

WSR 14-13-024
RULES OF COURT
STATE SUPREME COURT

[June 6, 2014]

IN THE MATTER OF THE ADOPTION ) ORDER
OF AMENDMENTS TO CrR 2.2—WAR- ) NO. 25700-A-1063
RANT OF ARREST AND SUMMONS— )
CrR 2.3—SEARCH AND SEIZURE— )
CrR 3.2.1—PROCEDURE FOLLOWING )
WARRANTLESS ARREST—PRELIMI- )
NARY APPEARANCE, AND CrRLJ 2.2 )
—WARRANT OF ARREST OR SUM- )
MONS UPON COMPLAINT, CrRLJ 2.3 )
—SEARCH AND SEIZURE AND CrRLJ )
3.2.1—WARRANTLESS ARREST— )
PRELIMINARY PROCEDURE )

The Superior Court Judges' Association, having recom-
mended the adoption of the proposed amendments to CrR
2.2, CrR 2.3, and CrR 3.2.1, and the District and Municipal
Court Judges' Association, having recommended the adop-
tion of the proposed amendments to CrRLJ 2.2, CrRLJ 2.3,
and CrRLJ 3.2.1, and the Court having considered the
amendments and comments submitted thereto, and having
determined that the proposed amendments will aid in the
prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the amendments as shown below are adopted.

(b) That the amendments will be published in the Wash-
ington Reports and will become effective September 1, 2014.

DATED at Olympia, Washington this 6th day of June,
2014.

C. Johnson, J. Madsen, C.J.
Owens, J. Wiggins, J.
Fairhurst, J. Gordon McCloud, J.
Stephens, J. Gonzalez, J.
Yu, J.

RULE 2.2 WARRANT OF ARREST AND SUMMONS

(a) Warrant of Arrest.

(1) Generally. If indictment is found or an information is
filed, the court may direct the clerk to issue a warrant for the
arrest of the defendant.

(2) Probable Cause. Before ruling on a request for a war-
rant the court may require the complainant to appear person-
ally and may examine under oath the complainant and any
witnesses the complainant may produce. A warrant of arrest
may not issue unless the court determines that there is proba-
ble cause to believe that the defendant committed the offense
charged. The court shall determine probable cause based on
an affidavit, a document as provided in RCW 9A.72.085 or
any law amendatory thereto, or sworn testimony establishing
the grounds for issuing the warrant. Sworn testimony shall be
recorded electronically or, stenographically, or through any
other reliable means. The evidence shall be preserved and
shall be subject to constitutional limitations for probable
cause determinations and may be hearsay in whole or in part.

[Remainder of rule is unchanged]

Reviser's note: The brackets and enclosed material in the text of the
above section occurred in the copy filed by the agency and appear in the Reg-
ister pursuant to the requirements of RCW 34.08.040.

CrR 2.3 SEARCH AND SEIZURE

[(a) and (b) are unchanged]

(c) Issuance and Contents. A search warrant may be
issued only if the court determines there is probable cause for
the issuance of a warrant. There The evidence in support of
the warrant must be an in the form of affidavits, a document
as provided in RCW 9A.72.085 or any law amendatory
thereto, or sworn testimony establishing the grounds for issu-
ing the warrant and may be provided to the court by any reli-
able means. The Any sworn testimony may must be an elec-
tronically recorded telephonic statement and made part of the
court record. The recording or a duplication of the recording
shall be a part of the court record and shall be transcribed if
requested by a party if there is a challenge to the validity of
the warrant or if ordered by the court. The evidence in sup-
port of the finding of probable cause shall be preserved and
shall be subject to constitutional limitations for such determi-
nations and may be hearsay in whole or in part. If the court
finds that probable cause for the issuance of a warrant exists,
it shall issue a warrant identifying the property or person and
naming or describing the person, place or thing to be
searched. The court's authorization may be communicated by
any reliable means. The court shall record a summary A
record shall be made of any additional evidence on which #
the court relies. The warrant shall be directed to any peace
officer. It and shall command the officer to search, within a
specified period of time not to exceed 10 days, the person,
place, or thing named for the property or person specified. #
The warrant shall designate to whom the court to which the
warrant # shall be returned. The warrant may be served at any
time.

(d) Execution and Return With Inventory. The peace
officer taking property under the warrant shall give to the per-
son from whom or from whose premises the property is taken
a copy of the warrant and a receipt for the property taken. If
no such person is present, the officer may post a copy of the
search warrant and receipt. The return shall be made
promptly and shall be accompanied by a written inventory of
any property taken. The inventory shall be made in the pres-
ence of the person from whose possession or premises the
property is taken, or in the presence of at least one person
other than the officer. The court shall upon request deliver
provide a copy of the inventory to the person from whom or
from whose premises the property was taken and to the appli-
cant for the warrant.

[(e) and (f) are unchanged]

Reviser's note: The brackets and enclosed material in the text of the
above section occurred in the copy filed by the agency and appear in the Reg-
ister pursuant to the requirements of RCW 34.08.040.

RULE 3.2.1 PROCEDURE FOLLOWING WARRANTLESS
ARREST—PRELIMINARY APPEARANCE

[(a) is unchanged]

**(b) How Determined.** The court shall determine probable cause on evidence presented by a peace officer or prosecuting authority in the same manner as provided for a warrant of arrest in rule CrR 2.2(a). ~~The evidence shall be preserved and may consist of an electronically recorded telephonic statement.~~ If the court finds that release without bail should be denied or that conditions should attach to the release on personal recognizance, other than the promise to appear for ~~trial~~ subsequent court hearings, the court shall proceed to determine whether probable cause exists to believe that the accused committed the ~~offense charged~~ crime alleged, unless this determination has previously been made by a court. Before making the determination, the court may consider ~~an~~ affidavits, a documents as provided in RCW 9A.72.085 or any law amendatory thereto, or sworn testimony, and further may examine under oath the affiant and any witnesses the affiant may produce. Evidence may be provided by any reliable means. Sworn testimony shall be recorded electronically, ~~or stenographically recorded~~ or through any other reliable means. The evidence shall be preserved and shall be subject to constitutional limitations for probable cause determinations, and may be hearsay in whole or in part. The court's probable cause determination may be recorded by any reliable means.

[(c) - (f) are unchanged]

**Reviser's note:** The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

Proposed Amendment:

CrRLJ 2.2

WARRANT OF ARREST OR SUMMONS  
UPON COMPLAINT

(a) Issuance of Warrant of Arrest.

(1) Generally. If a complaint is filed and if the offense charged may be tried in the jurisdiction in which the warrant issues, and if the sentence for the offense charged may include confinement in jail, the court may direct the clerk to issue a warrant for the arrest of the defendant unless the defendant has already been arrested in connection with the offense charged and is in custody or has been released on obligation to appear in court.

(2) Probable Cause. A warrant of arrest must be supported by an affidavit, a document as provided in RCW 9A.72.085 or any law amendatory thereto, or sworn testimony establishing the grounds for issuing the warrant. Sworn testimony shall be recorded electronically, ~~or stenographically~~ or by any reliable method. The evidence shall be preserved. The court must determine there is probable cause to believe that the defendant has committed the crime alleged before issuing the warrant. The evidence shall be subject to constitutional limitations for probable cause determinations and may be hearsay in whole or in part.

(3) Ascertaining Defendant's Current Address.

(i) Search for Address. The court shall not issue a warrant unless it determines that the complainant has attempted to ascertain the defendant's current address by searching the following: (A) the District Court Information system database (DISCIS), (B) the driver's license and identocard database maintained by the Department of Licenses; and (C) the

database maintained by the Department of Corrections listing persons incarcerated and under supervision. The court in its discretion may require that other databases be searched.

(ii) Exemptions from Address Search. The search required by subdivision (i) shall not be required if (A) the defendant has already appeared in court (in person or through counsel) after filing of the same case, (B) the defendant is known to be in custody, or (C) the defendant's name is unknown.

(iii) Effect of Erroneous Issuance. If a warrant is erroneously issued in violation of this subsection (a)(3), that error shall not affect the validity of the warrant.

(b) Issuance of Summons in Lieu of Warrant.

(1) Generally. If a complaint is filed, the court may direct the clerk to issue a summons commanding the defendant to appear before the court at a specified time and place.

(2) When Summons Must Issue. The court shall direct the clerk to issue a summons instead of a warrant unless it finds reasonable cause to believe that the defendant (i) will not appear in response to a summons, (ii) will commit a violent offense, (iii) will interfere with witnesses or the administration of justice, or (iv) is in custody.

(3) Summons for Felony Complaint. If the complaint charges the commission of a felony, the court may direct the clerk to issue a summons instead of a warrant unless it finds reasonable cause to believe that the defendant will not appear in response to a summons, or that arrest is necessary to prevent bodily harm to the accused or another, in which case it may issue a warrant.

(4) Summons. A summons shall be in writing and in the name of the charging jurisdiction, shall be signed by the clerk with the title of that office, and shall state the date when issued. It shall state the name of the defendant and the nature of the charge, and shall summon the defendant to appear before the court at a stated time and place. The summons shall inform the defendant that failure to appear as commanded may result in the issuance of a warrant for the arrest of the accused.

(5) Failure To Appear on Summons. If a person fails to appear in response to a summons, or if delivery is not effected within a reasonable time, a warrant of arrest may issue, if the sentence for the offense charged may include confinement in jail.

(c) Requisites of a Warrant. The warrant shall be in writing and in the name of the charging jurisdiction, shall be signed by the judge or clerk with the title of that office, and shall state the date when issued. It shall specify the name of the defendant, or if his or her name is unknown, any name or description by which he or she can be identified with reasonable certainty. The warrant shall specify the offense charged against the defendant and that the court has found that probable cause exists to believe the defendant has committed the offense charged and shall command the defendant be arrested and brought forthwith before the court issuing the warrant. If the offense is not a capital offense, the court shall set forth in the order for the warrant, bail and/or other conditions of release.

(d) Execution; Service.

(1) Execution of Warrant. The warrant shall be directed to all peace officers in the state and shall be executed only by a peace officer.

(2) Delivery of Summons. The summons may be served any place within the state. It may be served by a peace officer, who shall deliver a copy of the same to the defendant personally, or it may be delivered by the court mailing the same, postage prepaid, to the defendant at his or her last known address.

(e) Return. The officer executing a warrant shall make return thereof to the court before whom the defendant is brought pursuant to these rules. At the request of the prosecuting authority any unexecuted warrant shall be returned to the issuing court to be canceled. The peace officer to whom a summons has been given for service shall, on or before the return date, file a return thereof with the court before whom the summons is returnable. For reasonable cause, the court may order that the warrant be returned to it.

(f) Defective Warrant or Summons.

(1) Amendment. No person arrested under a warrant or appearing in response to a summons shall be discharged from custody or dismissed because of any irregularity in the warrant or summons, but the warrant or summons may be amended so as to remedy any irregularity.

(2) Issuance of New Warrant or Summons. If during the preliminary examination of any person arrested under a warrant or appearing in response to a summons, it appears that the warrant or summons does not properly name or describe the defendant or the offense with which he or she is charged, or that although not guilty of the offense specified in the warrant or summons, there is reasonable ground to believe that he or she will be charged with some other offense, the judge shall not discharge or dismiss the defendant but may allow a new complaint to be filed and shall thereupon issue a new warrant or summons.

(g) Failure to Issue Warrant---Dismissal. Upon five days' notice to the prosecuting attorney, the court shall dismiss a charge without prejudice if (i) 90 days have elapsed since the citation or complaint was filed and (ii) on the date that the order of dismissal is entered, no warrant has been issued and the defendant has not appeared in court.

[Amended effective September 1, 1991; September 1, 1995; September 1, 2003; September 1, 2006.]

**Reviser's note:** The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

Proposed Amendment:

CrRLJ 2.3  
SEARCH AND SEIZURE

(a) Authority To Issue Warrant. A search warrant authorized by this rule may be issued by the court upon request of a peace officer or the prosecuting authority.

(b) Property or Persons Which May Be Seized With a Warrant. A warrant may be issued under this rule to search for and seize any (1) evidence of a crime; or (2) contraband, the fruits of crime, or things otherwise criminally possessed; or (3) weapons or other things by means of which a crime has been committed or reasonably appears about to be committed;

or (4) person for whose arrest there is probable cause, or who is unlawfully restrained.

(c) Issuance and Contents. A search warrant may be issued only if the court determines there is probable cause for the issuance of a warrant. ~~There must be a~~ An affidavit, a document as provided in RCW 9A.72.085 or any law amendatory thereto, or sworn testimony establishing the grounds for issuing the warrant, must be provided or transmitted to the court by any reliable method. ~~The sworn testimony may be an electronically recorded telephonic statement. The s~~ Sworn testimony must be in writing, recorded electronically, or otherwise preserved. The record shall include any additional evidence relied upon by the court. The recording, or a duplication of the recording, shall be a part of the court record and shall be provided if requested by a party or if ordered by the court, ~~subject to the provisions of rule 8-10.~~ The evidence in support of the finding of probable cause shall be preserved and shall be subject to constitutional limitations for such determinations and may be hearsay in whole or in part. If the court finds that probable cause for the issuance of a warrant exists, it shall issue a warrant or direct an individual whom it authorizes for such purposes to affix the court's signature to a warrant. The authorization of the warrant may be done through any reliable method. The warrant may be directed to any peace officer. The warrant shall command the officer to search, within a specified period of time not to exceed 10 days, the person, place or thing named for the property or person specified. ~~¶ The warrant shall designate the court to which the warrant ¶ shall be returned. ¶ The warrant shall be returned to the issuing court, and filed in the public files of the court record and available for public review unless ordered sealed by the court. Unless otherwise designated by the issuing court, the warrant may be served at any time of day or night.~~

(d) Execution and Return With Inventory. The peace officer taking property under the warrant shall give to the person from whom or from whose premises the property is taken a copy of the warrant and a receipt for the property taken. If no such person is present, the officer may post a copy of the search warrant and receipt. The return shall be made promptly and shall be accompanied by a written inventory of any property taken. The inventory shall be made in the presence of the person from whose possession or premises the property is taken, or in the presence of at least one person other than the officer. The court shall upon request ~~deliver~~ provide a copy of the inventory to the person from whom or from whose premises the property was taken and to the applicant for the warrant.

(e) Motion for Return of Property. A person may move the issuing court for the return of the property seized under the warrant on the ground that the property was illegally seized, or does not appear relevant or reasonably calculated to lead to the discovery of relevant evidence, and that the person is lawfully entitled to possession of the property. The motion shall be filed in the court which issued the warrant and a copy served upon the chief executive of the law enforcement agency that obtained the warrant. Proof of service shall be filed with the court. The prosecuting authority's assertion that property lawfully seized is relevant or reason-

ably calculated to lead to the discovery of relevant evidence shall be binding on the court.

(1) Procedure if Charges Pending. If a motion based on the ground that property was illegally seized is made or comes on for hearing after a complaint or citation and notice is filed in the court in which the motion is pending, it shall be treated as a motion to suppress. If charges are pending in another court at the time a motion made upon any ground is filed or comes on for hearing, the motion shall be transferred to the other court and subject to its rules of procedure.

(2) Procedure if No Charges Pending. If no charges are pending in any court at the time the motion is made, the issuing court shall set the motion for hearing not less than 30 days from the date of the filing or service of the motion, whichever is later.

(3) Procedure if Motion Granted. If the motion is granted, the property shall be returned unless the prosecuting authority seeks review within 14 days.

(f) Searches of Media.

(1) Scope. If an application for a search warrant is governed by RCW 10.79.015(3) or 42 U.S.C. subsection 2000aa et seq., this section controls the procedure for obtaining the evidence.

(2) Subpoena Duces Tecum. Except as provided in subsection (3), if the court determines that the application satisfies the requirements for issuance of a warrant, as provided in section (c) of this rule, the court shall issue a subpoena duces tecum in accordance with CrRLJ 45(b).

(3) Warrant. If the court determines that the application satisfies the requirements for issuance of a warrant and that RCW 10.79.015(3) and 42 U.S.C. subsection 2000aa et seq. permit issuance of a search warrant rather than a subpoena duces tecum, the court may issue a warrant.

(g) Motion for Suppression. Absent prejudice to the defendant, procedural noncompliance with rules of execution and return does not compel invalidation of a warrant or suppression of its fruits.

Comment: CrRLJ 2.3 was adopted in 1987. The technology utilized by courts, law enforcement and attorneys for transmitting and preserving documents and recorded testimony has significantly evolved. Telephone, facsimile, electronic mail and digital recording methods are widely used. Statute and court rule allow for the use of digital signatures. The rule continues to require that the court receive the sworn evidence from the prosecuting authority or police officer and issue the warrant through any reliable method that preserves the evidence and the warrant. Because technology continues to evolve, the various methods of transmitting the sworn evidence and issuing the warrant are not specified in the rule. General Rule 31, Access to Court Records, sets forth the provisions for public review of court records.

Proposed Amendment:

CrRLJ 3.2.1

PROCEDURE FOLLOWING  
WARRANTLESS ARREST—PRELIMINARY HEARING

(a) Probable Cause Determination. A person who is arrested shall have a judicial determination of probable cause no later than 48 hours following the person's arrest, unless probable cause has been determined prior to such arrest.

(b) How Determined. The court shall determine probable cause on evidence presented by a peace officer or prosecuting authority in the same manner as provided for a warrant of arrest in ~~CrRLJ rule 2.2(a)~~. In making the probable cause determination, the court may consider an affidavit, a document as provided in RCW 9A.72.085 or any law amendatory thereto, or sworn testimony, and further may examine under oath the affiant and any witnesses the affiant may produce. Sworn testimony, including telephonic statements, shall be recorded electronically, stenographically, or by any reliable method. The written or recorded evidence considered by the court may be hearsay in whole or in part. The evidence shall be preserved and shall be subject to constitutional limitations for probable cause determinations ~~may consist of an electronically recorded telephonic statement. The court's probable cause determination may be recorded through any reliable method.~~ If the court finds that release without bail should be denied or that conditions should attach to the release on personal recognizance, other than the promise to appear for a court hearing ~~trial~~, the court shall proceed to determine whether probable cause exists to believe that the accused committed the ~~offense charged~~ crime alleged, unless this determination has previously been made by a court. ~~Before making the determination, the court may consider an affidavit, a document as provided in RCW 9A.72.085 or any law amendatory thereto, or sworn testimony, and further may examine under oath the affiant and any witnesses the affiant may produce. Sworn testimony shall be electronically or stenographically recorded. The evidence shall be preserved and shall be subject to constitutional limitations for probable cause determinations, and may be hearsay in whole or in part.~~

(c) Court Days. For the purpose of section (a), Saturday, Sunday and holidays may be considered judicial days.

(d) Preliminary Appearance.

(1) Adult. Unless an accused has appeared or will appear before the superior court for a preliminary appearance, any accused detained in jail must be brought before a court of limited jurisdiction as soon as practicable after the detention is commenced, but in any event before the close of business on the next court day.

(2) Juveniles. Unless an accused has appeared or will appear before the superior court for a preliminary appearance, any accused in whose case the juvenile court has entered a written order declining jurisdiction and who is detained in custody, must be brought before a court of limited jurisdiction as soon as practicable after the juvenile court order is entered, but in any event before the close of business on the next court day.

(3) Unavailability. If an accused is unavailable for preliminary appearance because of physical or mental disability, the court may, for good cause shown and recorded by the court, enlarge the time prior to preliminary appearance.

(e) Procedure at Preliminary Appearance.

(1) At the preliminary appearance, the court shall provide for a lawyer pursuant to rule 3.1 and for pretrial release pursuant to rule 3.2, and the court shall orally inform the accused:

(i) of the nature of the charge against the accused;

(ii) of the right to be assisted by a lawyer at every stage of the proceedings; and

(iii) of the right to remain silent, and that anything the accused says may be used against him or her.

(2) If the court finds that release should be denied or that conditions should attach to release on personal recognizance, other than the promise to appear in court at subsequent hearings, the court shall proceed to determine whether probable cause exists to believe that the accused committed the offense charged, unless this determination has previously been made by a court. Before making the determination, the court may consider affidavits filed or sworn testimony and further may examine under oath the affiant and any witnesses he or she may produce. Subject to constitutional limitations, the finding of probable cause may be based on evidence which is hearsay in whole or in part.

(f) Time Limits.

(1) Unless a written complaint is filed or the accused consents in writing or on the record in open court, an accused, following a preliminary appearance, shall not be detained in jail or subjected to conditions of release for more than 72 hours after the accused's detention in jail or release on conditions, whichever occurs first. Computation of the 72-hour period shall not include any part of Saturdays, Sundays, or holidays.

(2) If no complaint, information or indictment has been filed at the time of the preliminary appearance, and the accused has not otherwise consented, the court shall either:

(i) order in writing that the accused be released from jail or exonerated from the conditions of release at a time certain which is within the period described in subsection (f)(1); or

(ii) set a time at which the accused shall reappear before the court. The time set for reappearance must also be within the period described in subsection (f)(1). If no complaint, information or indictment has been filed by the time set for release or reappearance, the accused shall be immediately released from jail or deemed exonerated from all conditions of release.

(g) Preliminary Hearing on Felony Complaint.

(1) When a felony complaint is filed, the court may conduct a preliminary hearing to determine whether there is probable cause to believe that the accused has committed a felony unless an information or indictment is filed in superior court prior to the time set for the preliminary hearing. If the court finds probable cause, the court shall bind the defendant over to the superior court. If the court binds the accused over, or if the parties waive the preliminary hearing, an information shall be filed without unnecessary delay. Jurisdiction vests in the superior court at the time the information is filed.

(2) If at the time a felony complaint is filed with the district court the accused is detained in jail or subjected to conditions of release, the time from the filing of the complaint in district court to the filing of an information in superior court shall not exceed 30 days plus any time which is the subject of a stipulation under subsection (g)(3). If at the time the complaint is filed with the district court the accused is not detained in jail or subjected to conditions of release, the time from the accused's first appearance in district court which next follows the filing of the complaint to the time of the filing of an information in superior court shall not exceed 30 days, excluding any time which is the subject of a stipulation under subsection (g)(3). If the applicable time period speci-

fied above elapses and no information has been filed in superior court, the case shall be dismissed without prejudice.

(3) Before or after the preliminary hearing or a waiver thereof, the court may delay a preliminary hearing or defer a bind-over date if the parties stipulate in writing that the case shall remain in the court of limited jurisdiction for a specified time, which may be in addition to the 30-day time limit established in subsection (g)(2).

(4) A preliminary hearing shall be conducted as follows:

(i) the defendant may as a matter of right be present at such hearing;

(ii) the court shall inform the defendant of the charge unless the defendant waives such reading;

(iii) witnesses shall be examined under oath and may be cross-examined;

(iv) the defendant may testify and call witnesses in the defendant's behalf.

(5) If a preliminary hearing on the felony complaint is held and the court finds that probable cause does not exist, the charge shall be dismissed, and may be refiled only if a motion to set aside the finding is granted by the superior court. The superior court shall determine whether, at the time of the hearing on such motion, there is probable cause to believe that the defendant has committed a felony.

(6) If a preliminary hearing is held, the court shall file the record in superior court promptly after notice that the information has been filed. The record shall include, but not be limited to, all written pleadings, docket entries, the bond, and any exhibits filed in the court of limited jurisdiction. Upon written request of any party, the court shall file the recording of any testimony.

[Amended effective September 1, 2002.]

**Reviser's note:** The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

WSR 14-13-028
RULES OF COURT
STATE SUPREME COURT

[June 6, 2014]

IN THE MATTER OF THE ADOPTION ) ORDER
OF AMENDMENTS TO RAP 2.2(c)— ) NO. 25700-A-1060
DECISIONS OF THE SUPERIOR )
COURT THAT MAY BE APPEALED, )
RAP 5.3(a)—CONTENT OF NOTICE— )
FILING—CONTENT OF NOTICE OF )
APPEAL, RAP 5.3(j)—CONTENT OF )
NOTICE—FILING—ASSISTANCE TO )
DEFENDANT IN CRIMINAL CASE OR )
PARTY ENTITLED TO REVIEW AT )
PUBLIC EXPENSE, RAP 5.4(a)—FIL- )
ING AND SERVICE OF NOTICE, RAP )
6.2(c)—DISCRETIONARY REVIEW, )
RAP 9.6—DESIGNATION OF CLERK'S )
PAPERS AND EXHIBITS, RAP 9.7(b)— )
PREPARING CLERK'S PAPERS AND )
EXHIBITS FOR APPELLATE COURT, )
RAP 10.10—STATEMENT OF ADDI- )
TIONAL GROUNDS FOR REVIEW, )
RAP 16.2—ORIGINAL ACTION )
AGAINST STATE OFFICER, RAP )
17.1(a)—SCOPE, RAP 18.3(b)—WITH- )
DRAWAL BY COUNSEL AND RAP )
18.13A—ACCELERATED REVIEW OF )
JUVENILE DEPENDENCY, DISPOSI- )
TION ORDERS AND, ORDERS TERMI- )
NATING PARENTAL RIGHTS, AND )
DEPENDENCY GUARDIANSHIP )
ORDERS )

The Court of Appeals having recommended the adoption of the proposed amendments to RAP 2.2(c), RAP 5.3(a), RAP 5.3(j), RAP 5.4(a), RAP 6.2(c), RAP 9.6, RAP 9.7(b), RAP 10.10, RAP 16.2, RAP 17.1(a), RAP 18.3(b) and RAP 18.13A, and the Court having considered the amendments and comments submitted thereto, and having determined that the proposed amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the amendments as shown below are adopted.

(b) That the amendments will be published in the Washington Reports and will become effective September 1, 2014.

DATED at Olympia, Washington this 6th day of June, 2014.

C. Johnson, J. Madsen, C.J.
Owens, J. Wiggins, J.
Fairhurst, J. Gonzalez, J.
Stephens, J. Gordon McCloud, J.
Yu, J.

RAP 2.2(c)
DECISIONS OF THE SUPERIOR COURT THAT MAY BE APPEALED

(c) Superior Court Decision on Review of Decision of Court of Limited Jurisdiction. If the superior court decision

has been entered after a proceeding to review a decision of a court of limited jurisdiction, a party may appeal only if the review proceeding was a trial de novo and the final judgment is not a finding that a traffic infraction has been committed. Appeal is not available if: (1) the final judgment is a finding that a traffic infraction has been committed, or (2) the claim originated in a small claims court operating under RCW 12.40.

RAP 5.3 (a), (j)
CONTENT OF NOTICE—FILING

(a) Content of Notice of Appeal. A notice of appeal must (1) be titled a notice of appeal, (2) specify the party or parties seeking the review, (3) designate the decision or part of decision which the party wants reviewed, and (4) name the appellate court to which the review is taken.

The party filing the notice of appeal should attach to the notice of appeal a copy of the signed order or judgment from which the appeal is made, and, in a criminal case in which two or more defendants were joined for trial by order of the trial court, provide the names and superior court cause numbers of all codefendants. In a criminal case where the defendant is not represented by counsel at trial, the trial court clerk shall attach a copy of the judgment and sentence, the order of indigency, if applicable, and any service documents with the notice as provided in rule 5.3(j).

...

(j) Assistance to Defendant in Criminal Case or Party Entitled to Review at Public Expense. Trial counsel for a defendant in a criminal case or party entitled to review at public expense is responsible for filing any appropriate notice of appeal, notice for discretionary review, and motion for order of indigency under rule 15.2. If such a defendant or party is not represented by counsel at trial, the trial court clerk shall, if requested by the defendant or party in open court or in writing, supply a notice of appeal form, a notice for discretionary review form, or a form for a motion for order of indigency, and file the forms upon completion by the defendant or party. The clerk shall transmit the forms and all related orders to the appellate court.

RAP 5.4(a)
FILING AND SERVICE OF NOTICE

(a) Filing of Notice by Clerk of Trial Court. The clerk of the trial court shall within 14 days of the filing of a notice of appeal or notice for discretionary review file a copy of the notice along with any proof or affidavit of service filed for the notice with the appellate court designated in the notice and notify that court whether the filing fee has been paid. The clerk shall indicate on the notice in the clerk's file, or on a separate paper, the date the notice and proof of service, if applicable, was mailed to the appellate court. In a case where a defendant is not represented by counsel at trial, the clerk shall also transmit to the designated appellate court a copy of the judgment and sentence, order of indigency, if applicable, and any service documents. Failure by the clerk to file the notice with the appellate court has no effect on the rights of any party to review.

**RAP 6.2(c)**  
**DISCRETIONARY REVIEW**

(c) Regular Motion Procedure Governs. A motion for discretionary review is governed by the motion procedure established by Title 17. The motion and the response should append those portions of the record below to which the motion or response refer. The appendix should include a table of contents and the pages should be consecutively numbered.

**Reviser's note:** The spelling error in the above material occurred in the copy filed by the State Supreme Court and appears in the Register pursuant to the requirements of RCW 34.08.040.

**RAP 9.6 (b)(1)**  
**DESIGNATION OF CLERK'S PAPERS AND EXHIBITS**

(b) Designation and contents.

(1) The clerk's papers shall include, at a minimum:

(A) the notice of appeal or the notice of discretionary review;

(B) the indictment, information, or complaint in a criminal case;

(C) the summons and complaint, or case initiating petition in a civil case;

~~(D)~~ (D) any written order or ruling not attached to the notice of appeal, of which a party seeks review;

~~(E)~~ (E) the final pretrial order, or the final complaint and answer or other pleadings setting out the issues to be tried if the final pretrial order does not set out those issues;

~~(F)~~ (F) any written opinion, findings of fact or conclusions of law;

~~(G)~~ (G) any jury instruction given or refused that presents an issue on appeal; and

~~(H)~~ (H) any order sealing documents if sealed documents have been designated.

**RAP 9.7(b)**  
**PREPARING CLERK'S PAPERS AND EXHIBITS FOR APPELLATE COURT**

(b) Exhibits. The clerk of the trial court shall assemble those exhibits designated by the parties and prepare them for transmission to the appellate court. Exhibits ~~which that~~ are papers should be assembled in the order the exhibits are numbered with a cover sheet ~~which that~~ lists only the exhibits being transmitted and is titled "Exhibits."

**RULE 10.10 STATEMENT OF ADDITIONAL GROUNDS FOR REVIEW**

(a) Statement Permitted. ~~A defendant/appellant in a review of~~ In a criminal case on direct appeal, the defendant may file a pro se statement of additional grounds for review to identify and discuss those matters related to the decision under review which that the defendant/appellant believes have not been adequately addressed by the brief filed by the defendant/appellant's counsel.

**(b) Length and Legibility.** The statement, which shall be limited to no more than 50 pages, may be submitted in handwriting so long as it is legible and can be reproduced by the clerk.

**(c) Citations; Identification of Errors.** Reference to the record and citation to authorities are not necessary or

required, but the appellate court will not consider a defendant/~~appellant's~~ statement of additional grounds for review if it does not inform the court of the nature and occurrence of alleged errors. Except as required in cases in which counsel files a motion to withdraw as set forth in rule 18.3 (a)(2), the appellate court is not obligated to search the record in support of claims made in a defendant/~~appellant's~~ statement of additional grounds for review. Only documents that are contained in the record on review should be attached or referred to in the statement.

**(d) Time for Filing.** The statement of additional grounds for review should be filed within 30 days after service upon the defendant/~~appellant~~ of the brief prepared by defendant/~~appellant's~~ counsel and the mailing of a notice from the clerk of the appellate court advising the defendant/~~appellant~~ of the substance of this rule. The clerk will advise all parties if the defendant/~~appellant~~ files a statement of additional grounds for review.

**(e) Report of Proceedings.** If within 30 days after service of the brief prepared by defendant/~~appellant's~~ counsel, defendant/~~appellant~~ requests a copy of the verbatim report of proceedings from defendant/~~appellant's~~ counsel, counsel should promptly serve a copy of the verbatim report of proceedings on the defendant/~~appellant~~ and should file in the appellate court proof of such service. The pro se statement of additional grounds for review should then be filed within 30 days after service of the verbatim report of proceedings. The cost for producing and mailing the verbatim report of proceedings for an indigent defendant/~~appellant~~ will be reimbursed to counsel from the Office of Public Defense in accordance with Title 15 of these rules.

**(f) Additional Briefing.** The appellate court may, in the exercise of its discretion, request additional briefing from counsel to address issues raised in the defendant/~~appellant's~~ pro se statement.

**RAP 16.2(b)**  
**ORIGINAL ACTION AGAINST STATE OFFICER**

(b) Initiating Proceeding. The proceeding is initiated by filing the petition in the Supreme Court and servicing filing proof of service of the petition on the proper parties. ~~The petition must be noted for hearing before the commissioner or clerk as provided in rule 17.4 for motions. The notice of hearing should be served with the petition.~~ Service of the petition ~~and notice~~ must be made as provided in the Superior Court Civil Rules and statutes for service of a summons in a superior court action. The clerk of the Supreme Court will note the petition for hearing and provide notice to the parties.

**RAP 17.1(a)**  
**SCOPE**

(a) Relief Under This Title. A person may seek relief, other than a decision of the case on the merits, by motion as provided in Title 17. In a criminal appeal where the defendant is represented by counsel, the defendant may only file a motion related to a statement of additional grounds for review or the representation of counsel. Other motions submitted by a defendant who is represented by counsel will be placed in the file without action. Any such action is not subject to the provisions of rule 17.7.

**RAP 18.3(b)  
WITHDRAWAL BY COUNSEL**

(b) Civil Cases. Except as otherwise provided in this section, withdrawal by counsel in a civil case shall be governed by CR 71. If a notice of intent to withdraw is given before oral argument, the notice should include the date set for oral argument. Any reference in the notice to the clerk of the court shall mean the clerk of the appellate court. ~~A motion~~ The notice to withdraw from representation in the appellate court should be filed in the appellate court, which will decide such motion.

**RAP 18.13A (a), (d)  
ACCELERATED REVIEW OF JUVENILE DEPENDENCY  
DISPOSITION ORDERS AND ORDERS TERMINATING  
PARENTAL RIGHTS, AND DEPENDENCY GUARDIANSHIP  
ORDERS**

(a) Generally. Juvenile dependency disposition orders and orders terminating parental rights under RCW 13.34, and dependency guardianship orders under RCW 13.36, may be reviewed by a commissioner on the merits by accelerated review as provided in this rule. Review from other orders entered in juvenile dependency and termination actions are not subject to this rule. The provisions of this rule supersede all other provisions of the Rules of Appellate Procedure to the contrary, and this rule shall be construed so that appeals from juvenile dependency disposition orders and orders terminating parental rights under RCW 13.34, and dependency guardianship orders under RCW 13.36, shall be heard as expeditiously as possible.

...

(d) Consolidation. When one or more appellants seek review of more than one dependency dispositional order ~~or~~ order terminating parental rights, or dependency guardianship order arising from cases tried together, each appellant may file a single statement of arrangements and a single designation of clerk's papers under the lowest trial court cause number. The appellate court normally will consolidate the appeals for purposes of review.

**WSR 14-14-002  
DEPARTMENT OF AGRICULTURE**

[Filed June 19, 2014, 8:01 a.m.]

**2014 Petitions for Rule Making**

The following information is being sent in order to implement RCW 1.08.112 [(1)](g) and WAC 1-21-180. The Washington state department of agriculture received two petitions for rule making during the second quarter of 2014, which covers Washington State Registers 14-07 through 14-12.

Registers 14-01 through 14-06		
Date	Requestor	Subject
12/30/13	Donna Ruelas-Semasko	Animal importation
1/6/14	Midland Bull Test	Trichomoniasis
Registers 14-07 through 14-12		

3/6/14	Washington Scotch Broom Working Group	Noxious weed seed and plant quarantine exceptions
5/5/14	Washington Seed Potato Commission	Post-harvest testing requirements

**WSR 14-14-005**

**AGENDA**

**DEPARTMENT OF CORRECTIONS**

[Filed June 19, 2014, 11:34 a.m.]

Following is the department of corrections' semi-annual rule development agenda for publication in the Washington State Register pursuant to RCW 34.05.314.

There may be additional rule-making activity not on the agenda as conditions warrant.

**RULE DEVELOPMENT CALENDAR  
JULY 1 - DECEMBER 31, 2014**

WAC Chapter or Section	Purpose
137-25	Serious infractions.
137-28	Prisons—Discipline.
137-56	Community residential programs, work/training release.
137-75	Jail and medical cost reimbursement to cities and counties.
137-80	Institutional industries.
137-104	Community custody violation hearings.

John Nispel  
Rules Coordinator

**WSR 14-14-009  
NOTICE OF PUBLIC MEETINGS  
COMMUNITY COLLEGES  
OF SPOKANE**

[Filed June 19, 2014, 3:42 p.m.]

The board of trustees of Washington State Community College District 17 (Community Colleges of Spokane) has changed the following regular meeting:

From: Tuesday, August 19, 2014.

To: This meeting has been cancelled.

If you need further information contact Linda Graham, Community Colleges of Spokane, 501 North Riverpoint Boulevard, Spokane, WA 99217, phone (509) 434-5006, fax (509) 434-5025, e-mail linda.graham@ccs.spokane.edu.

## WSR 14-14-022

## AGENDA

## OFFICE OF FINANCIAL MANAGEMENT

[Filed June 23, 2014, 10:51 a.m.]

Following is the office of financial management's (OFM) semi-annual rule-making agenda for publication in the Washington State Register. This list identifies rules under development and rules with anticipated rule-making action during the next six months.

This agenda is available on the OFM web site at <http://ofm.wa.gov/rulemaking/default.asp>. The information is updated as rule-making notices are filed. If OFM begins rule-making activities for a rule not listed on the agenda, that information will also be posted.

If you have any questions about this agenda, please feel free to contact Kristi Wilson, OFM Rules and Appeals, [Kristi.wilson@ofm.wa.gov](mailto:Kristi.wilson@ofm.wa.gov) or (360) 407-4139.

**Semi-Annual Rule-Making Agenda  
July 1 through December 31, 2014**

<b>WAC Citation</b>	<b>Subject Matter/Purpose of Rule</b>	<b>Current Activity/ Approximate Filing Date</b>
357-49-010 357-52-010 357-58-055 357-58-505	Update to allow Washington management service employees to file rule violation appeals as stated in RCW 41.06.170(2).	CR-102 filing anticipated in October.
357-01-290 357-01-345 357-19-025 357-19-115 357-19-117 357-46-070 357-52-010 357-58-345 357-58-370 357-58-375 357-58-515	Clarify in the trial service period reversion rules what the employer's obligation is when looking for a position to return the employee to. Also, update rules which address when a trial service period is required.	CR-102 filing anticipated in October.
357-31-005	SSB 6078 Names the fourth Thursday in November Native American Heritage Day.	Proposing permanent adoption at the August director's meeting.
357-13-090 357-28-035 357-28-082 357-28-088 357-28-110 357-28-115 357-28-120 357-28-135	Step M rule updates in regards to promotions and reallocations.	CR-102 filing anticipated in July.
82-56-010 82-56-020 82-56-030 357-31-052 357-31-327	Chapter 168, Laws of 2014 (SSB 5173) allows employees of the state and its political subdivisions two unpaid holidays per calendar year for reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization.	CR-101 filed June 12, 2014. CR-102 filing anticipated August.
	Chapter 223, Laws of 2014 (E2SHB 2572) Sections 8-15 direct OFM to establish a statewide all payer claims database (APCD) and to adopt rules for the APCD.	CR-101 filing anticipated in July.

Roselyn Marcus  
Assistant Director  
Legal and Legislative Affairs

## WSR 14-14-024

NOTICE OF PUBLIC MEETINGS  
DAIRY PRODUCTS COMMISSION

[Filed June 23, 2014, 11:30 a.m.]

## 2014 Regular Meeting Schedule Revision

The following meeting previously scheduled for November 11 has been changed to November 10 at 8:00 a.m. at the Heathman Lodge, 7801 N.E. Greenwood Drive, Vancouver, WA 98662.

NOTE: The above meeting times and locations are subject to change. Please confirm all final meeting start times and locations with Celeste Piette, 4201 198th Street S.W., Suite 101, Lynnwood, WA 98036, phone (425) 672-0687.

## WSR 14-14-032

## AGENDA

DEPARTMENT OF  
LABOR AND INDUSTRIES

[Filed June 24, 2014, 8:44 a.m.]

Pursuant to RCW 34.05.314, following is the department of labor and industries' semi-annual rules development agenda for July 1 through December 31, 2014.

There may be additional rule-making activities not on the agenda as conditions warrant.

Please contact Suchi Sharma at (360) 902-6744 or suchi.sharma@lni.wa.gov if you have any questions.

## Semi-Annual Rules Development Agenda

July 1 - December 31, 2014

WAC CHAPTER(S)	RULE SUBJECT	AGENCY CONTACT	PROPOSED TIMELINE			BRIEF DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
<b>DIVISION: ADMINISTRATIVE SERVICES</b>						
296-06	Public records	Angie Wharton Public Records (360) 902-5542	TBD	TBD	TBD	Updating the public record WACs with the current agency organizational information, statutory references, web links, and records request information.
<b>DIVISION: FINANCIAL MANAGEMENT; CRIME VICTIMS COMPENSATION</b>						
296-30 and 296-31	Admin of CVC	Maty Brimmer CVC (360) 902-6707	TBD	TBD	TBD	
<b>DIVISION: DIVISION OF OCCUPATIONAL SAFETY AND HEALTH</b>						
296-307 Parts Y-1 and Y-2	Global harmonization of chapter 296-307 WAC, Safety standards for agriculture	Tari Enos DOSH Standards (360) 902-5541	6/3/14	After 7/18/14	TBD	Adopting new hazard communication rules as a result of federal OSHA requirements. Reference to the new rules (see WAC 296-901-140) will be adopted into chapter 296-307 WAC, Safety standards for agriculture. The current WAC 296-307-550 to 296-307-56050 Part Y-1 and Y-2 will remain in chapter 296-307 WAC until repealed, along with the general industry equivalent in accordance with the implementation dates set forth in WAC 296-901-140.
296-62	Clarifying chapter 296-62 WAC, General occupational health standards, relating to hazardous drugs	Tari Enos DOSH Standards (360) 902-5541	5/6/14	After 6/20/14	TBD	Amending sections of chapter 296-62 WAC relating to hazardous drugs for increased clarification, streamlining and conforming to the federal global harmonization rule requirements.

WAC CHAPTER(S)	RULE SUBJECT	AGENCY CONTACT	PROPOSED TIMELINE			BRIEF DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
296-807, 296-817, 296-823, 296-826, 296-865, 296-869, 296-870 and 296-874	eRules filing package 2	Tari Enos DOSH Standards (360) 902-5541	7/22/14	After 9/5/14	TBD	Reformatting safety and health rules to make them easier to read, comprehend, reference and access electronically from a mobile device.
296-78	Safety standards for saw-mills and woodworking operations	Tari Enos DOSH Standards (360) 902-5541	4/22/14	After 6/6/14	TBD	Amending WAC 296-78-71503 to align the lockout/tagout requirements with those of chapter 296-803 WAC, Control of hazardous records, to provide a greater level of protection for similar hazards and potential exposures.
296-45	Safety standards for electrical workers (helicopters/ high voltage)	Tari Enos DOSH Standards (360) 902-5541	3/5/13	TBD	TBD	Updating the safety requirements in chapter 296-45 WAC that relate to electrical work with helicopter assistance.
296-307, Parts L and L-1	Temporary worker housing	Tari Enos DOSH Standards (360) 902-5541	6/17/14	After 8/1/14		Updating chapter 296-307 WAC, Parts L and L-1, to be consistent with department of health rule making related to temporary worker housing.
296-32	Safety standards for telecommunications	Cindy Ireland DOSH Standards (360) 902-5522	8/6/13	TBD	TBD	Updating current telecommunications standard and bring it up to date with industry standards.
296-36, 296-155, Part Q	Safety standards—Compressed air work	Cindy Ireland DOSH Standards (360) 902-5522	9/18/12	TBD	TBD	Updating current rules related to compressed air work based on industry developments and technology.
296-900	DOSH penalty calculations	Cindy Ireland DOSH Standards (360) 902-5522	4/22/14	9/30/14	12/16/14	Updating rules relating to penalties. The rule making is in response to federal changes in policy and mandated measures for calculating penalties. In October 2010, OSHA changed its policies for calculating penalties to require that the average penalty for serious violations (private sector employers only) be within +/- 25% of the three year national average. In October 2012, OSHA updated the state activities mandated measures (SAMM) Report to require state plan states to meet its new measures for calculating penalties. Additional stakeholder meetings being conducted before filing CR-102.
296-45	Safety standards for electrical workers	Cindy Ireland DOSH Standards (360) 902-5522	TBD	TBD	TBD	Amending chapter 296-45 WAC to comply with changes in OSHA 29 C.F.R. Parts 1910 Electric Power Generation, Transmission and Distribution and 1926 Subpart V Power Transmission and Distribution.
<b>DIVISION: FIELD SERVICES AND PUBLIC SAFETY</b>						
296-150M	Manufactured homes	Alicia Curry FAS Program (360) 902-6244	8/14	TBD	TBD	Amending WAC 296-150M-0306 for alterations of manufactured/mobile homes to update the building, mechanical and plumbing code requirements, based upon a review of the rules and stakeholder

WAC CHAPTER(S)	RULE SUBJECT	AGENCY CONTACT	PROPOSED TIMELINE			BRIEF DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
						requests. This rule making is necessary to adopt the most technologically innovative standards for manufactured/mobile homes to allow the use of new technology and installations to adhere to present day standards used by the industry.
296-49A	Director's factory assembled structures advisory board	Alicia Curry FAS Program (360) 902-6244	8/14	TBD	TBD	Eliminating obsolete rules pertaining to the factory assembled structures advisory board to reflect current practice.
296-46B, 296-200A	Electrical safety standards, administration, and installation contractor certificate of registration renewals—Security—Insurance	Alicia Curry Electrical Program/ Contractor Registration (360) 902-6244	TBD	TBD	TBD	Amending the electrical and contractor rules pertaining to appeal bonds to comply with SHB 2146 that passed the legislature in 2014.
<b>DIVISION: FRAUD PREVENTION AND LABOR STANDARDS</b>						
296-05	Apprenticeship rules	Beverly Clark Fraud Prevention and Labor Standards (360) 902-6272	6/3/14	8/19/14	11/14	Amending rules in response to the federal review to align the department's rules with the federal rules.
296-127	Prevailing wage	Beverly Clark Fraud Prevention and Labor Standards (360) 902-6272	TBD	TBD	TBD	Reviewing prevailing wage rules, which have not gone through a comprehensive review since the early 90s. Amendments will: <ul style="list-style-type: none"> <li>• Reflect court decisions;</li> <li>• Integrate administrative policies;</li> <li>• Streamline current processes;</li> <li>• Create consistency with the statute; and</li> <li>• Make housekeeping changes.</li> </ul>
296-127	Prevailing wage—Scope of work descriptions for dredge workers, truck drivers, and ready mix truck drivers	Beverly Clark Fraud Prevention and Labor Standards (360) 902-6272	TBD	TBD	TBD	Adopting scope of work descriptions for dredge workers, truck drivers, and ready mix drivers.
296-127	Prevailing wage—Scope of work description for fabricated precast concrete products	Beverly Clark Fraud Prevention and Labor Standards (360) 902-6272	TBD	TBD	TBD	Adopting scope of work description for fabricated precast concrete products.
296-127	Prevailing wage—Scope of work descriptions for utilities construction and laborers in utilities construction	Beverly Clark Fraud Prevention and Labor Standards (360) 902-6272	8/16/10	TBD	TBD	Repealing scope of work definitions for utilities construction and laborers in utilities construction.
296-150M	Manufactured homes	Beverly Clark Fraud Prevention and Labor Standards (360) 902-6272	TBD	TBD	TBD	Making housekeeping changes and updating language for clarity and consistency.
296-200A	Contractor certificate of registration renewals—Security—Insurance	Beverly Clark Fraud Prevention and Labor Standards (360) 902-6272	TBD	TBD	TBD	Making housekeeping changes and updating language for clarity and consistency with industry practices. Clarify definitions.
296-400A	Plumber certification rules	Beverly Clark Fraud Prevention and Labor Standards (360) 902-6272	TBD	TBD	TBD	Making housekeeping changes and update language for clarity and consistency with industry practices.
<b>DIVISION: INSURANCE SERVICES—EMPLOYER SERVICES</b>						
296-17 and 296-17B	2015 Workers' compensation premium rates	Jo Anne Attwood (360) 902-4777	6/17/14	9/16/14	11/25/14	Setting rates for 2015 workers' compensation insurance.

WAC CHAPTER(S)	RULE SUBJECT	AGENCY CONTACT	PROPOSED TIMELINE			BRIEF DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
296-17	Farm internship program	Jo Anne Attwood (360) 902-4777	5/20/14	7/22/14	9/3/14	Setting rates for farm internship classifications and amend the reporting rule.
296-17 and 296-17A	Miscellaneous classification and reporting changes	Jo Anne Attwood (360) 902-4777	4/22/14	6/17/14	8/19/14	Editing, correcting, clarifying, and formalizing current classification practices into reporting rules and classification rules.
296-17A	Classifications for tree services	Dick Bredeson (360) 902-4985	TBD	TBD	TBD	Considering creating separate classifications for tree trimmers.
296-17A	Classifications for schools and churches	Dick Bredeson (360) 902-4985	TBD	TBD	TBD	Considering creating separate classifications for schools and churches. Presently they are sub-classifications of the same basic classification.
296-17A	Classifications: • Agriculture • Reforestation • Salons/spas • Sports teams	Dick Bredeson/ Annie Peeples (360) 902-4985	5/6/14	7/22/14	1/6/15	Reorganizing multiple classifications to better address like business exposures. Reformat classifications for clarity. Collapse subclassifications where appropriate. Address reporting issues in sports team classifications.
296-17A	Retail stores	Dick Bredeson (360) 902-4985	TBD	TBD	TBD	Considering classification changes if supported by insurance principals.
296-17A	Entertainers	Julia Sweeney (360) 902-4799	TBD	TBD	TBD	Updating classifications for reporting entertainers so that they are fair, equitable and easily applied.
296-17B	Retrospective rating for workers' compensation	Diane Doherty (360) 902-5903	TBD	TBD	TBD	Revisiting hazard grouping, insurance charges and savings tables and other rules that were implemented in January 2011.
<b>DIVISION: INSURANCE SERVICES—HEALTH SERVICES ANALYSIS</b>						
296-21-290 296-23-220	Athletic trainer updates: SHB 2430	Erik Landaas Health Services Analysis (360) 902-4244 Tom Davis Health Services Analysis (360) 902-6687	7/22/14	9/16/14	11/4/14	Allowing athletic trainers to treat injured workers.
<b>DIVISION: INSURANCE SERVICES—LEGAL SERVICES</b>						
296-14	Confidentiality of workers' compensation claim files	Mark Rosen Legal Services (360) 902- 6042	11/16/04	TBD	TBD	Defining the responsibility of employers, workers, and other parties who have access to workers' compensation claim files for confidentiality and release of claim information.
296-14	Definition of temporary partial disability (loss of earning power)	Mark Rosen Legal Services (360) 902- 6042	1/2/13	TBD	TBD	Amending the definition of temporary partial disability (loss of earning power) in the medical aid rules and add a corresponding definition in the industrial insurance rules.
296-14	Pension discount rates and mortality assumptions	Mark Rosen Legal Services (360) 902- 6042	6/20/01	TBD	TBD	Updating the mortality assumptions used to determine pension reserves and actuarial benefit reductions.

WAC CHAPTER(S)	RULE SUBJECT	AGENCY CONTACT	PROPOSED TIMELINE			BRIEF DESCRIPTION OF CHANGES
			CR-101	CR-102	CR-103	
296-14	Wages	Mark Rosen Legal Services (360) 902- 6042	4/22/08	TBD	TBD	Amending existing rules for consistency with RCW 51.08.178 (2007 SHB 1244). In addition, a new rule will be added to clarify when the value of health care benefits is included in determining the worker's monthly wage.
296-14 296-15	Suppressing workers' compensation claims	Mark Rosen Legal Services (360) 902- 6042	6/5/07	TBD	TBD	Defining "bona fide workplace safety," "accident prevention program," and "first aid," and establish the penalty structure for employers when there is a finding of claim suppression. Consideration will be given to when and how employers may be required to notify workers of a finding of claim suppression. In addition, the rule making may address additional issues identified in the rule development process.
<b>DIVISION: INSURANCE SERVICES—OFFICE OF THE MEDICAL DIRECTOR</b>						
296-14 296-21	Psychiatric services	Jami Lifka Office of the Medical Director (360) 902-4941	TBD	TBD	TBD	Consider implementing the Diagnostic and Statistical Manual of Mental Disorders Fifth Edition ( <i>DSM-5</i> ).
<b>DIVISION: INSURANCE SERVICES—SELF-INSURANCE</b>						
296-15	Penalties owed by the self-insured employer resulting from delay or failure to authorize and pay benefits	Natalee Fillinger Self-Insurance (360) 902-6907	11/19/13	TBD	TBD	Consider adopting rules regarding penalties, to define what information is required to constitute a request for penalty and what response is required from the self-insured employer.

Suchi Sharma  
Senior Policy Advisor  
and Rules Coordinator

**WSR 14-14-037**  
**HEALTH CARE AUTHORITY**  
[Filed June 24, 2014, 4:15 p.m.]

**NOTICE**

Document Title: Provider Notice #14-35.  
Subject: Washington preferred drug list.  
Effective for dates of service on or after July 1, 2014, Washington apple health (medicaid), administered by the health care authority, will make the following changes to the Washington preferred drug list. [No further information supplied by agency.]

For additional information, contact Amber Lougheed, Health Care Authority, P.O. Box 45504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail [amber.lougheed@hca.wa.gov](mailto:amber.lougheed@hca.wa.gov), web site <http://www.hca.wa.gov/>.

**WSR 14-14-038**  
**HEALTH CARE AUTHORITY**  
[Filed June 24, 2014, 4:19 p.m.]

**NOTICE**

Document Title: Provider Notice #14-39.  
Subject: *Nondurable Medical Supplies and Equipment Provider Guide*.

Effective for claims with dates of service on and after July 1, 2014, Washington apple health (medicaid), administered by the health care authority, is publishing a revised *Nondurable Medical Supplies and Equipment Provider Guide* and updated medical supplies and equipment fee schedule.

For additional information, contact Amber Lougheed, Health Care Authority, P.O. Box 45504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail [amber.lougheed@hca.wa.gov](mailto:amber.lougheed@hca.wa.gov), web site <http://www.hca.wa.gov/>.

**WSR 14-14-039**  
**HEALTH CARE AUTHORITY**

[Filed June 24, 2014, 4:19 p.m.]

**NOTICE**

Document Title: Provider Notice #14-40.

Subject: *Complex Rehabilitation Technology (CRT) Provider Guide*

Effective for claims with dates of service on and after July 1, 2014, Washington apple health (medicaid), administered by the health care authority, is publishing a revised *Complex Rehabilitation Technology (CRT) Provider Guide* and updated CRT fee schedule.

For additional information, contact Amber Lougheed, Health Care Authority, P.O. Box 45504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail [amber.lougheed@hca.wa.gov](mailto:amber.lougheed@hca.wa.gov), web site <http://www.hca.wa.gov/>.

**WSR 14-14-040**  
**HEALTH CARE AUTHORITY**

[Filed June 24, 2014, 4:21 p.m.]

**NOTICE**

Document Title: Provider Notice #14-41.

Subject: Prosthetic and orthotic devices.

Effective for claims with dates of service on and after July 1, 2014, Washington apple health (medicaid), administered by the health care authority, is publishing a revised *Prosthetic and Orthotic Devices Provider Guide* and updated prosthetic and orthotic devices fee schedule.

For additional information, contact Amber Lougheed, Health Care Authority, P.O. Box 45504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail [amber.lougheed@hca.wa.gov](mailto:amber.lougheed@hca.wa.gov), web site <http://www.hca.wa.gov/>.

**WSR 14-14-041**  
**HEALTH CARE AUTHORITY**

[Filed June 24, 2014, 4:22 p.m.]

**NOTICE**

Document Title: Provider Notice #14-42.

Subject: *Physicians-Related Services Provider Guide*.

Effective for claims with dates of service on and after July 1, 2014, Washington apple health (medicaid), administered by the health care authority, is publishing a revised *Physicians-Related Services/Health Care Professional Provider Guide* and updated physician-related services fee schedule.

For additional information, contact Amber Lougheed, Health Care Authority, P.O. Box 45504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail [amber.lougheed@hca.wa.gov](mailto:amber.lougheed@hca.wa.gov), web site <http://www.hca.wa.gov/>.

**WSR 14-14-044**  
**NOTICE OF PUBLIC MEETINGS**  
**BATES TECHNICAL COLLEGE**

[Filed June 25, 2014, 9:34 a.m.]

The following is the schedule of meetings for the Bates Technical College board of trustees for fiscal year 2014-15.

Date	Time	Location
July 29, 2014	2:00 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
September 30, 2014	3:00 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
October 28, 2014	3:00 p.m.	Bates Central/Mohler Campus 2320 South 19 <sup>th</sup> Street Tacoma, WA 98405
November 18, 2014	3:00 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
December 16, 2014	2:00 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
January 27, 2015	3:00 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
February 24, 2015	3:00 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
March 31, 2015	3:00 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
April 28, 2015	3:00 p.m.	Bates South Campus 2201 South 78 <sup>th</sup> Street Tacoma, WA 98409
May 26, 2015	2:00 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405
June 30, 2015	3:00 p.m.	Bates Downtown Campus 1101 South Yakima Avenue Tacoma, WA 98405

If you require further information, please contact Bates Technical College, attn: Becky Welch, 1101 South Yakima Avenue, Tacoma, WA 98405, office (253) 680-7100, fax (253) 680-7101.

**WSR 14-14-046**  
**AGENDA**  
**ENERGY FACILITY SITE**  
**EVALUATION COUNCIL**  
**UTILITIES AND TRANSPORTATION**  
**COMMISSION**

[Filed June 25, 2014, 12:26 p.m.]

The Washington utilities and transportation commission (UTC) submits its semi-annual rule development agenda report for publication in the Washington State Register pursuant to RCW 34.05.314. This report also includes the rule development agenda for the energy facility site evaluation council (EFSEC).

Please direct any questions to Kippi Walker at (360) 664-1139 or [kwalker@utc.wa.gov](mailto:kwalker@utc.wa.gov).

**UTC**  
**Semi-Annual Rules Development Agenda**  
**(July 1 - December 31, 2014)**

This report is UTC's semi-annual report rule development agenda for publication in the Washington State Register pursuant to RCW 34.05.314.

Additional rule-making activity not on the agenda may be undertaken to meet conditions not now anticipated.

Dates that are in "bold" print, indicate that filing has occurred. All other dates are projected. The commission maintains a schedule of rule-making activity that is updated several times per month. See [www.utc.wa.gov](http://www.utc.wa.gov).

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE AND STATUS			DESCRIPTION OF POSSIBLE CHANGES
			CR-101	CR-102 or CR-105	CR-103 HEARING	
<b>CURRENT:</b>						
480-07	Procedural rules	Greg Kopta (360) 664-1355	<b>3/20/13</b>	To be determined	To be determined	Examine the need to revise and clarify rules in chapter 480-07 WAC, Procedural rules.
480-70	Solid waste and/ or refuse collec- tion companies	Danny Kermode (360) 664-1253	<b>7/17/13</b>	To be determined	To be determined	Consider whether to adopt rules governing the methodology for establishing the rate of return for solid waste collection companies (Lurito-Gallagher).
480-109	Energy Indepen- dence Act revi- sions	Dave Nightingale (360) 664-1154	<b>10/2/13</b>	9/14	11/14	Modify current rules to reflect statutory changes adopted in 2012 in ESB 5575 and new changes from 2013 session, including SB 5297, HB 1154, and SSB 5400, as well as other issues involving implementation of the EIA.
480-75-250 480-93-223	Pipeline civil penalty rule mak- ing for violation of chapter 81.88 RCW	Joe Subsits (360) 664-1322	<b>2/19/14</b>	<b>5/7/14</b>	7/2/14	Consider amending existing rule by increas- ing the maximum administrative civil penalties for violation of the pipeline safety laws and regulations to

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE AND STATUS			DESCRIPTION OF POSSIBLE CHANGES
			CR-101	CR-102 or CR-105	CR-103 HEARING	
						\$200,000 per violation per day of violations, with a maximum of \$2,000,000 for a related series of violations.
480-120 480-121 480-122 480-123 480-140 480-143	Telephone companies	William Weinman (360) 664-1109	5/7/14	12/14	2/15	Consider amending or repealing rules governing telecommunications companies to streamline regulations.
	Pole attachments rule making	Greg Kopta (360) 664-1355	4/22/14	12/3/14	1/29/15	Consider adoption of rules to implement chapter 80.54 RCW, relating to attachments to transmission facilities.
<b>PROPOSED:</b>						
480-90 480-100	Correcting gas and electric meter and billing problems	Roger Kouchi (360) 664-1101	To be determined	To be determined	To be determined	Consider the need to modify existing rules in chapter 480-90 WAC (gas) and chapter 480-100 WAC (electric) to establish standard timeframes in which energy companies must correct meter and billing problems.
480-100-238 480-90-238	Integrated resource planning (IRP)	Deborah Reynolds (360) 664-1255	To be determined	To be determined	To be determined	Consider modifying current electric IRP rules to reflect statutory changes adopted in 2013 in EHB 1826. Further consider modifying gas IRP rules to match electric IRP rules.
"999" sections in various chapters of Title 480 WAC	Adoption by reference expedited rule making	To be determined		(CR-105) To be determined	N/A	Annual update of the citations to material that's incorporated by reference.
480-110	Water companies	Gene Eckhardt (360) 664-1249	To be determined	To be determined	To be determined	Consider whether to adopt rules governing water company financial and managerial health standards.

**EFSEC  
Semi-Annual Rules Development Agenda  
(July 1 - December 31, 2014)**

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE AND STATUS			DESCRIPTION OF POSSIBLE CHANGES
			CR-101	CR-102 or CR-105	CR-103 HEARING	
<b>CURRENT:</b>						
<b>PROPOSED:</b>						
463-78	Air quality permitting	Stephen Posner (360) 664-1903		(CR-105) To be determined	N/A	Amend existing rule: 1. In response to EPA rule revisions in 40 C.F.R. Parts 51, 52, 70 and 71 – Greenhouse gas permitting deferment for biomass-fired emission sources. 2. To be consistent with department of ecology rule revisions addressing new source review and additional prevention of significant deterioration issues in chapters 173-400 and 173-301 WAC.
Title 463 WAC	Administrative updates	Stephen Posner (360) 664-1903		(CR-105) To be determined	N/A	Amend multiple chapters of Title 463 WAC to reflect EFSEC's administrative incorporation into UTC, such as EFSEC's street address, and other changes specifically dictated by statutory revisions.
Title 463 WAC	Process updates	Stephen Posner (360) 664-1903	To be determined	To be determined	To be determined	Inquiry to examine whether EFSEC should adopt new or modify existing rules to address process changes related to siting and compliance monitoring.

Steven V. King  
Executive Director  
and Secretary

**WSR 14-14-050  
RULES COORDINATOR  
OFFICE OF  
ADMINISTRATIVE HEARINGS**

[Filed June 25, 2014, 3:04 p.m.]

407-2756, fax (360) 586-6563, e-mail jane.habegger@oah.wa.gov.

Jane L. Habegger  
Assistant Chief  
Administrative Law Judge

Pursuant to RCW 34.05.312, the rules coordinator for the office of administrative hearings is Jane L. Habegger, P.O. Box 42489, Olympia, WA 98504-2489, phone (360)

**WSR 14-14-054**  
**NOTICE OF PUBLIC MEETINGS**  
**CASCADIA COMMUNITY COLLEGE**  
 [Filed June 26, 2014, 11:05 a.m.]

**Approved at the June 18, 2014, Board Meeting**  
**2014-2015 Board of Trustees Meeting Dates**  
**Third Wednesday of Each Month**

All meetings will begin at 4:00 p.m. and will take place in the Board Room (Room 260) at Cascadia Community College, 18345 Campus Way N.E., Bothell, WA 98011.

- Wednesday, September 17, 2014, approved June 19, 2013
- Wednesday, October 15, 2014
- Wednesday, November 19, 2014
- Wednesday, December 17, 2014
- Wednesday, January 21, 2015
- Wednesday, February 18, 2015
- Wednesday, March 18, 2015
- Wednesday, April 15, 20145 [2015]
- Wednesday, May 20, 2015
- Wednesday, June 17, 2015
- No Regular Meeting Scheduled for July 2015
- No Regular Meeting Scheduled for August 2015
- Wednesday, September 16, 2015

**WSR 14-14-059**  
**NOTICE OF PUBLIC MEETINGS**  
**FOREST PRACTICES BOARD**  
 [Filed June 26, 2014, 2:56 p.m.]

Per RCW 42.30.075, the forest practices board will hold an additional meeting on August 11, at 9 a.m., regular meeting, at the Natural Resources Building, 1111 Washington Street S.E., Room 172, Olympia.

**WSR 14-14-063**  
**DEPARTMENT OF COMMERCE**  
 [Filed June 26, 2014, 3:26 p.m.]

The Washington state department of commerce plans to hold a public hearing on the proposed Washington state plan for the 2015-2016 community services block grant (CSBG).

The plan can be viewed as of July 1, 2014, at <http://www.commerce.wa.gov/Programs/services/Pages/CommunityServicesBlockGrantProgram.aspx>.

The hearing will be held on Thursday, July 31, 2014, from 10:00 a.m. - 12:00 p.m. at Department of Commerce, 2nd Floor Conference Room #230, 1011 Plum Street S.E., Olympia, WA 98504-2525.

Two typewritten copies of all oral testimony are requested. There will be a question and answer period. Written testimony will be accepted until 5:00 p.m., July 1, 2014.

Written testimony for the CSBG hearing should be sent to the attention of Diane Fay, Department of Commerce, 1011 Plum Street S.E., P.O. Box 42525, Olympia, WA 98504-2525.

The CSBG plan is available in an alternate format upon request. Meetings sponsored by commerce shall be accessible to persons with disabilities. Accommodations may be arranged with a minimum of ten working days notice, to Monica Bhavnani at (360) 725-2854.

**WSR 14-14-067**  
**NOTICE OF PUBLIC MEETINGS**  
**UNIVERSITY OF WASHINGTON**  
 [Filed June 27, 2014, 10:32 a.m.]

The chair of the board of regents has directed me to provide notice of a change in the start time of the dinner meeting on Wednesday, September 10, 2014, from 5:30 p.m. to 5:00 p.m.

The prior published notice of the meetings was dated November 18, 2013. The revised notice, as published in the Washington State Register, should read:

<b>Date</b>	<b>Location and Time</b>	<b>Meeting</b>
Wednesday, September 10, 2014	Residence of the university president at 5:00 p.m.	Regents meet for dinner

**WSR 14-14-070**  
**HEALTH CARE AUTHORITY**  
 [Filed June 27, 2014, 1:17 p.m.]

**NOTICE**

Document Title: Provider Notice #14-34.

Subject: Maximum allowable costs prescription drug program.

Washington apple health (medicaid) administered by the health care authority will implement changes to the state maximum allowable costs list for the fee-for-service prescription drug program.

For additional information, contact Amber Lougheed, Health Care Authority, P.O. Box 45504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail [amber.lougheed@hca.wa.gov](mailto:amber.lougheed@hca.wa.gov), web site <http://www.hca.wa.gov/>.

**WSR 14-14-071**  
**HEALTH CARE AUTHORITY**  
 [Filed June 27, 2014, 1:18 p.m.]

**NOTICE**

Document Title: Provider Notice #14-36.

Subject: Expedited authorization (EA) list as follows:

Effective for dates of service on or after June 1, 2014, Washington apple health (medicaid), administered by the health care authority, will update the EA list.

For additional information, contact Amber Lougheed, Health Care Authority, P.O. Box 45504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail [amber.lougheed@hca.wa.gov](mailto:amber.lougheed@hca.wa.gov), web site <http://www.hca.wa.gov/>.

Subject: *Durable Medical Equipment (Other) and Non-CRT Wheelchairs Provider Guide.*

Effective for claims with dates of service on and after July 1, 2014, Washington apple health (medicaid), administered by the health care authority, is publishing a revised *Durable Medical Equipment (Other) and Non-CRT Wheelchairs Provider Guide* and updated durable medical equipment fee schedule.

For additional information, contact Amber Lougheed, Health Care Authority, P.O. Box 45504, phone (360) 725-1349, TDD/TTY 1-800-848-5429, fax (360) 586-9727, e-mail [amber.lougheed@hca.wa.gov](mailto:amber.lougheed@hca.wa.gov), web site <http://www.hca.wa.gov/>.

**WSR 14-14-072  
HEALTH CARE AUTHORITY**

[Filed June 27, 2014, 1:20 p.m.]

**NOTICE**

Document Title: Provider Notice #14-38.

**WSR 14-14-073**

**AGENDA**

**RECREATION AND CONSERVATION  
OFFICE**

(Recreation and Conservation Funding Board)

(Salmon Recovery Funding Board)

[Filed June 27, 2014, 1:41 p.m.]

**SEMI-ANNUAL RULE DEVELOPMENT AGENDA  
JULY - DECEMBER 2014**

Following is the semi-annual rule-making agenda for the recreation and conservation funding board and salmon recovery funding board, prepared by the recreation and conservation office, for publication in the Washington State Register pursuant to RCW 34.05.314. There may be additional rule-making activity not on the agenda as conditions warrant.

If you have questions about this rule-making agenda, please contact Leslie Connelly, Rules Coordinator, P.O. Box 40917, Olympia, WA 98504-0917, (360) 902-3080, or [leslie.connelly@rco.wa.gov](mailto:leslie.connelly@rco.wa.gov).

WAC Title, Chapter or Section(s)	Purpose of Rule Being Developed or Amended	Current Activity		
		Preproposal (CR- 101)	Proposal (CR-102) Expedited (CR-105)	Permanent (CR-103)
Title 286 286-13 286-35 286-30	(1) Change the name of the agency; (2) Amend general grant assistance rules; (3) Amend the planning requirements for the boating facilities program; and (4) Amend long-term compliance for the firearms and archery range program.	WSR 14-01-093 Filed 12/17/2013	CR-102 WSR 14-06-063 Filed 2/18/2013	WSR 14-09-074 Filed 4/18/2014
Title 420	Expedited rule making to change the name of the agency and update references.	Not applicable – expedited rule making	CR-105 WSR 14-08-087 Filed 4/1/2014	WSR 14-13-071 Filed 6/13/2014
286-04	(1) Update definitions and add new definitions; (2) Update board and agency goals; (3) Clarify federal program requirements; and (4) Repeal WAC 286-04-090, history of fund sources.	July 2014	September 2014	October 2014

WAC Title, Chapter or Section(s)	Purpose of Rule Being Developed or Amended	Current Activity		
		Preproposal (CR- 101)	Proposal (CR-102) Expedited (CR-105)	Permanent (CR-103)
286-06	(1) Repeal WAC 286-06-045 (this section will be added to Title 420 WAC); and (2) Update methods for requesting public records.	July 2014	September 2014	October 2014
286-13	(1) Add new sections on grant compliance, planning requirements for grant eligibility, and grant matching requirements; (2) Update sections on projects agreement requirements, retroactive and increased costs, and income and income use; and (3) Repeal section on federal assistance.	July 2014	September 2014	October 2014
286-42	Repeal unnecessary definitions.	July 2014	September 2014	October 2014
286-26 286-27 286-35 286-42	Repeal sections on long-term compliance and matching requirements. (These sections will be addressed in chapter 286-13 WAC.)	July 2014	September 2014	October 2014
286-30	Repeal section on matching requirements. (This section will be addressed in chapter 286-13 WAC.)	July 2014	September 2014	October 2014
286-40	Repeal chapter. (This chapter will be addressed in chapter 286-04 WAC.)	July 2014	September 2014	October 2014

**WSR 14-14-074**

**NOTICE OF PUBLIC MEETINGS  
WESTERN WASHINGTON UNIVERSITY**  
[Filed June 27, 2014, 2:01 p.m.]

Western Washington University's board of trustees at its June 12, 2014, regular meeting approved a motion to amend the dates of the August board of trustees meeting.

The August 21, 22, 2014, regular meeting has been changed to meet on one day only, on August 21, 2014, from 11:30 a.m. to 5 p.m., in the Board of Trustees Room 340, Old Main Building, 516 High Street, Bellingham, WA.

A public comment period will be held from 1:05 p.m. to 1:15 p.m. A sign-up period will be offered 12:45 p.m. to 12:55 p.m.

Any questions regarding the meeting schedule or the public comment period may be directed to Elissa Hicks, assistant secretary to the board of trustees, at (360) 650-3998 or [Elissa.Hicks@wwu.edu](mailto:Elissa.Hicks@wwu.edu). Updated information is also posted on the university's web site <https://trustees.wwu.edu/default.aspx>.

**WSR 14-14-076**

**AGENDA  
DEPARTMENT OF  
FISH AND WILDLIFE**  
[Filed June 27, 2014, 2:36 p.m.]

Following is the Washington department of fish and wildlife's semi-annual rule-making agenda for publication in the Washington State Register pursuant to RCW 34.05.314.

There may be additional rule-making activity not on the agenda as conditions warrant.

If you have questions about this rule-making agenda, please contact Joanna Eide, WDFW Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2403, fax (360) 902-2155, or e-mail [Joanna.Eide@dfw.wa.gov](mailto:Joanna.Eide@dfw.wa.gov).

**Semi-Annual Rule-Making Agenda  
July through December 2014**

<b>WAC Citation</b>	<b>Subject Matter</b>	<b>Preproposal (CR-101)</b>	<b>Proposed (CR-102) or Expedited (CR-105)</b>	<b>Permanent (CR-103P)</b>
220-55-220 220-56-105 220-56-180 220-56-195 220-310-180 220-310-185 220-310-190 220-310-195 220-310-200 232-28-620 232-28-621	North of Falcon recreational salmon rules	WSR 14-02-113 filed on 12/31/13	WSR 14-12-089 filed on 6/3/14	CR-103P expected on or after 7/8/14
220-40-021 220-40-027	North of Falcon commercial salmon fishing rules for Willapa Bay	WSR 14-02-113 filed on 12/31/13	WSR 14-11-105 filed on 5/21/14	CR-103P expected on or after 7/1/14
220-36-023	North of Falcon commercial salmon fishing rules for Grays Harbor	WSR 14-02-113 filed on 12/31/13	CR-102 expected on 7/2/14	CR-103P expected on or after 8/5/14
220-49-005 220-49-011 220-49-012 220-49-103 220-49-056 220-49-057 220-56-107 220-56-270	Commercial and recreational Puget Sound smelt rules	WSR 14-02-114 filed on 12/31/14 [13]	WSR 14-06-110 filed on 3/5/14	CR-103P expected after 7/1/14
New section 232-12-286	Southwest Washington elk recreational hunting rules	WSR 14-07-112 filed on 3/19/14	WSR 14-14-052 filed on 6/25/14	CR-103P expected on or after 8/8/14
232-28-436	Game reserves and waterfowl hunting seasons and rules	WSR 14-10-089 filed on 5/7/14	CR-102 expected on 7/2/14	CR-103P expected on or after 8/8/14
Repeal chapter 220-110, create new chapter 220- 660	Hydraulic code rules	WSR 11-16-050 filed on 8/7/12	CR-102 expected on or after 7/2/14	CR-103P expected on or after 8/6/14
220-52-01901 and new sections in chapter 220-52	Geoduck diver licenses	WSR 14-04-132 filed on 2/19/14	CR-102 expected on 7/2/14	CR-103P expected on or after 8/8/14
	Cougar public safety rules and wildlife interaction rules involving wildlife control operators	WSR 14-11-098 filed on 5/21/14	CR-102 expected no later than 8/20/14	CR-103P expected on or after 9/25/14
	Wildlife interaction rules—Wolf	WSR 14-10-084 filed on 5/7/14	CR-102 expected no later than 11/5/14	CR-103P expected on or after 12/12/14

WAC Citation	Subject Matter	Preproposal (CR-101)	Proposed (CR-102) or Expedited (CR-105)	Permanent (CR-103P)
	Technical changes to various fish and wildlife rules—WAC overhaul	WSR 14-11-100 filed on 5/21/14	CR-102 expected no later than 10/1/14	CR-103P expected on or after 12/12/14
Chapter 220-55 Chapter 220-56 Chapter 220-310	2015 recreational sportfishing rules	WSR 14-11-099 filed on 5/21/14	CR-102 expected September 2014	CR-103P expected in early 2015
Chapter 232-12	Adopting a rule regarding temporary possession of wildlife while transporting to a wildlife rehabilitator (as required by section 25, chapter 48, Laws of 2014)	CR-101 expected 7/2/14	CR-102 expected no later than 10/1/14	CR-103P expected on or after 12/12/14

Joanna Eide  
Rules Coordinator

**WSR 14-14-077**  
**NOTICE OF PUBLIC MEETINGS**  
**BOARD OF**  
**PILOTAGE COMMISSIONERS**

[Filed June 27, 2014, 2:41 p.m.]

2014 MEETING SCHEDULE  
**Revised**

The Washington state board of pilotage commissioners will meet on the third Tuesday of each month unless otherwise rescheduled or canceled.

Meetings are held at 9:30 a.m., at 2901 Third Avenue, Seattle, WA.

- January 21
- February 25
- ~~March 18~~ **Canceled**
- April 15
- ~~May 20~~ **Canceled**
- June 19
- July 15
- August 19
- September 18
- October 16
- November 18
- December 16

In accordance with RCW 42.30.075, this schedule of regular meeting dates for the board of pilotage commissioners is filed with the office of the code reviser for publication in the Washington State Register.

**WSR 14-14-086**  
**NOTICE OF PUBLIC MEETINGS**  
**WALLA WALLA**  
**COMMUNITY COLLEGE**

[Filed June 30, 2014, 9:54 a.m.]

The board of trustees of Walla Walla Community College, District Number Twenty, has cancelled its July 16, 2014, meeting.

Please direct any questions to Jerri Ramsey at jerri.ramsey@wwcc.edu or by phone (509) 527-4274.

**WSR 14-14-087**  
**INTERPRETIVE OR POLICY STATEMENT**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

[Filed June 30, 2014, 9:56 a.m.]

**Notice of Interpretive or Policy Statement**

In accordance with RCW 34.05.230(12), following is a list of policy and interpretive statements issued by the department of social and health services (DSHS).

**Economic Services Administration**  
**Division of Child Support (DCS)**

Document Title: Administrative Policy 4.05: Purchase Payments.

Subject: Purchase payments.  
Effective Date: June 12, 2014.

Document Description: This administrative policy establishes purchasing guidelines within DCS according to DSHS policy.

To receive a copy of the interpretive or policy statements, contact Jeff Kildahl, DCS, P.O. Box 11520, Tacoma, WA 98411-5520, phone (360) 664-5278, TDD/TTY (360)

753-9122, fax (360) 586-3274, e-mail Kildaja@dshs.wa.gov, web site http://www.dshs.wa.gov/dcs/.

753-9122, fax (360) 586-3274, e-mail Kildaja@dshs.wa.gov, web site http://www.dshs.wa.gov/dcs/.

**WSR 14-14-088**  
**INTERPRETIVE OR POLICY STATEMENT**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 [Filed June 30, 2014, 9:57 a.m.]

**Notice of Interpretive or Policy Statement**

In accordance with RCW 34.05.230(12), following is a list of policy and interpretive statements issued by the department of social and health services (DSHS).

**Economic Services Administration**  
**Division of Child Support (DCS)**

Document Title: Administrative Policy 8.00: Travel Regulations.

Subject: Travel regulations.

Effective Date: June 18, 2014.

Document Description: This administrative policy emphasizes certain items pertaining to travel in DSHS travel policy and the office of financial management state administrative and accounting manual.

To receive a copy of the interpretive or policy statements, contact Jeff Kildahl, DCS, P.O. Box 11520, Tacoma, WA 98411-5520, phone (360) 664-5278, TDD/TTY (360) 753-9122, fax (360) 586-3274, e-mail Kildaja@dshs.wa.gov, web site http://www.dshs.wa.gov/dcs/.

**WSR 14-14-089**  
**INTERPRETIVE OR POLICY STATEMENT**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 [Filed June 30, 2014, 9:57 a.m.]

**Notice of Interpretive or Policy Statement**

In accordance with RCW 34.05.230(12), following is a list of policy and interpretive statements issued by the department of social and health services.

**Economic Services Administration**  
**Division of Child Support (DCS)**

Document Title: Policy Clarification Memo 14-003: Appropriate Case Closure Actions and Setting Up Payment Services Only (PSO) Cases.

Subject: Appropriate case closure actions and setting up PSO cases.

Effective Date: June 18, 2014.

Document Description: This policy clarification memo provides guidance about what actions DCS staff take after determining cases meet case closure criteria.

To receive a copy of the interpretive or policy statements, contact Jeff Kildahl, DCS, P.O. Box 11520, Tacoma, WA 98411-5520, phone (360) 664-5278, TDD/TTY (360)

**WSR 14-14-097**  
**AGENDA**  
**BOARD OF**  
**PILOTAGE COMMISSIONERS**  
 [Filed June 30, 2014, 1:31 p.m.]

**Semi-Annual Rule-Making Agenda**  
**July through December 2014**

Below is the board of pilotage commissioner's semi-annual rule-making agenda for publication in the Washington State Register pursuant to RCW 34.05.314.

There may be additional rule-making activity not on this agenda. Refer to our web site for periodic updates.

Please direct any questions about this agenda to Peggy Larson, Rules Coordinator, 2901 Third Avenue, Suite 500, Seattle, WA 98121, (206) 515-3904, fax (206) 515-3906, e-mail Larsonp@wsdot.wa.gov, www.pilotage.wa.gov.

WAC Citation	Subject Matter	Current Activity		
		Preproposal (CR-101)	Proposed (CR-102)	Permanent (CR-103P)
363-116-010	Time and place of meeting	WSR 14-13-114 6/18/14		
363-116-078	Training program	WSR 14-13-114 6/18/14		
363-116-080	Licensing of pilots	WSR 14-13-114 6/18/14		
363-116-082	Limitations on new pilots	WSR 14-13-114 6/18/14		
363-116-084	Simulator evaluation review and appeal procedures	WSR 14-13-114 6/18/14		
363-116-110	Details and requirements of annual license fee payment... for licensed pilots	WSR 14-13-114 6/18/14		
363-116-140	Limitations	WSR 14-13-114 6/18/14		
363-116-200	Duties of pilots	WSR 14-13-114 6/18/14		

**WSR 14-14-098**

**AGENDA**

**OFFICE OF THE CODE REVISER**

[Filed June 30, 2014, 1:46 p.m.]

**Semi-Annual Rule-Making Agenda  
July through December 2014**

Following is the office of the code reviser's semi-annual rule-making agenda for publication in the Washington State Register pursuant to RCW 34.05.314.

There may be additional rule-making activity not on the agenda as conditions warrant.

If you have questions about this rule-making agenda, please contact Kerry S. Radcliff, Rules Coordinator, P.O. Box 40551, Olympia, WA 98504-0551, phone (360) 786-6697, fax (360) 786-1529, e-mail Radcliff.Kerry@leg.wa.gov.

WAC Citation	Subject Matter	Current Activity		
		Preproposal (CR-101)	Proposed (CR-102) or Expedited (CR-105)	Permanent (CR-103)
Chapter 1-21 WAC	The changes may include, but not be limited to, filing deadlines; creating explanatory language that will set out in rule a process for accepting electronic filings; and clarifying specific procedures for filing WSR documents.	WSR 06-01-003 filed December 7, 2005.  Will refile CR-101 as we begin the rule-making process, possibly in 2014-2015.		

Kerry S. Radcliff  
Rules Coordinator

**WSR 14-14-102**

**NOTICE OF PUBLIC MEETINGS  
DEPARTMENT OF  
SERVICES FOR THE BLIND**

(Rehabilitation Council)  
[Filed July 1, 2014, 10:39 a.m.]

The state rehabilitation council for the department of services for the blind has scheduled a special meeting, via teleconference, to discuss actions:

Date	Time	Location
August 7, 2014	10 a.m - 12 p.m. (noon)	Teleconference only  Please call 800-379-6841 and use pin 679809, followed by the pound sign (#), to connect to the meeting.

If you need further information contact Debbie Cook, (206) 616-5913.

**WSR 14-14-103**

**NOTICE OF PUBLIC MEETINGS  
HUMAN RIGHTS COMMISSION**

[Filed July 1, 2014, 10:49 a.m.]

The following dates, times and locations are for September through December 2014 commission meetings:

**REVISED**

Washington State Human Rights Commission  
Commission Meeting  
September 25, 2014, at 9:30 a.m.  
711 South Capitol Way  
Suite 402  
Olympia, WA 98504

**REVISED**

Washington State Human Rights Commission  
Commission Meeting  
October 23, 2014, at 9:30 a.m.  
711 South Capitol Way  
Suite 402  
Olympia, WA 98504

Washington State Human Rights Commission  
Commission Meeting  
November 20, 2014, at 9:30 a.m. – Conference Call  
711 South Capitol Way  
Suite 402  
Olympia, WA 98504

Washington State Human Rights Commission  
Commission Meeting  
December 18, 2014, at 9:30 a.m. – Conference Call  
711 South Capitol Way  
Suite 402  
Olympia, WA 98504

**WSR 14-14-106**  
**NOTICE OF PUBLIC MEETINGS**  
**RECREATION AND CONSERVATION**  
**OFFICE**

(Blue Ribbon Task Force on Parks and Outdoor Recreation)

[Filed July 1, 2014, 12:53 a.m.]

The Washington blue ribbon task force on parks and [outdoor] recreation, created by Governor's Executive Order 14-01, will hold a meeting on Tuesday, August 19, 2014, at 4:00 p.m. to 8:00 p.m., Sequim Holiday Inn Express, Dungeness Suite, 1441 East Washington Street, Sequim, WA 98382.

For further information, please contact Meg O'Leary at 1111 Washington Avenue S.E., P.O. Box 40917, Olympia, WA 98504-0917, meg.oleary@rco.wa.gov, phone (360) 902-0352, fax (360) 902-3026.

Meeting information is also available online at [www.rco.wa.gov/boards/TaskForceMeetings.shtml](http://www.rco.wa.gov/boards/TaskForceMeetings.shtml).

The recreation and conservation office schedules all public meetings at barrier free sites. Persons who need special assistance may contact Leslie Frank at (360) 902-0220 or by e-mail [leslie.frank@rco.wa.gov](mailto:leslie.frank@rco.wa.gov).

**WSR 14-14-108**  
**DEPARTMENT OF ECOLOGY**

[Filed July 1, 2014, 2:26 p.m.]

**PUBLIC NOTICE**

**Announcing the Issuance of the**  
**Water Treatment Plant General Permit and Fact Sheet**

The Washington state department of ecology (ecology) is reissuing the water treatment plant national pollutant discharge elimination system waste discharge general permit (permit). The old permit was last issued in July 2009, and is scheduled to expire at the end of August 2014. The new permit and its fact sheet, which explains the technical bases for the permit, will be published on the ecology web site on **July 16, 2014**, and is available as described below. The new permit will be in effect for five years, from September 1, 2014, through August 31, 2019.

**Purpose of the Permit:** The permit provides coverage for certain water treatment plants located in Washington state that produce potable or industrial supply water and discharge backwash effluent from certain water treatment filtration processes. Under federal and state water quality law (Federal Clean Water Act and State Water Pollution Control Act), a permit is required for the discharge of wastewater. The federal definition of wastewater includes backwash effluent from water treatment plants. Certain water treatment plant facilities that produce finished water at a rate of at least 35,000 gallons per day and that discharge wastewater either directly or indirectly to surface water must obtain permit authorization for their discharge.

**Summary of Public Involvement:** On April 16, 2014, ecology published the proposed permit and fact sheet on its web site, and announced it in the State Register, and via more than two thousand five hundred e-mails to interested parties,

the forty-five-day public review and comment period (from April 16 through May 31, 2014). Ecology held two public workshops and hearings at its headquarters building in Lacey, on May 14 and 22, 2014, to discuss the draft documents and to receive oral and written comments. Ecology also accepted e-mailed comments during that forty-five day period.

Ecology responded to all of the comments, as described in the fact sheet.

**Copies of the Permit and Fact Sheet:** The new permit and fact sheet are available online at [www.ecy.wa.gov/programs/wq/wtp/currentandpreviouspermits.html](http://www.ecy.wa.gov/programs/wq/wtp/currentandpreviouspermits.html). You may also request copies from Kimberly Adams at [kimberly.adams@ecy.wa.gov](mailto:kimberly.adams@ecy.wa.gov) or (360) 407-6401.

**Applying for Coverage Under the Permit:** Facilities that applied for coverage and are covered under the existing permit will also be covered under the new permit. New or unpermitted facilities may obtain coverage under the new permit by submitting a complete permit application to ecology and satisfying all applicable public notice and State Environmental Policy Act requirements (WAC 173-226-200). The application for coverage is available online at [www.ecy.wa.gov/programs/wq/wtp/application.html](http://www.ecy.wa.gov/programs/wq/wtp/application.html).

**Appeal Procedures:** In accordance with **chapter 43.21B RCW**, the terms and conditions of this permit may be appealed within thirty days of the issuance of the permit. An appeal must be filed in writing to both the pollution control hearings board and ecology at the addresses provided below. Appeals may not be delivered by e-mail.

The terms and conditions of this permit, *as they apply to an individual discharger*, may be appealed within thirty days of the effective date of coverage of that discharger, in accordance with **chapter 43.21B RCW**. This type of appeal is limited to the permit's applicability or nonapplicability to a specific discharger.

**Street Address:** Pollution Control Hearings Board, 1111 Israel Road S.W., Suite 301, Tumwater, WA 98501; and Department of Ecology, Attn: Appeals Processing Desk, 300 Desmond Drive S.E., Lacey, WA 98503.

**Mailing Address:** Pollution Control Hearing[s] Board, P.O. Box 40903, Olympia, WA 98504-0903; and Department of Ecology, Attn: Appeals Processing Desk, P.O. Box 47608, Olympia, WA 98504-7608.

**Questions:** If you have questions, contact James M. Maroncelli, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, [james.maroncelli@ecy.wa.gov](mailto:james.maroncelli@ecy.wa.gov).

**WSR 14-14-109**  
**DEPARTMENT OF ECOLOGY**

[Filed July 1, 2014, 2:45 p.m.]

**PUBLIC NOTICE**

**Announcing a Draft Vessel Deconstruction General Permit for Public Review and Comment**

**Proposed Permit:** The Washington state department of ecology (ecology) is proposing a new general permit for public review and comment on July 16, 2014. The proposed permit would cover discharges of stormwater, drydock floodwater, and certain other nonroutine wastewaters resulting from

the deconstruction of vessels over water. Ecology has determined that the proposed permit mitigates significant adverse environmental impacts to a nonsignificant level and is issuing a determination of nonsignificance (DNS).

**Purpose of the Vessel Deconstruction General Permit:** Federal Water Pollution Control Act, Title 22 United States Code, Section 1251 et seq., and state Water Pollution Control Act, chapter 90.48 RCW (see also WAC 173-226-130) require a permit for the discharge of wastewater to waters of the state. The permit addresses these legal requirements and controls the discharge of pollutants to protect water quality. The permit requires permittees to develop and implement deconstruction and site management and solid waste control plans and comply with applicable limits. It also details inspection, sampling, and reporting requirements.

**Requesting Copies of the Draft Permit:** Beginning July 16, 2014, you may download copies of the draft permit, fact sheet, DNS, and economic impact analysis from the web site at: <http://www.ecy.wa.gov/programs/wq/permits/vesseldeconstruction/index.html>.

**Ecology Contact:** Vincent McGowan, Washington State Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, phone (360) 407-6433, fax (360) 407-6426, e-mail [vincent.mcgowan@ecy.wa.gov](mailto:vincent.mcgowan@ecy.wa.gov).

Ecology will accept written comments on the draft permit and fact sheet until **12 midnight, August 22, 2014**. Ecology prefers comments to be submitted by e-mail. Comments should reference the specific permit and specific text when possible.

**Submit Written Comments to:** Vessel Deconstruction Permit Comments, Washington State Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, e-mail to [vincent.mcgowan@ecy.wa.gov](mailto:vincent.mcgowan@ecy.wa.gov). Written comments must be postmarked no later than 12 midnight, August 22, 2014. You must send e-mail comments before 12 midnight, August 22, 2014. You may provide oral testimony at the public hearing.

**Public Hearing and Workshop:** The public hearing and workshop on the permit modification is scheduled to be held in Seattle, Washington. At the workshop, ecology will explain the proposed permit and answer questions. A hearing will immediately follow the workshop. The hearing will provide the opportunity for formal oral testimony and comments on the proposed permit.

**August 19, 2014 at 1 p.m.,** South Seattle Community College, Georgetown Campus, C122, 6737 Corson Avenue South, Seattle, WA, (206) 934-5350.

**Issuing the Final Permit:** After ecology receives and considers all public comments, it will issue the final permit. If public comments cause a substantial change in the permit conditions from the original permit modification, another public notice of draft and comment period will occur. If there is no substantial change to the draft, ecology expects to issue the modified permit in the fall of 2014. The permit will be effective thirty days later. When issued, ecology will post the new permit and response to comments at <http://www.ecy.wa.gov/programs/wq/permits/vesseldeconstruction/index.html>.

**WSR 14-14-125**

**AGENDA**

**ATTORNEY GENERAL'S OFFICE**

[Filed July 2, 2014, 9:08 a.m.]

**Semi-Annual Rule-Making Agenda  
July 1 through December 31, 2014**

This is the office of the attorney general's semi-annual rule-making agenda for publication in the Washington State Register pursuant to RCW 34.05.314. The office may have additional rule making as conditions warrant.

Should you have questions about this rule-making agenda, please contact Rebecca Podszus, Rules Coordinator, P.O. Box 40100, Olympia, WA 98504-0100, (360) 586-2683, [rebeccap3@atg.wa.gov](mailto:rebeccap3@atg.wa.gov).

WAC Citation	Subject Matter	Current Activity		
		Preproposal (CR-101)	Proposed (CR-102) or Expedited (CR-105)	Permanent (CR-103)
44-14	Public Records Act—Model rules. Consider possible updates. A CR has not yet been filed.			

Rebecca Podszus  
Rules Coordinator

**WSR 14-14-128**  
**NOTICE OF PUBLIC MEETINGS**  
**CENTRAL WASHINGTON UNIVERSITY**

[Filed July 2, 2014, 9:50 a.m.]

The university's board of trustees meetings for the next academic year are listed below.

Regular meetings of the Central Washington University board of trustees will be held at 9 a.m. in Barge Hall, Room 412, on the Central Washington University Ellensburg campus, except where noted, on the following dates:

- October 3, 2014
- December 5, 2014
- February 6, 2016 [2015]
- April 3, 2015
- June 12, 2015
- July 16 and 17, 2015 (retreat)

Based on university need, the board may meet the evening prior to the regular meeting. In such cases, appropriate public notice will be given.

**WSR 14-14-134**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Filed July 2, 2014, 11:08 a.m.]

**PUBLIC NOTICE**

**NOTICE OF AVAILABILITY FOR PUBLIC REVIEW AND COMMENT ON THE WASHINGTON DEPARTMENT OF FISH AND WILDLIFE (WDFW) REVISED HATCHERY GENETIC MANAGE-**

**MENT PLANS (HGMP) FOR SIX LEWIS RIVER SALMON AND STEELHEAD HATCHERY PROGRAMS**

Revised HGMP for six of the Washington department of fish and wildlife (WDFW) Lewis River artificial production programs are available for a thirty-day public review and comment period. The comments, WDFW's response, and any resultant modifications to the HGMP will subsequently be posted on the WDFW web site and provided to NOAA fisheries for its consideration.

The HGMP describes, in a format prescribed by NOAA fisheries, the operation of artificial production programs for chinook and coho salmon and steelhead, and the potential effects of the programs on listed species. The HGMP will be provided to NOAA fisheries for consideration as a significant conservation measure under Section 4(d) of the Endangered Species Act.

The HGMP may be accessed for review through one of the following means: (1) Electronically via the internet on WDFW's web site at <http://wdfw.wa.gov/hatcheries/>; or (2) in person through a scheduled appointment at WDFW's headquarters in Olympia, Washington. To schedule an appointment or to obtain more information, please call (360) 902-2676.

WDFW will be accepting public comments on the HGMP for this Puget Sound artificial production program until August 15, 2014. Comments must be submitted in writing to Phil Anderson, Director, WDFW (Attention: Hatcheries – NRB 6th Floor), 600 Capitol Way North, Olympia, WA 98501-1091, or electronically through e-mail addressed to [HGMP-LCRcomments@dfw.wa.gov](mailto:HGMP-LCRcomments@dfw.wa.gov). All comments must be received by WDFW at the appropriate address or via e-mail by 5 p.m. Pacific Daylight Time on August 15, 2014.

This notice can also be found on the Washington State Register web site at [http://www.leg.wa.gov/CODEREVISER/Pages/Washington\\_State\\_Register.aspx](http://www.leg.wa.gov/CODEREVISER/Pages/Washington_State_Register.aspx).

**WSR 14-14-137**

**AGENDA**

**DEPARTMENT OF ECOLOGY**

[Filed July 2, 2014, 11:43 a.m.]

Pursuant to RCW 34.05.314, following is the department of ecology's rule agenda for July - December 2014. If you have any questions please contact Bari Schreiner at (360) 407-6998 or e-mail [Bari.Schreiner@ecy.wa.gov](mailto:Bari.Schreiner@ecy.wa.gov).

**Rule-Making Agenda**  
**July – December 2014**

Dates in bold mean the agency filed the official paperwork (CR-101, CR-102, CR-105, or CR-103). Dates not in bold are estimated dates for when ecology expects to file the official paperwork

WAC Chapter	Program	Chapter Title	CR-101 Filing Date	CR-102 Filing Date	CR-103 Filing Date	Program Contact
173-491 173-400 173-455 AO # 13-04 4/13	Air quality	Chapter 173-491 WAC, Emission standards and controls for sources emitting gasoline gas vapors; chapter 173-400 WAC, General regulations for air pollution sources; chapter 173-455 WAC, Air quality fee rule.	<b>7/2/2013</b>	On hold	On hold	Elena Guilfoil

WAC Chapter	Program	Chapter Title	CR-101 Filing Date	CR-102 Filing Date	CR-103 Filing Date	Program Contact
173-401 173-400 173-455 AO # 13-12 12/13	Air quality	Chapter 173-401 WAC, Operating permit regulation; chapter 173-400 WAC, General regulation for air pollution sources; chapter 173-455 WAC, Air quality fee rule.	4/22/2014	May 2015	No later than 11/16/15	Crystal Rau
173-303 AO # 13-07 8/13	Hazardous waste and toxics reduction	Dangerous waste regulations.	9/13/2013	July/August 2014	December 2014	Rob Rieck
173-182 AO # 13-10 11/13	Spill prevention, preparedness, and response	Contingency planning (emergency rule making).	<b>DNA - Emergency Rule Making</b>	<b>DNA – Emergency Rule Making</b>	<b>12/13/13 Second Emergency 4/3/14</b>	Amanda Righi
173-182 AO # 13-10 11/13	Spill prevention, preparedness, and response	Contingency planning (permanent rule making).	12/13/2013	4/2/2014	July 2014	Amanda Righi
173-322 (repeal) and 173-322A (new chapter) AO # 13-09 11/13	Toxics cleanup program	Remedial action grants and loans.	11/6/2013	4/15/2014	July 2014	Michael Feldcamp
173-350 AO # 13-08 11/13	Waste 2 resources	Solid waste handling standards.	11/5/2013	June 2016	December 2016	Kyle Dorsey
173-330 and 173-24 AO # 14-01 4/14 and 5/14	Waste 2 resources and governmental relations	Chapter 173-330 WAC, Used automotive oil recycling sign requirements for automotive oil sellers and chapter 173-24 WAC, Tax exemptions and credits for pollution control facilities.	<b>DNA - Expedited Repeal</b>	<b>Expedited Repeal (CR-105) 6/19/2014</b>	September 2014	Kyle Dorsey or Bari Schreiner
173-201A AO # 11-08 10/11	Water quality	Water quality standards for surface waters of the state of Washington (implementation tools rule).	10/25/2011 <b>Withdrawal and new CR-101 9/13/12</b>	Fall 2014	Early 2015	Becca Conklin
173-201A AO # 12-03 8/12	Water quality	Water quality standards for surface waters of the state of Washington (human health criteria rule).	9/13/2012	Fall 2014	Early 2015	Becca Conklin
173-219 AO # 06-12 8/06 and 6/14	Water quality	Reclaimed water.	11/7/2006 <b>Withdrawn 6/4/14</b> <b>New CR-101 6/4/14</b>	Winter 2015	Spring or Summer 2015	Dennis McDonald
173-503a AO # 05-02	Water resources	Samish River subbasin instream resources protection program, Lower and Upper Skagit water resources inventory area (WRIAs 3 and 4).	2/24/04 <b>Withdrawal and new CR-101 filed 2/15/2005</b>	On hold indefinitely	On hold indefinitely	Ann Wessel
173-525 AO # 05-03 3/05	Water resources	Grays Elochoman instream resources protection and water management program WRIA 25.	3/2/2005	4/19/10 <b>Continuance filed 6/16/2010</b> <b>Expired 11/1/10</b> <b>On hold</b>	On hold	Ann Wessel
173-526 AO # 05-04 3/05	Water resources	Cowlitz instream resources protection and water management program WRIA 26.	3/2/2005	4/19/10 <b>Continuance filed 6/16/2010</b> <b>Expired 11/1/10</b> <b>On hold</b>	On hold	Ann Wessel

<b>WAC Chapter</b>	<b>Program</b>	<b>Chapter Title</b>	<b>CR-101 Filing Date</b>	<b>CR-102 Filing Date</b>	<b>CR-103 Filing Date</b>	<b>Program Contact</b>
173-557 173-555 AO # 13-11	Water resources	Chapter 173-557 WAC, Water resource management program for the Spokane River and Spokane Valley Rathdrum Prairie (SVRP) aquifer; chapter 173-555 WAC, Water resources program in the Little Spokane Basin - WRIA 55.	<b>1/21/2014</b>	Summer 2014	Fall 2014 - Winter 2015	Ann Wessel
508-14 AO # 10-16 11/10	Office of the Columbia River	Columbia Basin project—Groundwaters.	<b>11/15/2010</b>	March 2015	Fall 2015- Winter 2016	Derek Sandison