Title 461 WAC
ENVIRONMENTAL HEARINGS OFFICE
(SHORELINES HEARINGS BOARD)

Chapters
461-08 Practice and procedure—Review of the granting, denying or rescinding of substantial development permits—Hearings.

Chapter 461-08 WAC
PRACTICE AND PROCEDURE—REVIEW OF THE GRANTING, DENYING OR RESCINDING OF SUBSTANTIAL DEVELOPMENT PERMITS—HEARINGS

WAC 461-08-330 Board decision making on appeals.

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The number of board members required to make a decision on a case differs depending on the type of case.

1) Short-board appeals. Pursuant to RCW 90.58.185, petitions for review that involve a single-family residence or an appurtenance to a single-family residence, including a dock or pier for a single-family residence, and petitions for review involving a penalty of fifteen thousand dollars or less, may be heard by a panel of three board members. The chair of the hearings board may also designate other cases for review by a short-board appeal panel. In designating these cases, the chair shall consider factors such as the complexity and precedential nature of the case and the efficiency and cost-effectiveness of using a short board versus a full board. A short-board appeal panel must have at least one but not more than two members of the pollution control hearings board. Two members of the panel must agree to issue a final decision. The decision of the panel is the final decision of the full board.

2) Full-board appeals. All other appeals are full-board appeals. Four members of the board constitute a quorum for making a decision and may act even if the other two members are unavailable or have not yet been appointed.

3) Administrative appeals judges. For both full-board and short-board cases, the chairperson may appoint an administrative appeals judge from the environmental hearings office to be the presiding officer.

[Statutory Authority: RCW 90.58.175, chapter 34.05 RCW. 09-21-032, § 461-08-330, filed 10/13/09, effective 11/13/09. Statutory Authority: RCW 43.21B.170, 90.58.174, chapters 43.21B, 34.05, and 90.58 RCW. 07-03-074, § 461-08-330, filed 1/17/07, effective 2/17/07. Statutory Authority: RCW 90.58.175. 96-15-002, § 461-08-330, filed 7/3/96, effective 8/3/96.]