Title 133 WAC
COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT, DEPARTMENT OF
(COMMUNITY ECONOMIC REVITALIZATION BOARD)

Chapter 133-10 WAC
GENERAL PROVISIONS

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WAC 133-10-630 Definitions.

WAC 133-10-640 Purpose and scope of rules—Adoption of uniform rules.

WAC 133-10-650 Definitions.

WAC 133-10-660 Purpose and scope of rules—Adoption of uniform rules.

WAC 133-10-670 Definitions.
(6) In order to carry out its objectives, the board is authorized to make direct loans to political subdivisions of the state for the purposes of assisting the political subdivisions in financing the cost of public facilities, including the development of land and improvements for public facilities, as well as the acquisition, construction, rehabilitation, alteration, expansion, or improvement of the facilities. Grants may also be authorized for such purposes, but only when grants are uniquely required. Additional powers and duties of the board are as set forth in chapter 40, Laws of 1982 1st ex. sess. and chapter 43.160 RCW, and in particular section 5 thereof, and RCW 43.160.050.

[Statutory Authority: Chapter 43.160 RCW. 95-24-089, § 133-10-010, filed 12/5/95, effective 1/5/96. Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-10-010, filed 5/2/83.]

WAC 133-10-020 Board meetings. (1) Regular meetings of the board are held on the third Thursday of January, March, May, July, September and November commencing at 9:00 a.m. Notice of the times and places of the regular meetings will be published annually in a January edition of the Washington State Register. A copy of the schedule of regular meetings may also be obtained upon request from the board.

(2) Special meetings of the board may be called at any time by the chair of the board or by a majority of the board members. Notice of such meetings will be as provided by law.

(3) In addition to the meeting notices specified above, the board will also notify all persons, organizations or agencies whose business is scheduled to come before the board at any regular or special meeting.

[Statutory Authority: Chapter 43.160 RCW. 95-24-089, § 133-10-020, filed 12/5/95, effective 1/5/96. Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-10-020, filed 5/2/83.]

WAC 133-10-030 Communications with the board. Any and all written communications with the board, including but not limited to requests for information or copies of agency records, or submittals of any nature, shall be addressed to the community economic revitalization board, created pursuant to chapter 43.160 RCW, and in particular section 5 thereof, and RCW 43.160.050.

[Statutory Authority: Chapter 43.160 RCW. 95-24-089, § 133-10-010, filed 12/5/95, effective 1/5/96. Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-10-010, filed 5/2/83.]

WAC 133-20-010 Purpose. The purpose of this chapter shall be to insure the compliance by the community economic revitalization board with state public records law RCW 42.17.250 et seq.

[Statutory Authority: Chapter 43.160 RCW. 95-24-086, § 133-20-010, filed 12/5/95, effective 1/5/96. Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-20-010, filed 5/2/83.]

WAC 133-20-020 Definitions. The following definitions shall apply to this chapter:

(1) "Board" means the community economic revitalization board, created pursuant to chapter 43.160 RCW, and shall also refer to the board's officers and staff, where appropriate.

(2) "Department" means the department of community, trade, and economic development, and shall also refer to the department's staff, where appropriate.

[Statutory Authority: Chapter 43.160 RCW. 95-24-086, § 133-20-020, filed 12/5/95, effective 1/5/96. Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-20-020, filed 5/2/83.]

WAC 133-20-030 Public records available. All public records of the board are deemed to be available for public inspection and copying, except as otherwise provided by RCW 42.17.260 and 42.17.310, as now or may hereafter be amended, and by WAC 133-20-090.

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-20-030, filed 5/2/83.]

WAC 133-20-040 Public records officer. The board chair shall appoint the public records officer for the board. The public records officer shall be responsible for implementation of the board's rules and regulations regarding inspection and copying of public records, and for insuring compliance by the staff with the public records disclosure requirements of chapter 42.17 RCW.

[Statutory Authority: Chapter 43.160 RCW. 95-24-086, § 133-20-040, filed 12/5/95, effective 1/5/96. Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-20-040, filed 5/2/83.]

WAC 133-20-050 Records index. The board will make available to any person upon request a current index which provides identifying information as to the following records:

(a) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

(b) Those statements of policy and interpretations of policy, statutes and regulations which have been adopted by the board;

(c) Administrative staff manuals and instructions to staff that affect a member of the public;

(d) Planning policies and goals, and interim and final planning decisions;

(e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports or surveys, whether conducted by public employees or others; and

(f) Correspondence, and materials referred to therein, by and with the board relating to any regulatory, supervisory or enforcement responsibilities of the board, whereby the board
determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party.

(2) The current index promulgated by the board shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection and copying.

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-20-050, filed 5/2/83.]

WAC 133-20-060 Office hours. Public records shall be available for inspection and copying during the department's normal office hours. For purposes of this chapter, normal office hours shall be from 8:00 a.m. to noon and from 1:00 p.m. to 5:00 p.m., Monday through Friday, excluding legal holidays.

[Statutory Authority: Chapter 43.160 RCW. 95-24-086, § 133-20-060, filed 12/5/95, effective 1/5/96. Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-20-060, filed 5/2/83.]

WAC 133-20-070 Requests for public records. In accordance with the requirements of chapter 42.17 RCW that agencies prevent unreasonable invasions of privacy, and to protect public records from damage or disorganization, and to prevent excessive interference with essential functions of the board, public records may be inspected or copied, or copies of such records may be obtained by members of the public, upon compliance with the following procedures:

1) A request shall be made in writing upon a form prescribed by the board which shall be available at the board's offices, or by writing or calling the board. The form shall be presented or mailed to the public records officer, or to any member of the board's staff, if the public records officer is not available, at the board's offices during normal office hours. The request shall include the following information:

(a) The name, address, and organization represented, if any, of the person requesting the record;
(b) The calendar date on which the request was made, and, when presented in person, the time of day;
(c) The nature of the request;
(d) If the matter requested is referred to within the current index maintained by the records officer, a reference to the requested record as it is described in such current index;
(e) If the requested matter is not identifiable by reference to the board's current index, an appropriate description of the record requested.

2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer or staff member to assist the member of the public in appropriately identifying the public record requested.

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-20-070, filed 5/2/83.]

WAC 133-20-080 Copying. No fee shall be charged for the inspection of public records. The board may charge a fee of $10 per page for providing copies of public records, when copies of more than ten pages are provided, and for use of the department's copy equipment. This charge is the amount necessary to reimburse the department for its actual costs incident to such copying.

(2001 Ed.)
WAC 133-20-120 Adoption of form. The board hereby adopts for use by all persons requesting inspection or copying of its records, the form set out below, entitled "Request for public records."

In order to request copies of our public records, please complete the attached form and return it with the proper payment to the address below. We will forward to you those requested copies which are not exempt from disclosure when we receive this form. Thank you.

Return to:
Community Economic Revitalization Board
c/o Public Records Officer
P.O. Box 48300
Olympia, WA 98504-8300

REQUEST FOR PUBLIC RECORDS
Date .... Time .... (In person requests only)
Name ..................................................................
Address ................................................................

Description of Records
...........................................................................
...........................................................................
...........................................................................

I certify that the information obtained through this request for public records will not be used for profit making. ..................................................................................................................................................

Signature

(Number of copies
Per page charge for in excess of ten pages
Total charge

[Statutory Authority: Chapter 43.160 RCW, 95-24-088, § 133-20-120, filed 12/5/95, effective 1/5/96. Statutory Authority: RCW 43.116.050(8) § 133-20-120, filed 5/2/83.]

WAC 133-40-020 Definitions. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Board" means the community economic revitalization board.

(2) "Public facility" or "facility" means any facility for public purposes financed in whole or in part by any port district, county, city, town, or special utility district of the state of Washington, including, but not limited to, sewer or other waste disposal facilities, arterials, bridges, access roads, port facilities, or water distribution and purification facilities.

(3) "Public facility costs" means any direct or indirect cost incurred or to be incurred by a political subdivision in financing any public facility, including the cost of acquisition, construction, rehabilitation, alteration, expansion, or improvement of the facilities.

(4) "Responsible official" means the person so designated in the resolution of the legislative body of the political subdivision authorizing or approving submittal of the application.

(WAC 133-40-030 Loan and grant applications. (1) Applications for loans and/or grants to assist in financing public facility costs may be made by any political subdivision of the state of Washington.

(2) Applications shall be submitted to the board in writing, on such forms as may be prescribed by and obtained from the board, and shall contain the following information:
(a) Name and address of the political subdivision making the application for financial assistance.
(b) Complete description of the public facility for which financing assistance is sought.
(c) A full and detailed assessment of how the facility or project will improve the opportunities for the successful maintenance, establishment, or expansion of industrial facilities or will otherwise assist in the creation or retention of long-term economic opportunities, or assist in alleviating unemployment. The board may also make grants for such purposes, when every feasible effort has been made by the board to provide loans and loans are not possible, and when the board finds that unique circumstances exist which require making a grant.

(3) The purpose of this chapter is to prescribe the form and manner in which political subdivisions may make application to the board for financial assistance, and to provide for the consideration and disposition of such applications.

[Statutory Authority: Chapter 43.160 RCW, 95-24-088, § 133-40-010, filed 12/5/95, effective 1/5/96. Statutory Authority: RCW 43.116.050(8) § 133-40-010, filed 5/2/83.]

Chapter 133-40 WAC
PUBLIC FACILITY LOANS AND GRANTS

WAC 133-40-010 Purpose.
133-40-020 Definitions.
133-40-030 Loan and grant applications.
133-40-040 Board deliberations.
133-40-050 Loan and grant contracts—Terms.
133-40-060 Requests for reconsideration.

WAC 133-40-010 Purpose. (1) Pursuant to chapter 43.160 RCW, the community economic revitalization board may, in its discretion, make direct loans to political subdivisions of the state of Washington for the purposes of assisting the political subdivisions in financing the cost of public facilities, when such facilities will serve to improve opportunities for the successful maintenance, establishment, or expansion of industrial facilities or will otherwise assist in the creation or retention of long-term economic opportunities, or assist in alleviating unemployment. The board may also make grants for such purposes, when every feasible effort has been made by the board to provide loans and loans are not possible, and when the board finds that unique circumstances exist which require making a grant.

(2) The purpose of this chapter is to prescribe the form and manner in which political subdivisions may make application to the board for financial assistance, and to provide for the consideration and disposition of such applications.

[Statutory Authority: Chapter 43.160 RCW, 95-24-088, § 133-40-010, filed 12/5/95, effective 1/5/96. Statutory Authority: RCW 43.116.050(8) § 133-40-010, filed 5/2/83.]

(2001 Ed.)
WAC 133-40-040 Board deliberations. (1) The board will consider and approve, in whole or in part, or disapprove, all applications for loans or grants at such regular or special meetings of the board as it may determine, and the applicant will be notified accordingly. The board is directed to prioritize each proposed project according to relative benefit (RCW 43.160.060(3)). As long as there is more demand for loans or grants than funds available, projects are funded according to priority established in board policy. A responsible official of the applicant political subdivision shall be present during all board deliberations on the application, and shall provide all information regarding the public facility or application for financial assistance which the board may request.

(2) Applicants will be formally notified in writing regarding any board decision on whether or not to authorize a public facility loan or grant.

WAC 133-40-050 Loan and grant contracts—Terms.

(1) If a public facility loan or grant is authorized by the board, the funds will be disbursed to the applicant political subdivision pursuant to a contract therefor, which will be offered to the political subdivision upon such reasonable terms and conditions as the board may determine: Provided, That the interest rate for loans shall not exceed ten percent per annum: Provided further, That loans shall not exceed twenty years in duration.

(2) Public facility loan and/or grant contracts offered to political subdivisions shall be executed by the political subdivision and the original thereof returned to the board prior to the disbursement of any funds thereunder.

WAC 133-40-060 Requests for reconsideration. (1) Any political subdivision whose governing body takes exception to the terms and conditions of the public facility loan and/or grant contract offered by the board upon authorization of such loan and/or grant may request the board in writing to reconsider, amend or modify its offer. Any such request shall propose specific amendments or modifications, and shall fully substantiate the reasons therefor.

(2) Any political subdivision whose application for financial assistance was denied in whole or in part by the board, within 15 days of notification thereof may petition the board in writing to reconsider its decision. Such requests for reconsideration shall only be submitted with new or additional information in support of the application not available to the board during its initial deliberations.

Chapter 133-50 WAC

COMPLIANCE WITH STATE ENVIRONMENTAL POLICY ACT

WAC 133-50-010 Purpose.

WAC 133-50-020 Statement.

WAC 133-50-010 Purpose. The purpose of this chapter is to comply with RCW 43.21C.120, which requires all agencies of government in the state of Washington, consistent with the rules and guidelines adopted under RCW 43.21C.110, to adopt rules pertaining to the integration of policies and procedures of the State Environmental Policy Act of 1971, into the various programs under their jurisdiction for implementation.

WAC 133-50-020 Statement. Pursuant to WAC 197-10-800, the community economic revitalization board has reviewed its authorized activities and has found them all to be exempt under the provisions of chapter 197-10 WAC.