

(2) Definitions. As used in these regulation and in RCW 79.01.126, where applicable:

(a) "Coast publication" means the market indexes published by the Western Woods Products Association in its publication known as the PNW Coast Lumber Price Index.

(b) "Inland publication" means the market indexes published by the Western Wood Products Association in its publication known as the Inland Lumber Price Index.

(c) "Contract bid price" for a given species of timber means the price for that species bid by the purchaser or set in the contract where bidding is not allowed on that species.

(d) "Department" means the department of natural resources.

(e) "Market index change amount" means the same in these regulations as it is defined in RCW 79.01.126(2).

(f) Timber "removed" means and includes only timber that is taken from the sale area.

(g) "Timber removed during a calendar quarter" shall be determined using the date the timber removed is scaled as provided for in the contract.

[Statutory Authority: RCW 79.01.126. 87-22-076 (Order 521), § 332-140-200, filed 11/4/87; 83-18-009 (Order 401), § 332-140-200, filed 8/26/83.]

WAC 332-140-240 Effect of expiration of RCW 79.01.126. Although RCW 79.01.126 will cease to be effective October 1, 1987, the regulations concerning stumpage rate adjustment will continue to apply to sales auctioned during the effective dates of RCW 79.01.126. The regulations will not apply to sales auctioned on or after October 1, 1987.

[Statutory Authority: RCW 79.01.126. 87-22-076 (Order 521), § 332-140-240, filed 11/4/87.]

Chapter 332-150 WAC SURVEY, PLAT AND MAP FILING AND RECORDING FEES

WAC

332-150-010	Authority and scope.
332-150-020	Definitions.
332-150-030	Filing and recording fees.
332-150-040	Repealed.
332-150-050	Biennial review.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

332-150-040	Filing and recording fees—Designation of fees. [Statutory Authority: Chapter 58.24 RCW and 1982 c 165 § 7. 82-14-042 (Order 378), § 332-150-040, filed 6/30/82.] Repealed by 87-15-048 (Order 509), filed 7/14/87. Statutory Authority: RCW 58.24.070.
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WAC 332-150-010 Authority and scope. This chapter is promulgated pursuant to the authority granted in chapter 58.24 RCW.

[Statutory Authority: RCW 58.24.070. 87-15-048 (Order 509), § 332-150-010, filed 7/14/87. Statutory Authority: Chapter 58.24

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RCW and 1982 c 165 § 7. 82-14-042 (Order 378), § 332-150-010, filed 6/30/82.]

WAC 332-150-020 Definitions. As used in WAC 332-150-010 through 332-150-050 the following definitions shall apply:

(1) "Surveys." All records of surveys required to be filed by law pursuant to chapter 58.09 RCW and all other maps, plats, or plans required by local ordinance to be filed and recorded.

(2) "Subdivision plats." All plats required to be filed by law pursuant to chapter 58.17 RCW.

(3) "Short plats." All short plats required to be filed by law pursuant to chapter 58.17 RCW.

(4) "Condominium surveys, plats or maps." All surveys, plats, or maps required to be filed by law pursuant to chapter 64.32 RCW.

(5) "Instrument." The total document filed and recorded of each of the above regardless of the number of pages. Any correction filed amending a previously filed instrument shall be considered a separate instrument.

[Statutory Authority: RCW 58.24.070. 87-15-048 (Order 509), § 332-150-020, filed 7/14/87. Statutory Authority: Chapter 58.24 RCW and 1982 c 165 § 7. 82-14-042 (Order 378), § 332-150-020, filed 6/30/82.]

WAC 332-150-030 Filing and recording fees. Effective July 26, 1987, each county auditor shall collect the fee of twenty-six dollars per instrument in addition to any other fees required by law, as a condition precedent to the filing and recording of any surveys, subdivision plats, short plats or condominium surveys, plats or maps.

[Statutory Authority: RCW 58.24.070. 87-15-048 (Order 509), § 332-150-030, filed 7/14/87. Statutory Authority: Chapter 58.24 RCW and 1982 c 165 § 7. 82-14-042 (Order 378), § 332-150-030, filed 6/30/82.]

WAC 332-150-040 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-150-050 Biennial review. The fee established by these rules shall be reviewed subsequent to the adoption of each biennial budget for surveys and maps to determine the sufficiency of such fee. If revenue is determined to be inappropriate for the program need the board of natural resources shall adjust the fee accordingly.

[Statutory Authority: RCW 58.24.070. 87-15-048 (Order 509), § 332-150-050, filed 7/14/87. Statutory Authority: Chapter 58.24 RCW and 1982 c 165 § 7. 82-14-042 (Order 378), § 332-150-050, filed 6/30/82.]

Title 344 WAC OIL AND GAS CONSERVATION COMMITTEE

Chapter

344-12 General rules.

**Chapter 344-12 WAC
GENERAL RULES**

WAC

344-12-043	Exploratory well locations.
344-12-050	Application to drill, redrill, or deepen (Form-1).
344-12-060	Bond to be furnished.
344-12-064	Operation of seismic surveys.
344-12-145	Reclamation.

WAC 344-12-043 Exploratory well locations. (1) No exploratory well, or any part of the bore, casing, or drill site, shall be located closer than 500 feet (152 meters) to the external boundary of those lands on which the operator and/or their partners hold a contiguous mineral-interest.

(2) Upon written request to the supervisor, the committee may grant exceptions to the exploratory well set back requirements for good cause shown, provided that all owners of oil and gas and surface rights within a 500-foot radius of the well consent in writing to the proposed location.

[Statutory Authority: RCW 78.52.120, 78.52.155, 78.52.040 and 78.52.050. 88-14-026 (Order 11), § 344-12-043, filed 6/29/88.]

WAC 344-12-050 Application to drill, redrill, or deepen (Form-1). (1) A person desiring to drill, redrill, or deepen a well in search of oil or gas shall for each such well:

- (a) Apply to the supervisor of such intent on Form-1;
- (b) Submit a completed environmental checklist;
- (c) Provide information on drill site layout, blowout prevention equipment details, mud program, casing and cementing program, and mud pit details;
- (d) Designate location and source of water supply;
- (e) Indicate topographic features of well site including drainage patterns, and any associated surface waters and wetlands;
- (f) Provide a narrative statement describing the proposed measures to be taken for protection of the environment, including, but not limited to, the prevention or control of:
 - (i) Fires;
 - (ii) Soil erosion;
 - (iii) Pollution of surface and ground waters;
 - (iv) Damage to fish and wildlife or other natural resources;
 - (v) Air and noise pollution; and
 - (vi) Hazards to public health and safety;
- (g) Provide such other pertinent information or data which the supervisor may require to support the application for the development of oil and gas resources and the protection of the environment including site reclamation procedures;
- (h) Designate methods and site for disposal of waste materials and drilling muds that contain heavy metals or are considered hazardous waste;
- (i) Notify the surface landowner, the landowners tenant, or other surface users in writing with a copy to the supervisor;
- (j) Shall pay a fee, which is not refundable, in the following amounts for each application:

(i) For each well the estimated depth of which is three thousand five hundred feet or less, two hundred fifty dollars;

(ii) From three thousand five hundred one feet to seven thousand feet, five hundred dollars;

(iii) From seven thousand one feet to twelve thousand feet, seven hundred fifty dollars; and

(iv) From twelve thousand one feet and deeper, one thousand dollars.

The fee shall accompany the application and be in cash or check, drawn upon or issued by a Washington state qualified public depository payable to state treasurer, state of Washington. Upon receipt of the application, the fee, and other specified information, the supervisor may issue to such person a permit to drill, after completion of an inspection of the proposed drill site, unless the drilling of the well is contrary to law, or to a rule, regulation, or order of the committee. The drilling of the well is prohibited until a permit to drill is obtained in accordance with the provisions of this section. If the permit is disallowed, the supervisor will immediately notify the person in writing the reasons therefor. The permit will be on such form containing such conditions as the committee may prescribe.

(2) An operator shall be required to obtain a permit to deepen a well. The fee, which is based on the estimated depth of the well as per subsection (1)(j) of this section, is required for the permit to deepen a well previously drilled under permit. No permit is required for workover so long as the well remains completed in the same pool, provided the casing above the fresh-water shut-off depth is not to be disturbed or altered by the redrilling, conditioning, or testing to be performed.

(3) A permit, for which a fee of one hundred dollars is required, shall be obtained for a relatively shallow well or wells (less than 2,000 feet) (610 meters) not drilled in search of oil and gas but solely to obtain subsurface geological data: *Provided*, That holes drilled for the purpose of obtaining information about or sampling of the offshore beds of ocean waters shall be governed by chapter 344-16 and 173-15 WAC. Applications for a permit for a shallow well or wells shall comply with the provisions of subsection (1) of this section.

(4) Prior to the initiation of any seismic geophysical survey, the supervisor shall be given written notification on Form-1. Notification shall consist of:

- (a) Name of the operator;
- (b) Name of the geophysical contractor;
- (c) Approximate locations including counties in which the survey is to be conducted;
- (d) Type of seismic survey;
- (e) Number of line miles to be surveyed;
- (f) Evidence that a shoreline permit (RCW 90.58-.140) has been obtained for proposals within two hundred feet of surface waters; and
- (g) A notification fee of one hundred dollars per survey.

(5) A copy of each application received shall be transmitted by the supervisor within ten days to the department of ecology, department of social and health services, and general purpose local governments of the

jurisdiction in which the proposed activity would occur or in the case of a city or a town a well proposed within a three mile radius of its municipal boundaries and other affected agencies as deemed necessary by the supervisor.

(6) A person shall not be issued a permit unless that person holds an ownership or contractual right to locate and operate a drilling operation upon the proposed drilling site.

(7) Designated representatives of general purpose local governments are requested to inform the supervisor in writing within ten working days of those local government zoning ordinances, permit requirements, or other factors, if any, which may apply to a well proposed to be drilled, redrilled, or deepened.

[Statutory Authority: RCW 78.52.120, 78.52.155, 78.52.040 and 78.52.050. 88-14-026 (Order 11), § 344-12-050, filed 6/29/88. Statutory Authority: RCW 78.52.050. 85-03-018 (Order 6, Resolution No. 10), § 344-12-050, filed 1/8/85. Statutory Authority: RCW 78.52.050 and chapter 78.52 RCW. 82-12-052 (Order 3, Resolution No. 7), § 344-12-050, filed 6/1/82; § 8, Resolution No. 3 (codified as WAC 344-12-050(3)) filed 6/28/63; Rule 8 (codified as WAC 344-12-050 (1), (2), and (4)), filed 3/23/60.]

WAC 344-12-060 Bond to be furnished. (1) The supervisor, except as hereinafter provided, shall require from the owner before a permit for drilling, redrilling, or deepening will be issued a good and sufficient bond in the sum of not less than \$50,000.00 for each well payable to the state of Washington, conditioned on compliance with chapter 78.52 RCW, permit conditions, the rules and regulations and orders of the committee. Said bond shall remain in force and effect until the plugging of said well is approved by the supervisor and all laws, permit conditions, rules and regulations and orders have been complied with. It is provided, however, that any owner in lieu of such bond may file with the supervisor a good and sufficient blanket bond in the principal sum of not less than \$250,000.00 covering all wells drilling or to be drilled.

(2) Bond or bonds herein required shall be executed by the owner as principal and by a surety company acceptable to the DNR and authorized to do business in the state of Washington as surety. Should the surety on such bond fail or refuse to require compliance with the conditions of the bond to the satisfaction of the supervisor, such surety shall be liable to the state of Washington in such a sum, within the limits of the sum stated on the face of the bond, as will indemnify the state of Washington for the cost of requiring compliance with the conditions of the bond.

(3) In lieu of the bond required by this section the owner may file with the committee a cash deposit, or an assignment of a savings account or of a certificate of deposit in a Washington bank on an assignment form prescribed by the committee, or a bank letter of credit acceptable to the supervisor. In the event a certificate of deposit is provided in lieu of a bond the owner shall guarantee payment of principal in the event penalties are assessed for early redemption of the certificate.

(4) The amount of the bond to be furnished for permits required under WAC 344-12-050(3) shall be \$20,000.00.

[Statutory Authority: RCW 78.52.155 (2)(e), 78.52.040 and 78.52.050. 87-17-004 (Order 512), § 344-12-060, filed 8/6/87. Statutory Authority: RCW 78.52.050. 85-03-018 (Order 6, Resolution No. 10), § 344-12-060, filed 1/8/85. Statutory Authority: RCW 78.52.050 and chapter 78.52 RCW. 82-12-052 (Order 3, Resolution No. 7), § 344-12-060, filed 6/1/82; Rule 10, filed 3/23/60.]

WAC 344-12-064 Operation of seismic surveys. Drilling and produced fluids from seismic shot holes shall be contained at each site. All fluid flows shall be killed immediately and the department shall be given notification of the location and depth from which the flow occurred. Insofar as is possible, disturbance of the soil shall be minimized. Vehicle traffic over seismic lines and line access routes shall be minimized. Siltation of ground or surface waters is prohibited.

[Statutory Authority: RCW 78.52.120, 78.52.155, 78.52.040 and 78.52.050. 88-14-026 (Order 11), § 344-12-064, filed 6/29/88.]

WAC 344-12-145 Reclamation. The supervisor shall establish guidelines for the reclamation of land impacted by oil and gas drilling and production activities.

The owner, operator, or producer of the well or wells shall develop a reclamation plan for the area disturbed in site preparation, drilling, completing, or producing a well or wells, and submit the reclamation plan to the supervisor for approval. The owner, operator, or producer shall, before the reclamation plan is implemented, consult affected state agencies, including the department of wildlife, before submitting the reclamation plan to the supervisor. Reclamation shall be accomplished in accordance with the reclamation plan and the following:

(1) Within three months after the completion or abandonment of a well the operator shall fill all pits containing mud, cuttings, salt water and oil that are not needed for production purposes, or are not required or allowed by state or federal law or rule or regulation, and remove all concrete bases, drilling supplies, and drilling equipment. Within such period the operator shall grade or terrace, and plant, seed, or sod the area disturbed, that is not required in production of the well, to bind the soil and prevent substantial erosion and sedimentation.

(2) Within three months after the plugging of a well, the operator shall remove all production and storage structures, supplies and equipment, and any oil, saltwater and debris and fill any remaining excavations. Within such period the operator shall grade or terrace, and plant, seed, or sod the area disturbed to bind the soil and prevent substantial erosion and sedimentation.

(3) Ground water and soil resources on and adjacent to seismic surveys shall be provided the greatest practical protection on a continuing basis. The minimum reclamation program for seismic surveys shall provide for:

(a) Successful revegetation of disturbed ground to prevent substantial erosion and sedimentation within three months of cessation of operations;

(b) Removal of refuse and discarded equipment to a licensed landfill;

(c) Plugging of all shot holes that encountered water upon completion of each day's work with a nontoxic plug-mud or cement;

(d) Regrading, when appropriate, of areas where disruption of topography has occurred, such as deep tire tracks, such that reclaimed topography conforms with adjacent, undisturbed topography;

(e) Installation of erosion elimination devices where drainage or soil conditions indicate erosion may occur.

The supervisor may, upon written application by an operator, find reasonable cause to extend the period in which reclamation shall be completed, but not to exceed one year.

[Statutory Authority: RCW 78.52.120, 78.52.155, 78.52.040 and 78.52.050. 88-14-026 (Order 11), § 344-12-145, filed 6/29/88. Statutory Authority: RCW 78.52.050 and chapter 78.52 RCW. 82-12-052 (Order 3, Resolution No. 7), § 344-12-145, filed 6/1/82.]

Title 352 WAC

PARKS AND RECREATION COMMISSION

Chapters

352-04	Policy--Meetings and delegation.
352-12	Moorage and use of marine facilities.
352-32	Public use of state park areas.
352-36	Regulations for the use and control of vehicular traffic on the ocean beaches.
352-42	Criteria for historic preservation projects--Financing.
352-44A	Rules and regulations for the advisory council on historic preservation.
352-74	Filming within state parks.

Chapter 352-04 WAC

POLICY--MEETINGS AND DELEGATION

WAC

352-04-010 Duties of chairperson and conduct of meetings.

WAC 352-04-010 Duties of chairperson and conduct of meetings. (1) The chairperson shall call and preside at all regular or special meetings.

(2) The duties of the vice chairperson shall be to preside at all regular or special meetings in the absence of the chairperson. In addition, the vice chairperson shall serve as chairperson upon the resignation, death, or incapacitation for any reason of the chairperson, and shall so serve until the next regular election, or until the chairperson is again able to serve, whichever shall first occur.

(3) The secretary shall cause minutes to be taken and recorded of all regular or special meetings, and shall sign such minutes when transcribed and approved by the commission. In addition, the secretary shall succeed to the offices of vice chairperson or chairperson in the same manner and under the same conditions as set forth above for the vice chairperson.

(4) Eight regular meetings shall be held each calendar year, on the dates, times, and locations published in the January publication of the Washington State Register, unless otherwise called by the chairperson or a majority of the commissioners. An annual schedule of the months

in which meetings are to be held, and their locations, will be adopted by the commission during the last regular meeting of each calendar year, and will be published each January in the Washington State Register, in accordance with RCW 42.30.075.

(5) An annual election shall be conducted for the offices of chairperson, vice chairperson, and secretary, at the first regular meeting of every year. The election shall be conducted by written ballot.

(6) The order of business at all regular meetings shall be:

- The call of the roll.
- Minutes of the previous meeting.
- Acceptance of agenda.
- Business of the day.
- Date and location of next meeting.
- Adjournment.

(7) The chairperson shall be a voting member of the commission. A majority of the authorized commission membership shall constitute a quorum for the transaction of business at all regular and special meetings. A majority vote of the commissioners present shall be sufficient to pass or defeat each measure brought to a vote, unless otherwise required by law. When a unanimous vote of the authorized membership of the commission is required by law to pass any measure brought to a vote, the vote of any absent commissioner may be registered by mail, or by telephone: *Provided*, That any mailed ballot shall be opened and read, or any telephoned vote shall be communicated during the meeting at which such measure is being considered: *And provided further*, That the chairperson shall identify the absent commissioner or commissioners so voting, and that such identification shall be incorporated into the minutes of the meeting.

[Statutory Authority: RCW 46.10.040, 43.51.040 and 43.51.060. 87-24-032 (Order 102), § 352-04-010, filed 11/24/87. Statutory Authority: RCW 42.30.070 and 43.51.060. 84-04-035 (Order 75), § 352-04-010, filed 1/26/84. Statutory Authority: RCW 42.30.070. 83-01-113 (Order 64), § 352-04-010, filed 12/21/82. Statutory Authority: RCW 43.51.060 and 42.30.070. 82-07-077 (Order 57), § 352-04-010, filed 3/23/82. Statutory Authority: RCW 43.51.030. 80-14-010 (Order 47), § 352-04-010, filed 9/22/80; Order 12, § 352-04-010, filed 1/28/72; Order 7, § 352-04-010, filed 4/1/70.]

Chapter 352-12 WAC

MOORAGE AND USE OF MARINE FACILITIES

WAC

352-12-010 Moorage and use of marine facilities.
352-12-020 Moorage fees.

WAC 352-12-010 Moorage and use of marine facilities. (1) No person or persons shall moor or berth a vessel of any type in a commission owned or operated park or marine area except in designated marine park areas and at designated facilities.

(2) Use of designated marine park areas and facilities by commercial vessels is prohibited except for the loading and unloading of passengers transported for recreation purposes: *Provided however*, Park managers and park rangers may allow extended or night moorage at any facility during the period September 15 through