

(g) This section applies prospectively to health plans offered, issued, or renewed by a health carrier on or after January 1, 2002.

[Statutory Authority: RCW 48.02.060, 48.18.480, 48.20.450, 48.20.460, 48.21.045, 48.30.010, 48.30.300, 48.41.110, 48.41.170, 48.42.010, 48.42.040, 48.42.100, 48.43.012, 48.43.025, 48.43.035, 48.43.041, 48.43.115, 48.43.520, 48.44.020, 48.44.023, 48.44.050, 48.44.220, 48.46.060, 48.46.066, 48.46.110, 48.46.200, 49.60.010, 49.60.030, 49.60.120, 49.60.178, 49.60.220. 01-19-001 (Matter No. R 2001-02), § 284-43-822, filed 9/5/01, effective 10/6/01.]

WAC 284-43-823 Repealed. See Disposition Table at beginning of this chapter.

WAC 284-43-824 Repealed. See Disposition Table at beginning of this chapter.

WAC 284-43-899 Effective date. The effective date of WAC 284-43-130, 284-43-200, 284-43-251, 284-43-400, 284-43-410, 284-43-610, 284-43-615, 284-43-620, 284-43-630, and 284-43-820 is July 1, 2001.

[Statutory Authority: RCW 48.02.060, 48.18.120, 48.20.450, 48.20.460, 48.30.010, 48.44.050, 48.46.100, 48.46.200, 48.43.505, 48.43.510, 48.43.515, 48.43.520, 48.43.525, 48.43.530, 48.43.535. 01-03-033 (Matter No. R 2000-02), § 284-43-899, filed 1/9/01, effective 2/9/01.]

Title 286 WAC INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION

Chapters

286-06	Public records.
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Chapter 286-06 WAC PUBLIC RECORDS

WAC

286-06-045	Committee and the salmon recovery funding board.
286-06-050	Public records available.
286-06-060	Responsibility.
286-06-065	Indexes.
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286-06-090	Copying.
286-06-100	Exemptions.
286-06-110	Review of denials.
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WAC 286-06-045 Committee and the salmon recovery funding board. The committee provides support to the salmon recovery funding board, as directed in RCW 79A.25.240, including administration and management of the salmon board's public records. Such records shall be managed and made available through the committee's public records officer in the same manner as provided for committee records and set forth in this chapter.

[Statutory Authority: RCW 34.05.370, 46.09.240(1), 79A.25.210, 79A.15.070, 79A.25.080, chapter 42.17 RCW. 01-17-056, § 286-06-045, filed 8/14/01, effective 9/14/01.]

WAC 286-06-050 Public records available. All public records of the committee and board, as defined in RCW 42.17.260, as now or hereafter amended, are available for public inspection and copying pursuant to this regulation, except as otherwise provided by law, including, but not limited to, RCW 42.17.255 and 42.17.310 and WAC 286-06-100 - Exemptions.

[Statutory Authority: RCW 34.05.370, 46.09.240(1), 79A.25.210, 79A.15.070, 79A.25.080, chapter 42.17 RCW. 01-17-056, § 286-06-050, filed 8/14/01, effective 9/14/01. Statutory Authority: RCW 43.98A.060(1), [43.98A].070(5), 43.99.080, 46.09.240 and 77.12.720. 94-17-095, § 286-06-050, 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. 83-01-030 (Order IAC 82-1), § 286-06-050, filed 12/8/82; Order 73-4, § 286-06-050, filed 12/19/73.]

WAC 286-06-060 Responsibility. The public records shall be available through a public records officer designated by the director. The public records officer shall be responsible for: Implementation of the rules and regulations regarding release of public records, coordinating the staff of the committee in this regard, and generally ensuring compliance with the public records disclosure requirements of chapter 42.17 RCW as now or hereafter amended.

[Statutory Authority: RCW 34.05.370, 46.09.240(1), 79A.25.210, 79A.15.070, 79A.25.080, chapter 42.17 RCW. 01-17-056, § 286-06-060, filed 8/14/01, effective 9/14/01. Statutory Authority: RCW 43.98A.060(1), [43.98A].070(5), 43.99.080, 46.09.240 and 77.12.720. 94-17-095, § 286-06-060, 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. 83-01-030 (Order IAC 82-1), § 286-06-060, filed 12/8/82. Statutory Authority: Chapter 43.99 RCW. 78-03-032 (Order 78-1), § 286-06-060, filed 2/17/78; Order 73-4, § 286-06-060, filed 12/19/73.]

WAC 286-06-065 Indexes. (1) Through its public records officer, the committee shall maintain indexes for the records and files listed in subsection (2)(a) through (g) of this section. These indexes:

- (a) Provide identifying information as to its files and records;
 - (b) Are available for public inspection and copying at its offices in the Natural Resources Building, Olympia, in the manner provided in this chapter for the inspection and copying of public records;
 - (c) Are updated at least every five years and revised at appropriate intervals;
 - (d) Are public records even if the records to which they refer may not, in all instances, be subject to disclosure.
- (2) Indexes of the following records and files are available:
- (a) Archived files;
 - (b) Equipment inventory;
 - (c) Committee and board policies and procedures, including manuals;
 - (d) Active project files;
 - (e) Publications such as brochures and special reports;
 - (f) Policy statements entered after June 30, 1990, as defined in RCW 34.05.010(15), including grant program manuals;

(g) Rule-making files, as described in RCW 34.05.370, for each rule proposed for adoption in the *State Register* and adopted.

(3) The following general records and files are available by reference to topic, and generally arranged alphabetically or chronologically within such topic. Due to volume, costs and/or complexity, however, no master index is maintained.

- (a) Administrative files;
- (b) Comprehensive park-recreation plans;
- (c) Summaries of committee staff meetings;
- (d) Closed/inactive project files;
- (e) General correspondence;
- (f) Attorney general opinions;
- (g) Financial records;
- (h) Summaries and memoranda of committee and board meetings;

(i) Final adjudicative proceeding orders entered after June 30, 1990, as defined in RCW 34.05.010(1) that contain an analysis or decision of substantial importance to the committee or board in carrying out its duties (each listed alphabetically by subject with a phrase describing the issue or issues and relevant citations of law);

(j) Declaratory orders entered after June 10, 1990, that contain an analysis or decision of substantial importance to the committee or board in carrying out its duties (each listed alphabetically by case name with a phrase describing the issue or issues and relevant citations of law);

(k) Interpretive statements as defined in RCW 34.05.010(8) (each indexed by the committee or board program).

(4) Before June 30, 1990, the committee maintained no index of:

(a) Declaratory orders containing analysis or decisions of substantial importance to the committee in carrying out its duties;

(b) Interpretive statements as defined in RCW 34.05.010(8);

(c) Policy statements as defined in RCW 34.05.010(14).

[Statutory Authority: RCW 34.05.370, 46.09.240(1), 79A.25.210, 79A.15.070, 79A.25.080, chapter 42.17 RCW. 01-17-056, § 286-06-065, filed 8/14/01, effective 9/14/01. Statutory Authority: RCW 42.17.260. 98-08-014, § 286-06-065, filed 3/18/98, effective 4/18/98. Statutory Authority: RCW 43.98A.060(1), [43.98A].070(5), 43.99.080, 46.09.240 and 77.12.720. 94-17-095, § 286-06-065, filed 8/17/94, effective 9/17/94.]

WAC 286-06-080 Requests for public records. Consistent with chapter 42.17 RCW, 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, preferably on a form prescribed by the director, which shall be available at its Olympia office or electronically. The request shall be presented to the public records officer or designee. The request shall include the following information:

- (a) The name of the person requesting the record;
- (b) The calendar date on which the request was made;
- (c) The nature of the request;
- (d) A reference to the requested record as it is described in any current index, if the matter requested is referenced within indexes;

(e) An appropriate description of the record requested, if the requested matter is not identifiable in the indexes.

(2) Whenever a member of the public makes a request, the public records officer or designee shall ensure the request receives a "date received" stamp or equivalent notation and that assistance is provided in promptly identifying the public record requested as defined in RCW 42.17.320. The agency shall assist to the maximum extent consistent with ongoing operations, and retains the authority to condition records access to prevent unreasonable invasions of privacy, access to other information protected from disclosure by law, damage/disorganization, and excessive interference with office operations and equipment.

[Statutory Authority: RCW 34.05.370, 46.09.240(1), 79A.25.210, 79A.15.070, 79A.25.080, chapter 42.17 RCW. 01-17-056, § 286-06-080, filed 8/14/01, effective 9/14/01. Statutory Authority: RCW 43.98A.060(1), [43.98A].070(5), 43.99.080, 46.09.240 and 77.12.720. 94-17-095, § 286-06-080, filed 8/17/94, effective 9/17/94; Order 73-4, § 286-06-080, filed 12/19/73.]

WAC 286-06-090 Copying. (1) No fee shall be charged for the inspection of public records.

(2) The director shall charge a fee of fifteen cents per page for providing copies of public records and for use of the committee's copy equipment. Copying in other formats shall be subject to a fee established by the director. These charges will be the amount necessary to reimburse the committee for its actual costs incident to such copying.

[Statutory Authority: RCW 34.05.370, 46.09.240(1), 79A.25.210, 79A.15.070, 79A.25.080, chapter 42.17 RCW. 01-17-056, § 286-06-090, filed 8/14/01, effective 9/14/01. Statutory Authority: RCW 43.98A.060(1), [43.98A].070(5), 43.99.080, 46.09.240 and 77.12.720. 94-17-095, § 286-06-090, filed 8/17/94, effective 9/17/94; Order 73-4, § 286-06-090, filed 12/19/73.]

WAC 286-06-100 Exemptions. (1) The committee and/or board and the director reserve the right to determine that a public record requested in accordance with the procedures outlined in WAC 286-06-080 is exempt under the provisions of state or federal law, or chapter 42.17 RCW.

(2) In addition, pursuant to chapter 42.17 RCW, the committee and/or board and the director reserve the right to delete identifying details when made available or published in cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy, or would disclose information otherwise protected by law.

(3) All denials of requests for public records, in whole or part, will be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record (or part) and a brief explanation of how the exemption applies to the record withheld.

[Statutory Authority: RCW 34.05.370, 46.09.240(1), 79A.25.210, 79A.15.070, 79A.25.080, chapter 42.17 RCW. 01-17-056, § 286-06-100, filed 8/14/01, effective 9/14/01. Statutory Authority: RCW 43.98A.060(1), [43.98A].070(5), 43.99.080, 46.09.240 and 77.12.720. 94-17-095, § 286-06-100, filed 8/17/94, effective 9/17/94; Order 73-4, § 286-06-100, filed 12/19/73.]

WAC 286-06-110 Review of denials. (1) Any person who objects to the denial of a request for a public record may petition the director for review by submitting a written

request. The request shall specifically refer to the written statement which constituted or accompanied the denial.

(2) After receiving a written request for review of a decision denying inspection of a public record, the director, or designee, will either affirm or reverse the denial by the end of the second business day following receipt according to RCW 42.17.320. This shall constitute final committee and/or board action. Whenever possible in such matters, the director shall first consult with the committee's or board's chair and members.

[Statutory Authority: RCW 34.05.370, 46.09.240(1), 79A.25.210, 79A.15.070, 79A.25.080, chapter 42.17 RCW. 01-17-056, § 286-06-110, filed 8/14/01, effective 9/14/01. Statutory Authority: RCW 43.98A.060(1), [43.98A].070(5), 43.99.080, 46.09.240 and 77.12.720. 94-17-095, § 286-06-110, 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. 83-01-030 (Order IAC 82-1), § 286-06-110, filed 12/8/82; Order 73-4, § 286-06-110, filed 12/19/73.]

WAC 286-06-120 Protection of public records.

Unless approved by the director, original records shall not be removed from the place designated for their inspection. The public records officer or designee may make reasonable arrangements for ensuring the security of the record(s) during inspections.

[Statutory Authority: RCW 34.05.370, 46.09.240(1), 79A.25.210, 79A.15.070, 79A.25.080, chapter 42.17 RCW. 01-17-056, § 286-06-120, filed 8/14/01, effective 9/14/01. Statutory Authority: RCW 43.98A.060(1), [43.98A].070(5), 43.99.080, 46.09.240 and 77.12.720. 94-17-095, § 286-06-120, filed 8/17/94, effective 9/17/94; Order 73-4, § 286-06-120, filed 12/19/73.]

Chapter 286-13 WAC

GENERAL GRANT ASSISTANCE RULES

WAC

286-13-040 Deadlines—Applications, plans, and matching resources.

WAC 286-13-040 Deadlines—Applications, plans, and matching resources. (1) Applications. To allow time for review, applications must be submitted at least four calendar months before the funding meeting at which the applicant's project is first considered. Applications must be completed in final form and on file with the committee at least one calendar month before this meeting. *Excepted* are applications for the National Recreational Trails Funding Act, Riparian Habitat, and Youth Athletic Facilities Programs, and programs where the director specifically establishes another deadline to accomplish new or revised statutory direction.

(2) Plans. For purposes of project evaluation, all non-highway and off-road vehicle program, park, recreation, or habitat plans required for participation in committee grant programs must be complete and on file with the committee at least three calendar months before the funding meeting at which the applicant's project is first considered. On the director's acceptance of the plan, the applicant shall be granted eligibility to submit applications for a period of up to six years.

(3) Matches. To allow time for development of funding recommendations, written assurance must be provided whenever matching resources are to be considered as a part of an application. This assurance must be provided by the applicant

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to the committee at least one calendar month before the meeting at which the project is to be considered for funding.

(4) Project agreement. An applicant has three calendar months from the date of the committee's mailing of the project agreement to execute and return the agreement to the committee's office. After this period, the committee or director may reject any agreement not signed and returned and reallocate the grant funds to another project(s).

(5) Waivers. Compliance with these deadlines is required for eligibility unless a waiver is granted by the director. Such waivers are considered based on several factors which may vary with the type of waiver requested, including:

(a) When the applicant started the application/planning process (for application and plan deadline waivers);

(b) Progress made;

(c) When final plan adoption will occur (for plan deadline waivers);

(d) The cause of the delay (procedural or content related, etc.);

(e) Impact on the committee's evaluation process;

(f) Equity to other applicants; and

(g) Such other information as may be relevant.

[Statutory Authority: RCW 34.05.370, 46.09.240(1), 79A.25.210, 79A.15.070, 79A.25.080, chapter 42.17 RCW. 01-17-056, § 286-13-040, filed 8/14/01, effective 9/14/01. Statutory Authority: RCW 43.98A.060(1), 43.98A.070(5), 43.99.080(2), 46.09.240(1) and 77.12.720. 98-08-014, § 286-13-040, filed 3/18/98, effective 4/18/98; 97-17-004, § 286-13-040, filed 8/7/97, effective 9/7/97; 96-08-044, § 286-13-040, 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. 94-17-095, § 286-13-040, filed 8/17/94, effective 9/17/94.]

Chapter 286-40 WAC

LAND AND WATER CONSERVATION FUND

WAC

286-40-020 Funding and candidate selection.

WAC 286-40-020 Funding and candidate selection. Funding for projects approved under this chapter is from any eligible account administered by the committee. Candidate project(s) are recommended by the director, and approved by the committee. Selection criteria include:

(1) How well the project(s) has ranked in the evaluation;

(2) How well the project(s) meets needs identified in the statewide comprehensive outdoor recreation planning program and the general goals identified in WAC 286-04-030;

(3) How well the project(s) meets the criteria in the Land and Water Conservation Fund Grants Manual;

(4) An assessment of how quickly the project(s) will progress through planning and implementation stages.

[Statutory Authority: RCW 34.05.370, 46.09.240(1), 79A.25.210, 79A.15.070, 79A.25.080, chapter 42.17 RCW. 01-17-056, § 286-40-020, filed 8/14/01, effective 9/14/01. Statutory Authority: RCW 43.99.080(2), 00-05-008, § 286-40-020, filed 2/4/00, effective 3/6/00. Statutory Authority: RCW 43.98A.060(1), 43.98A.070(5), 43.99.080(2), 46.09.240(1) and 77.12.720. 97-08-003 § 286-40-020, filed 3/20/97, effective 4/20/97. Statutory Authority: RCW 43.98A.060(1), 43.98A.070(5), 43.99.080(2), 46.09.240(1) and 77.12.720(4). 96-08-044, § 286-40-020, 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. 94-17-095, § 286-40-020, filed 8/17/94, effective 9/17/94.]