

010, filed 11/14/96, effective 1/1/98; 94-23-136 and 95-23-062, § 359-48-010, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-02-033, § 359-48-010, filed 12/29/93, effective 1/1/95.]

WAC 359-48-020 State internship program—Application of rules. With the exceptions noted in chapter 359-48 WAC, the remainder of the merit system rules do not apply to positions in the state internship program.

[Statutory Authority: RCW 41.06.150. 01-23-016, § 359-48-020, filed 11/8/01, effective 1/1/03; 99-24-080, § 359-48-020, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-48-020, filed 11/26/97, effective 1/1/00; 96-23-028, § 359-48-020, filed 11/14/96, effective 1/1/98; 94-23-136 and 95-23-062, § 359-48-020, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-02-033, § 359-48-020, filed 12/29/93, effective 1/1/95.]

WAC 359-48-030 State internship program—General provisions. (1) No agency or institution of higher education or related boards shall be deemed to exceed any limitation or full-time equivalent staff positions on the basis of intern positions established under the state internship program.

(2) The provisions of chapter 359-48 WAC shall not limit the authority of state agencies or institutions of higher education and related boards to continue or establish other internship programs or positions.

[Statutory Authority: RCW 41.06.150. 01-23-016, § 359-48-030, filed 11/8/01, effective 1/1/03; 99-24-080, § 359-48-030, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-48-030, filed 11/26/97, effective 1/1/00; 96-23-028, § 359-48-030, filed 11/14/96, effective 1/1/98; 94-23-136 and 95-23-062, § 359-48-030, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-02-033, § 359-48-030, filed 12/29/93, effective 1/1/95.]

WAC 359-48-040 State internship program—Eligibility—Duration of internship. The state internship program shall consist of two individual internship programs:

(1) An undergraduate internship program for students working toward an undergraduate degree. In addition, any state employee, whether working toward a degree or not, shall be eligible to participate in the program upon the written recommendation of the head of the employee's agency or head of the employee's department at institutions of higher education. Persons selected to participate in the undergraduate internship program shall serve internships of three to six months.

(2) An executive fellows program for students who have successfully completed at least one year of graduate-level work and have demonstrated a substantial interest in public sector management. In addition, any state employee, whether working toward an advanced degree or not, shall be eligible to participate in the program upon the written recommendation of the head of the employee's agency or head of the employee's department at an institution of higher education. Positions in this program shall be as assistants or analysts at the mid-management level or higher. Persons selected to participate in the executive fellows program shall serve internships for one to two years.

[Statutory Authority: RCW 41.06.150. 01-23-016, § 359-48-040, filed 11/8/01, effective 1/1/03; 99-24-080, § 359-48-040, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-48-040, filed 11/26/97, effective 1/1/00; 96-23-028, § 359-48-040, filed 11/14/96, effective 1/1/98; 94-23-136 and 95-23-062, § 359-48-

040, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-02-033, § 359-48-040, filed 12/29/93, effective 1/1/95.]

WAC 359-48-050 State internship program—Return rights—Benefits. (1) Employees leaving classified or exempt positions in state government or institutions of higher education and related boards to participate in the state internship program shall:

(a) Continue to receive all fringe benefits as if they had never left their classified or exempt position. In addition, employees leaving classified positions shall continue to accrue seniority while in the state internship program.

(b) Have the right to return to their previous position at any time during the internship or upon completion of the internship.

(2) Participants in the undergraduate internship program who were not state employees prior to accepting a position in the program shall accrue sick leave credits commensurate with other state employees.

(3) Participants in the executive fellows program who were not state employees prior to accepting a position in the program shall:

(a) Accrue sick leave and vacation leave credits commensurate with other state employees; and

(b) Receive insurance and retirement credit commensurate with other employees of the employing agency.

[Statutory Authority: RCW 41.06.150. 01-23-016, § 359-48-050, filed 11/8/01, effective 1/1/03; 99-24-080, § 359-48-050, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-48-050, filed 11/26/97, effective 1/1/00; 96-23-028, § 359-48-050, filed 11/14/96, effective 1/1/98; 94-23-136 and 95-23-062, § 359-48-050, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-02-033, § 359-48-050, filed 12/29/93, effective 1/1/95.]

WAC 359-48-060 State internship program—Completion of internship. Successful completion of an internship in the undergraduate internship program or the executive fellows program shall be considered as employment experience at the level at which the intern was placed.

[Statutory Authority: RCW 41.06.150. 01-23-016, § 359-48-060, filed 11/8/01, effective 1/1/03; 99-24-080, § 359-48-060, filed 11/30/99, effective 1/1/02. Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 97-24-043, § 359-48-060, filed 11/26/97, effective 1/1/00; 96-23-028, § 359-48-060, filed 11/14/96, effective 1/1/98; 94-23-136 and 95-23-062, § 359-48-060, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-02-033, § 359-48-060, filed 12/29/93, effective 1/1/95.]

Title 363 WAC

PILOTAGE COMMISSIONERS, BOARD OF

Chapters

363-116

Pilotage rules.

**Chapter 363-116 WAC
PILOTAGE RULES**

- WAC**
363-116-185 Tariffs, and pilotage rates for the Grays Harbor pilotage district.
363-116-300 Pilotage rates for the Puget Sound pilotage district.

WAC 363-116-185 Tariffs, and pilotage rates for the Grays Harbor pilotage district. Effective through 2400 hours July 31, 2002.

CLASSIFICATION OF PILOTAGE SERVICE RATE

Piloting of vessels in the inland waters and tributaries of Grays Harbor:

Each vessel shall be charged according to its draft and tonnage. The draft charges shall be \$80.99 per meter (or \$24.64 per foot) and the tonnage charge shall be \$0.2583 per net registered ton. The minimum net registered tonnage charge is \$903.79. The charge for an extra vessel (in case of tow) is \$516.48.

Boarding fee:

Per each boarding/deboarding from a boat \$389.67

Harbor shifts:

For each shift from dock to dock, dock to anchorage, anchorage to dock, or anchorage to anchorage \$647.88
Delays per hour \$154.49
Cancellation charge (pilot only) \$258.22
Cancellation charge (pilot boat only) \$774.69

Pension charge:

Charge per pilotage assignment, including cancellations \$101.00

Travel allowance:

Transportation fee per assignment ... \$55.00
Pilot when traveling to an outlying port to join a vessel or returning through an outlying port from a vessel which has been piloted to sea shall be paid \$903.82 for each day or fraction thereof, and the travel expense incurred \$903.82

Bridge transit:

Charge for each bridge transited \$283.61
Additional surcharge for each bridge transited for vessels in excess of 27.5 meters in beam \$785.22

Miscellaneous:

The balance of amounts due for pilotage rates not paid within 30 days of invoice will be assessed at 1 1/2% per month late charge.

[Statutory Authority: RCW 88.16.035. 01-18-049, § 363-116-185, filed 8/30/01, effective 9/30/01; 01-13-066, § 363-116-185, filed 6/18/01, effective 6/18/01; 00-13-097, § 363-116-185, filed 6/21/00, effective 8/1/00; 99-16-027, § 363-116-185, filed 7/27/99, effective 8/1/99; 98-19-036, § 363-116-185, filed 9/11/98, effective 9/15/98; 97-15-120, § 363-116-185, filed 7/23/97, effective 8/1/97. Recodified as § 363-116-185. 97-08-042, filed 3/28/97, effective 3/28/97. Statutory Authority: RCW 88.16.035. 96-14-062, § 296-116-185, filed 6/28/96, effective 8/1/96; 95-13-054, § 296-116-185, filed 6/16/95, effective 8/1/95; 94-05-006, § 296-116-185, filed 2/3/94, effective 3/6/94; 93-13-055, § 296-116-185, filed 6/16/93, effective 7/17/93; 93-03-080, § 296-116-185, filed 1/19/93, effective 2/19/93; 92-14-069, § 296-116-185, filed 6/26/92, effective 7/27/92; 91-08-008, § 296-116-185, filed 3/26/91, effective 4/26/91; 90-09-013, § 296-116-185, filed 4/6/90, effective 5/7/90; 89-08-042 (Order 89-3, Resolution No. 89-3), § 296-116-185, filed 3/31/89; 88-05-043 (Order 88-2, Resolution No. 88-2), § 296-116-185, filed 2/17/88, effective 3/21/88. Statutory Authority: RCW 88.16.035(4). 87-01-081 (Orders 86-9 and 86-10, Resolution Nos. 86-9 and 86-10), § 296-116-185, filed 12/19/86; 85-02-048 (Order 84-5, Resolution No. 84-5), § 296-116-185, filed 12/31/84; 83-15-012 (Order 83-3, Resolution No. 83-3), § 296-116-185, filed 7/12/83; 82-08-016 (Order 82-1, Resolution No. 82-1), § 296-116-185, filed 3/29/82; 81-07-009 (Order 81-1, Resolution No. 81-1), § 296-116-185, filed 3/6/81; 80-03-081 (Order 79-6, Resolution No. 79-6), § 296-116-185, filed 3/4/80; Order 2-68, § 296-116-185, filed 11/1/68.]

WAC 363-116-300 Pilotage rates for the Puget Sound pilotage district. Effective through 2400 hours June 30, 2002.

CLASSIFICATION	RATE
Ship length overall (LOA) Charges:	per LOA rate schedule in this section
Boarding fee:	\$36.00
Per each boarding/deboarding at the Port Angeles pilot station.	
Harbor shift - Live ship (Seattle Port)	LOA Zone I
Harbor shift - Live ship (other than Seattle Port)	LOA Zone I
Harbor shift Dead ship	Double LOA Zone I
Dead ship towing charge:	Double LOA Zone
LOA of tug+ LOA of tow+ beam of tow	

Any tow exceeding seven hours, two pilots are mandatory. Harbor shifts shall constitute and be limited to those services in moving vessels from dock to dock, from anchorage to dock, from dock to anchorage, or from anchorage to anchorage in the same port after all other applicable tariff charges for pilotage services have been recognized as payable.

Waterway and bridge charges:

Ships up to 90' beam:

A charge of \$191.00 shall be in addition to bridge fees for any vessel movements both inbound and outbound required to transit south of Spokane Street in Seattle, south of Eleventh Street in any of the Tacoma waterways, in Port Gamble, or in the Snohomish River. Any vessel movements required to transit through bridges shall have an additional charge of \$91.00 per bridge.

Ships 90' beam and/or over:

A charge of \$258.00 shall be in addition to bridge fees for any vessel movements both inbound and outbound required to transit south of Spokane Street in Seattle and south of Eleventh Street in any of the Tacoma waterways. Any vessel movements required to transit through bridges shall have an additional charge of \$181.00 per bridge.

(The above charges shall not apply to transit of vessels from Shilshole Bay to the limits of Lake Washington.)

Two or three pilots required:

In a case where two or three pilots are employed for a single vessel waterway or bridge transit, the second and/or third pilot charge shall include the bridge and waterway charge in addition to the harbor shift rate.

Compass adjustment	\$257.00
Radio direction finder calibration	\$257.00
Launching vessels	\$387.00
Trial trips, 6 hours or less (Minimum \$726.00)	\$121.00 per hr.
Trial trips, over 6 hours (two pilots)	\$241.00 per hr.
Shilshole Bay – Salmon Bay	\$151.00
Salmon Bay – Lake Union	\$118.00
Lake Union – Lake Washington (plus LOA zone from Webster Point)	\$151.00
Cancellation charge	LOA Zone I

Cancellation charge—Port Angeles (when a pilot is ordered and vessel proceeds to a port outside the Puget Sound pilotage district without stopping for pilot or when a pilot order is cancelled less than twelve hours prior to the original ETA.)	LOA Zone II
--	-------------

Docking delay after anchoring:	\$121.00 per hr.
--------------------------------	------------------

Applicable harbor shift rate to apply, plus \$121.00 per hour standby. No charge if delay is 60 minutes or less. If the delay is more than 60 minutes, charge is \$121.00 for every hour or fraction thereof.

Sailing delay:	\$121.00 per hour
----------------	-------------------

No charge if delay is 60 minutes or less. If the delay is more than 60 minutes, charge is \$121.00 for every hour or fraction thereof. The assessment of the standby fee shall not exceed a period of twelve hours in any twenty-four hour period.

Slowdown:	\$121.00 per hour
-----------	-------------------

When a vessel chooses not to maintain its normal speed capabilities for reasons determined by the vessel and not the pilot, and when the difference in arrival time is one hour, or greater, from the predicted arrival time had the vessel maintained its normal speed capabilities, a charge of \$121.00 per hour, and each fraction thereof, will be assessed for the resultant difference in arrival time.

Tonnage charges:

0 to 20,000 gross tons:

Additional charge to LOA zone mileage of \$0.0061 a gross ton for all gross tonnage up to 20,000 gross tons.

20,000 to 50,000 gross tons:

Additional charge to LOA zone mileage of \$0.0624 a gross ton for all gross tonnage in excess of 20,000 gross tons up to 50,000 gross tons.

50,000 gross tons and up:

In excess of 50,000 gross tons, the charge shall be \$0.0747 per gross ton.

For vessels where a certificate of international gross tonnage is required, the appropriate international gross tonnage shall apply.

Delayed arrival-Port Angeles:	\$121.00 per hour
-------------------------------	-------------------

When a pilot is ordered for an arriving inbound vessel at Port Angeles and the vessel does not arrive within two hours of its ETA, or its ETA is amended less than six hours prior to the original ETA, a charge of \$121.00 for each hour delay, or fraction thereof, shall be assessed in addition to all other appropriate charges.

When a pilot is ordered for an arriving inbound vessel at Port Angeles and the ETA is delayed to six hours or more beyond the original ETA, a cancellation charge shall be assessed, in addition to all other appropriate charges, if the ETA was not amended at least twelve hours prior to the original ETA.

Transportation to vessels on Puget Sound:

March Point or Anacortes	\$ 144.00
Bangor	84.00
Bellingham	158.00
Bremerton	44.00
Cherry Point	175.00
Dupont	85.00
Edmonds	27.00
Everett	52.00
Ferndale	173.00
Manchester	66.00
Mukilteo	52.00
Olympia	108.00
Point Wells	27.00
Port Gamble	77.00
Port Townsend (Indian Island)	109.00
Seattle	15.00
Semiahmoo (Blaine)	196.00
Tacoma	56.00
Tacoma Smelter	66.00
Winslow	42.00

- (a) Intraharbor transportation for the Port Angeles port area - transportation between Port Angeles pilot station and Port Angeles harbor docks - \$15.00.
- (b) Interport shifts: Transportation paid to and from both points.

- (c) Intraharbor shifts: Transportation to be paid both ways. If intraharbor shift is cancelled on or before scheduled reporting time, transportation paid one way only.
- (d) Cancellation: Transportation both ways unless notice of cancellation is received prior to scheduled reporting time in which case transportation need only be paid one way.
- (e) Any new facilities or other seldom used terminals, not covered above, shall be based on mileage x \$1.80 per mile. Delinquent payment charge: 1 1/2% per month after 45 days from first billing.

Delinquent payment charge: 1 1/2% per month after 45 days from first billing.

Nonuse of pilots: Ships taking and discharging pilots without using their services through all Puget Sound and adjacent inland waters shall pay full pilotage fees on the LOA zone mileage basis from Port Angeles to destination, from place of departure to Port Angeles, or for entire distance between two ports on Puget Sound and adjacent inland waters.

LOA rate schedule

The following rate schedule is based upon distances furnished by National Oceanic and Atmospheric Administration, computed to the nearest half-mile and includes retirement fund contributions.

LOA	ZONE I Intra Harbor	ZONE II 0-30 Miles	ZONE III 31-50 Miles	ZONE IV 51-75 Miles	ZONE V 76-100 Miles	ZONE VI 101 Miles & Over
Up to 449	189	291	498	743	1000	1297
450 - 459	195	297	501	754	1016	1303
460 - 469	198	301	509	766	1030	1309
470 - 479	205	309	516	781	1033	1312
480 - 489	210	315	518	796	1039	1318
490 - 499	213	319	525	810	1052	1323
500 - 509	224	324	533	820	1059	1332
510 - 519	226	330	538	832	1071	1336
520 - 529	229	341	546	836	1080	1349
530 - 539	236	346	553	845	1097	1363
540 - 549	239	351	565	854	1115	1375
550 - 559	244	363	569	867	1123	1389
560 - 569	253	377	579	874	1134	1402
570 - 579	258	381	583	878	1146	1411
580 - 589	269	388	596	885	1153	1425
590 - 599	282	395	600	889	1169	1442
600 - 609	291	406	607	892	1183	1449
610 - 619	308	411	619	897	1195	1461
620 - 629	320	416	625	907	1209	1479
630 - 639	335	423	632	909	1219	1491
640 - 649	348	434	639	912	1230	1503
650 - 659	373	441	649	919	1245	1519
660 - 669	380	445	655	923	1257	1530
670 - 679	393	457	662	939	1272	1539
680 - 689	399	466	671	949	1284	1555
690 - 699	411	473	680	965	1297	1586
700 - 719	429	488	693	976	1322	1604
720 - 739	455	501	710	990	1349	1632
740 - 759	473	525	724	1000	1375	1660

LOA	ZONE I Intra Harbor	ZONE II 0-30 Miles	ZONE III 31-50 Miles	ZONE IV 51-75 Miles	ZONE V 76-100 Miles	ZONE VI 101 Miles & Over
760 - 779	491	543	741	1016	1402	1683
780 - 799	516	566	754	1030	1425	1712
800 - 819	536	583	769	1035	1449	1738
820 - 839	553	603	787	1052	1479	1758
840 - 859	576	628	800	1063	1502	1788
860 - 879	598	649	816	1091	1530	1814
880 - 899	619	669	832	1117	1553	1840
900 - 919	637	689	846	1144	1586	1866
920 - 939	656	710	867	1169	1603	1891
940 - 959	680	729	879	1195	1632	1915
960 - 979	696	751	894	1219	1660	1943
980 - 999	720	769	910	1245	1683	1967
1000 - 1019	762	818	951	1310	1762	2052
1020 - 1039	784	842	980	1349	1815	2113
1040 - 1059	807	867	1009	1389	1868	2176
1060 - 1079	832	893	1038	1431	1925	2241
1080 - 1099	856	919	1070	1473	1982	2308
1100 - 1119	881	946	1101	1518	2041	2377
1120 - 1139	908	975	1135	1562	2102	2448
1140 - 1159	935	1004	1168	1609	2165	2522
1160 - 1179	962	1033	1203	1657	2230	2597
1180 - 1199	992	1065	1239	1707	2297	2675
1200 - 1219	1021	1096	1276	1758	2365	2755
1220 - 1239	1052	1129	1314	1810	2436	2837
1240 - 1259	1083	1162	1353	1864	2509	2922
1260 - 1279	1115	1196	1393	1920	2584	3009
1280 - 1299	1148	1233	1435	1978	2661	3099
1300 - 1319	1182	1269	1477	2036	2741	3191
1320 - 1339	1218	1307	1522	2097	2823	3288
1340 - 1359	1254	1346	1567	2160	2907	3386
1360 - 1379	1292	1386	1614	2225	2994	3487
1380 - 1399	1330	1427	1663	2291	3083	3592
1400 - 1419	1370	1470	1711	2360	3175	3699
1420 - 1439	1410	1514	1763	2430	3271	3810
1440 - 1459	1453	1559	1816	2502	3369	3924
1460 - 1479	1495	1606	1869	2577	3469	4042
1480 - 1499	1540	1653	1926	2654	3573	4162
1500 & Over	1587	1703	1983	2735	3680	4287

[Statutory Authority: RCW 88.16.035. 01-18-050, § 363-116-300, filed 8/30/01, effective 9/30/01; 01-12-032, § 363-116-300, filed 5/29/01, effective 7/1/01; 00-11-119, § 363-116-300, filed 5/22/00, effective 7/1/00; 99-12-027, § 363-116-300, filed 5/25/99, effective 7/1/99; 98-12-008, § 363-116-300, filed 5/22/98, effective 7/1/98; 97-12-017, § 363-116-300, filed 5/28/97, effective 7/1/97. Recodified as § 363-116-300. 97-08-042, filed 3/28/97, effective 3/28/97. Statutory Authority: RCW 88.16.035. 96-12-017, § 296-116-300, filed 5/29/96, effective 7/1/96; 95-12-018, § 296-116-300, filed 5/30/95, effective 7/1/95; 94-12-044, § 296-116-300, filed 5/27/94, effective 7/1/94; 93-12-133, § 296-116-300, filed 6/2/93, effective 7/3/93; 92-14-007, § 296-116-300, filed 6/19/92, effective 7/20/92; 91-11-074, § 296-116-300, filed 5/20/91, effective 6/20/91; 90-20-116, § 296-116-300, filed 10/2/90, effective 11/2/90; 90-08-095, § 296-116-300, filed 4/4/90, effective 5/5/90; 89-08-041 (Order 89-2, Resolution No. 89-2), § 296-116-300, filed 3/31/89. Statutory Authority: RCW 88.16.050. 88-05-039 (Order 88-1, Resolution No. 88-1), § 296-116-300, filed 2/16/88, effective 3/18/88. Statutory Authority: RCW 88.16.035(4). 87-01-081 (Orders 86-9 and 86-10, Resolution Nos. 86-9 and 86-10), § 296-116-300, filed 12/19/86; 86-19-066 (Order 86-6, Resolution No. 86-6), § 296-116-300, filed 9/16/86; 86-02-035 (Order 86-1, Resolution No. 86-1), § 296-116-300,

filed 12/30/85; 85-02-048 (Order 84-5, Resolution No. 84-5), § 296-116-300, filed 12/31/84; 84-04-006 (Order 84-1, Resolution No. 84-1), § 296-116-300, filed 1/20/84; 83-17-055 (Order 83-6, Resolution No. 83-6), § 296-116-300, filed 8/17/83; 82-13-065 (Order 82-4, Resolution No. 82-4), § 296-116-300, filed 6/16/82. Statutory Authority: RCW 88.16.035, 81-12-017 (Order 81-2, Resolution No. 81-2), § 296-116-300, filed 5/29/81; 80-06-084 (Order 80-1, Resolution No. 80-1), § 296-116-300, filed 5/28/80. Statutory Authority: RCW 88.16.035(4), 79-07-033 (Order 79-4, Resolution No. 79-4), § 296-116-300, filed 6/19/79. Statutory Authority: Chapter 88.16 RCW and 1977 ex. sess. c 337, §§ 1 and 4, 78-02-008 (Order 78-1), § 296-116-300, filed 1/6/78, effective 2/10/78; Order 77-18, § 296-116-300, filed 9/20/77, effective 11/1/77; Order 76-24, § 296-116-300, filed 7/22/76; Order 75-3, § 296-116-300, filed 2/10/75; Order 74-2, § 296-116-300, filed 1/8/74; Order 73-8, § 296-116-300, filed 6/20/73 and Emergency Order 73-10, filed 7/19/73, effective 8/14/73; Order 70-7, § 296-116-300, filed 7/16/70; 7/25/67; 2/18/64; 10/29/62; 12/28/60; 3/23/60.]

Title 365 WAC

COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT, DEPARTMENT OF (COMMUNITY DEVELOPMENT)

Chapters

- 365-195** Growth management act—Procedural criteria for adopting comprehensive plans and development regulations.
- 365-197** Project consistency.

Chapter 365-195 WAC

GROWTH MANAGEMENT ACT—PROCEDURAL CRITERIA FOR ADOPTING COMPREHENSIVE PLANS AND DEVELOPMENT REGULATIONS

WAC

- 365-195-900** Background and purpose.

WAC 365-195-900 Background and purpose. (1) Counties and cities planning under RCW 36.70A.040 are subject to continuing review and evaluation of their comprehensive land use plan and development regulations. Every five years they must take action to review and revise their plans and regulations, if needed, to ensure they comply with the requirements of the Growth Management Act. RCW 36.70A.130.

(2) Counties and cities must include the "best available science" when developing policies and development regulations to protect the functions and values of critical areas and must give "special consideration" to conservation or protection measures necessary to preserve or enhance anadromous fisheries. RCW 36.70A.172(1). The rules in WAC 365-195-900 through 365-195-925 are intended to assist counties and cities in identifying and including the best available science in newly adopted policies and regulations and in this periodic review and evaluation and in demonstrating they have met their statutory obligations under RCW 36.70A.172(1).

(3) The inclusion of the best available science in the development of critical areas policies and regulations is especially important to salmon recovery efforts, and to other decision-making affecting threatened or endangered species.

(4) These rules are adopted under the authority of RCW 36.70A.190 (4)(b) which requires the department of community, trade, and economic development (department) to adopt rules to assist counties and cities to comply with the goals and requirements of the Growth Management Act.

[Statutory Authority: RCW 36.70A.190 (4)(b), 01-08-056, § 365-195-900, filed 4/2/01, effective 5/3/01; 00-16-064, § 365-195-900, filed 7/27/00, effective 8/27/00.]

Chapter 365-197 WAC

PROJECT CONSISTENCY

WAC

- 365-197-010** Purpose of a project consistency rule.
- 365-197-020** Definitions.
- 365-197-030** Integrated project review—GMA project consistency analysis and environmental review under SEPA.
- 365-197-040** Definition and review of project consistency.
- 365-197-050** Criteria to analyze consistency of project actions.
- 365-197-060** Definition of plan "deficiency" identified in project review and how such deficiencies should be docketed.
- 365-197-070** Appeals of consistency.
- 365-197-080** An agency may deny a project based upon consistency analysis.

WAC 365-197-010 Purpose of a project consistency rule. The Local Project Review Act (chapter 36.70B RCW) authorizes the department of community, trade, and economic development to develop and adopt by rule criteria to assist local governments planning under RCW 36.70A.040 to analyze the consistency of project actions. These criteria are to be jointly developed with the department of ecology (RCW 36.70B.040(5)).

A basic principle of the Growth Management Act (GMA) and the Local Project Review Act is that land use decisions made in adopting a comprehensive plan and development regulations under chapter 36.70A RCW should not be revisited during project review. When review of a project indicates that it is consistent with earlier land use decisions, that project should not be reevaluated or scrutinized with respect to whether those decisions were appropriate. Given the number of jurisdictions and agencies in the state, it is essential to establish a uniform framework for jurisdictions planning under the GMA to consider the consistency of a proposed project with the applicable development regulations or, in the absence of applicable regulations, the adopted comprehensive plan.

Consistency should be considered in the project review process by analyzing four factors found in applicable regulations or plans. The four factors are:

- (1) The type of land use allowed;
- (2) The level of development allowed, such as dwelling units per acre or other measures of intensity;
- (3) Infrastructure, such as the adequacy of public facilities and services to serve the proposed project; and
- (4) The characteristics of the proposed development, such as assessment for compliance with specific development regulations or standards. This uniform approach is based