

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

DEPARTMENT OF CORRECTIONS

(agency name)

Administrative Order No. 82-005

(1) I, Amos E. Reed, director of Department of Corrections

do promulgate and adopt at Olympia, Washington (place)

the annexed rules relating to: Adoption of Chapter 137-58, Guideline for Implementing the State Environmental Policy Act

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. 82-03-013 filed with the code reviser on 1-13-82. Such rules shall take effect:

- [X] pursuant to RCW 34.04.040(2).
[] at a later date, such date being

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

I, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is:

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04.026' that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" (fill in statement (a), (b), or (c) as appropriate):

- [X] (a) This rule is promulgated pursuant to RCW 72.66.080 and is intended to administratively implement that statute.
[] (b) This rule is promulgated pursuant to RCW which directs that the

(agency)

has authority to implement the provisions of

(name of act or RCW citation)

- [] (c) This rule is promulgated under the general rule-making authority of the

(agency)

as authorized in RCW

(4) The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

(5) This order after being first recorded in the order register of this agency is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

STATE OF WASHINGTON APPROVED AND ADOPTED February 25, 1982 FILED

MAR 22 1982

CODE REVISER'S OFFICE WSR 82-07-067

By Amos E. Reed Secretary Title WAK

NEW SECTION

WAC 137-58-010 PURPOSE. (1) The purpose of this chapter is to ensure department compliance with the State Environmental Policy Act, (SEPA), chapter 43.21C RCW, and the regulations promulgated thereto, chapter 197-10 WAC and to set forth department procedures in regards to SEPA requirements.

(2) These rules are supplemental to chapter 43.21C RCW and chapter 197-10 WAC and are not intended to provide a comprehensive description of the SEPA requirements therein listed.

NEW SECTION

WAC 137-58-020 DEFINITIONS. The definitions set forth in chapter 197-10 WAC are hereby incorporated by reference into this chapter and should be referred to if necessary.

NEW SECTION

WAC 137-58-030 AGENCY RESPONSIBILITIES. (1) The secretary or his/her designee shall be responsible for making final decisions regarding threshold determinations, adequacy of draft EISS and adequacy of final EISS where the department is the lead agency.

(2) The department's office of capital programs, division of prisons, shall be responsible for submitting the necessary data set forth in WAC 137-58-040 to the secretary for his/her decision.

NEW SECTION

WAC 137-58-040 RESPONSIBILITIES, OFFICE OF CAPITAL PROGRAMS. The department's office of capital programs, division of prisons, shall be responsible for complying with the threshold determination procedures of WAC 197-10-300 through 197-10-390; and shall be responsible for the supervision, or actual preparation of draft EISS pursuant to WAC 197-10-400 through 197-10-495, including the circulation of such statements, and the conduct of any public hearing required by chapter 197-10 WAC. The office of capital programs shall also prepare or supervise the preparation of any required final EIS pursuant to WAC 197-10-550 through 197-10-695.