board and office (RCW 79A.25.020(4));

(e) Upon approval of the board, enter into contracts and agreements with private nonprofit corporations to further state goals of preserving, conserving, and enhancing recreational resources and open space for the public benefit and use (RCW 79A.25.020(5));

(f) Appoint such technical and other committees as may be necessary to carry out the purposes of chapter 79A.25 RCW (RCW 79A.25.020(6));

(g) Create and maintain a repository for data, studies, research, and other information relating to recreation and conservation resources in the state, and to encourage the interchange of such information (RCW 79A.25.020(7));

(h) Encourage and provide opportunities for interagency and regional coordination and cooperative efforts between public agencies and between public and private entities involved in the development and preservation of recreational and conservation resources (RCW 79A.25.020(8));

(i) Prepare the state trails plan, as required by RCW 79A.35.040 (RCW 79A.25.020(9));

(j) Administer all applicable rules, regulations and requirements established by the board or reflected in the laws of the state;

(k) Approve certain cost increases or waiver requests as determined by board policy; and

(1) Approve the format for receiving grant applications.

(2) The director may waive the board's administrative rules or policies only after the board has delegated such authority at one of its public meetings.

[Statutory Authority: RCW 34.05.220, 42.56.040, 46.09.530, 79A.15.030, 79A.15.060, 79A.15.070, 79A.15.120, 79A.15.130, and 79A.25.210. WSR 15-15-072, § 286-04-070, filed 7/13/15, effective 8/13/15. Statutory Authority: 2007 c 241 § 39, RCW 34.05.220, 34.05.230, and 42.56.040. WSR 14-09-074, § 286-04-070, filed 4/18/14, effective 5/19/14. Statutory Authority: RCW 43.98A.060(1), 43.98A.070(5), 43.99.080(2), 46.09.240(1) and 77.12.720(4). WSR 96-08-044, § 286-04-070, filed 3/29/96, effective 4/29/96. 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, § 286-04-070, 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), § 286-04-070, filed 12/8/82. Statutory Authority: Chapter 43.99 RCW. WSR 79-09-124 (Order 79-1), § 286-04-070, filed 9/5/79.]

WAC 286-04-080 Federal overlay and requirements. At times through the years, the board's grant programs have been closely inter-related with certain federal grant programs. For example, see WAC 286-40-010, Land and Water Conservation Fund. The result of this interrelationship is that there are many federal requirements imposed on the board and its applicants over which the board has no control.

Many of these requirements may be found in the Land and Water Conservation Fund Grants Manual (National Park Service). In addition, most of the federal requirements are restated or clarified in the manuals.

[Statutory Authority: 2007 c 241 § 39, RCW 34.05.220, 34.05.230, and 42.56.040. WSR 14-09-074, § 286-04-080, filed 4/18/14, effective 5/19/14. Statutory Authority: RCW 43.98A.060(1), 43.98A.070(5), 43.99.080(2), 46.09.240(1) and 77.12.720(4). WSR 96-08-044, § 286-04-080, filed 3/29/96, effective 4/29/96. 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), § 286-04-080, filed 12/8/82. Statutory Authority: Chapter 43.99 RCW. WSR 79-09-124 (Order 79-1), § 286-04-080, filed 9/5/79.]

WAC 286-04-085 Petitions for declaratory order of a rule, order, or statute. (1) Any person may submit a petition for a declaratory order in accordance with RCW 34.05.240 in any form so long as it:

(a) Clearly states the question the declaratory order is to answer; and

(b) Provides a statement of the facts which raise the question.

(2) The director may conduct an independent investigation in order to fully develop the relevant facts.

(3) The director will present the petition to the board at the first meeting when it is practical to do so and will provide the petitioner with at least five days notice of the time and place of such meeting. Such notice may be waived by the petitioner.

(4) The petitioner may present additional material and/or argument at any time prior to the issuance of the declaratory order.

(5) The board may decide that a public hearing would assist its deliberations and decisions. If such a hearing is ordered, it will be placed on the agenda of a meeting and at least five days notice of such meeting shall be provided to the petitioner.

[Statutory Authority: RCW 34.05.220, 42.56.040, 46.09.530, 79A.15.030, 79A.15.060, 79A.15.070, 79A.15.120, 79A.15.130, and 79A.25.210. WSR 15-15-072, § 286-04-085, filed 7/13/15, effective 8/13/15. Statutory Authority: 2007 c 241 § 39, RCW 34.05.220, 34.05.230, and 42.56.040. WSR 14-09-074, § 286-04-085, filed 4/18/14, effective 5/19/14. 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, § 286-04-085, filed 8/17/94, effective 9/17/94.]

WAC 286-04-095 Petition for adoption, amendment or repeal of a rule. Any person may submit a petition requesting the adoption, amendment or repeal of any rule by the board, pursuant to RCW 34.05.330 and the uniform rules adopted by the office of financial management that are set forth in chapter 82-05 WAC.

[Statutory Authority: RCW 34.05.220, 42.56.040, 46.09.530, 79A.15.030, 79A.15.060, 79A.15.070, 79A.15.120, 79A.15.130, and 79A.25.210. WSR 15-15-072, § 286-04-095, filed 7/13/15, effective 8/13/15.]