

WSR 17-19-011**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH**

(Dental Quality Assurance Commission)

[Filed September 7, 2017, 11:43 a.m.]

Subject of Possible Rule Making: WAC 246-817-XXX Suicide prevention education, creating a new section to establish a one-time continuing education requirement for dentists in suicide prevention.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.32.002, 18.32.0365, and E2SHB 1612 (chapter 262, Laws of 2017).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: E2SHB 1612 directs the dental quality assurance commission to adopt rules to establish a one-time continuing education and training requirement for dentists on suicide prevention education. The commission may determine in rule [a] three or six hour requirement for suicide prevention education to include assessment of issues related to imminent harm by lethal means.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jennifer Santiago, P.O. Box 47852, Olympia, WA 98504, phone 360-236-4893, TTY 360-833-6388 or 711, email jennifer.santiago@doh.wa.gov, web site <https://public.govdelivery.com/accounts/WADOH/subscribe/new>.

Additional comments: Interested stakeholders may sign up for the commission's interested parties list at <https://public.govdelivery.com/accounts/WADOH/subscriber/new>. All rule-making notices will be emailed to the dental commission's interested parties list (dental govdelivery) and appropriate state associations. Rule drafting will take place in open public meetings where comments will be accepted verbally and in writing.

September 7, 2017
Trina Crawford
Executive Director

WSR 17-19-015**PREPROPOSAL STATEMENT OF INQUIRY
FOREST PRACTICES BOARD**

[Filed September 7, 2017, 3:55 p.m.]

Subject of Possible Rule Making: WAC 222-08-090 pertaining to the collection of fees for public records requests.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.56.040 and 76.09.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The 2017 legislature passed HB [EHB] 1595 changing the requirements and structure around fee collection for public records under the Public

Records Act. Rule amendments will reflect changes in the statute.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: The board will request input from interested stakeholders while developing rule language.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Patricia Anderson, P.O. Box 47012, phone 360-902-1413, fax 360-902-1428, email forest.practicesboard@dnr.wa.gov.

August 9, 2017
Stephen Bernath
Chair

WSR 17-19-017**PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF****FINANCIAL MANAGEMENT**

[Filed September 7, 2017, 5:52 p.m.]

Subject of Possible Rule Making: The office of financial management (OFM) proposes to amend its existing rules on disclosure of public records (chapter 82-48 WAC). Amendments to chapter 82-48 WAC will update the OFM procedures and requirements related to receiving, responding and fees for public records requests.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.56.040, 42.56.070, 42.56.100.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amendments to the OFM rules are necessary to align with the significant changes made to chapter 42.56 RCW, the Public Records Act, and to changes to OFM's organizational structure, all of which have occurred since these rules were last updated. Proposed changes will ensure consistency with current law, and with OFM's current organizational structure and practices.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Early solicitation and consideration of comments and recommendations about the proposed changes.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nathan Sherrard, P.O. Box 43113, phone 360-902-0540, fax 360-586-0051, TTY Washington relay service at 711 or 1-800-833-6388, email sherrard@ofm.wa.gov, web site ofm.wa.gov.

September 8, 2017
Roselyn Marcus
Assistant Director for
Legal and Legislative Affairs

WSR 17-19-019
PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION

[Filed September 8, 2017, 8:24 a.m.]

September 11, 2017
 Douglas L. Moore
 Executive Secretary

Subject of Possible Rule Making: WAC 260-70-540 Veterinarian's reports.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 67.16-020 [67.16.020].

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To amend the section to add language to require practicing veterinarians to supply all vet records, including imaging, exams, etc. upon request to the commission.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Douglas L. Moore, 6326 Martin Way, Suite 209, phone 360-459-6462, fax 360-459-6461, TTY 360-459-6462, email doug.moore@whrc.state.wa.us, web site www.whrc.wa.gov; or Amanda Benton, 6326 Martin Way, Suite 209, phone 360-459-6462, fax 360-459-6461, TTY 360-459-6462, email amanda.benton@whrc.state.wa.us, web site www.whrc.wa.gov.

September 8, 2017
 Douglas L. Moore
 Executive Secretary

WSR 17-19-028
PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION

[Filed September 11, 2017, 12:44 p.m.]

Subject of Possible Rule Making: New WAC 260-28-035 Partnerships.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 67.16-020 [67.16.020].

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To consider adding a section to address partnerships and verbal agreements and the commission's authority to address disputes that arise.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Douglas L. Moore, 6326 Martin Way, Suite 209, phone 360-459-6462, fax 360-459-6461, TTY 360-459-6462, email doug.moore@whrc.state.wa.us, web site www.whrc.wa.gov; or Amanda Benton, 6326 Martin Way, Suite 209, phone 360-459-6462, fax 360-459-6461, TTY 360-459-6462, email amanda.benton@whrc.state.wa.us, web site www.whrc.wa.gov.

WSR 17-19-033

PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION

[Filed September 11, 2017, 3:13 p.m.]

Subject of Possible Rule Making: New WAC 260-70-665 Hair testing.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 67.16-020 [67.16.020].

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To consider adding a section to place all rules regarding hair testing in equines in one section for ease of review.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Douglas L. Moore, 6326 Martin Way, Suite 209, phone 360-459-6462, fax 360-459-6461, TTY 360-459-6462, email doug.moore@whrc.state.wa.us, web site www.whrc.wa.gov; or Amanda Benton, 6326 Martin Way, Suite 209, phone 360-459-6462, fax 360-459-6461, TTY 360-459-6462, email amanda.benton@whrc.state.wa.us, web site www.whrc.wa.gov.

September 11, 2017
 Douglas L. Moore
 Executive Secretary

WSR 17-19-078
PREPROPOSAL STATEMENT OF INQUIRY
WASHINGTON STATE
SCHOOL FOR THE BLIND

[Filed September 15, 2017, 3:26 p.m.]

Subject of Possible Rule Making: The purpose of this possible rule making is to adopt a permanent rule that implements the state legislature's new Public Records Act (PRA) requirement and provide the necessary findings so that the Washington State School for the Blind may continue to use the amended statutory default fee schedule that became effective July 23, 2017, and continue to waive copy fees under the listed circumstances. The additional purpose of the rule is to continue to explain procedures for payment for copies. The School for the Blind intends to repeal its permanent rule WAC 72-276-090, a copying fees rule adopted under prior PRA statutes.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.56.040, 42.56.070, 42.56.100, 42.56.120 (as amended by chapter 304, Laws of 2017).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Public Records Act is chapter 42.56 RCW. The 2017 legislature amended RCW 42.56.120, section 3, chapter 304, Laws of 2017, to require that effective July 23, 2017, if an agency uses the new law's amended statutory default copy fee schedule (rather than determining actual costs of copies), the agency must have a rule declaring the reason it is not calculating actual costs is because to do so would be unduly burdensome. The School for the Blind is not calculating actual costs for copying records because to do so would be unduly burdensome. The School for the Blind intends to adopt the rule on a permanent basis so it can continue to use the statutory default copy fee schedule. In addition, RCW 42.56.120 as amended by section 3, chapter 304, Laws of 2017, allows an agency to waive any charge assessed for a public record pursuant to agency rule. The School for the Blind intends to enact a permanent rule to address waiver of charges assessed for a public record. The School for the Blind intends to continue to explain the procedures for payment for copies. Finally, the School for the Blind intends to repeal WAC 72-276-090, its copying fees rule originally adopted under former chapter 42.17 RCW because that rule is now outdated.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: The School for the Blind will be proposing a permanent rule and repealing a current rule in response to the copying fee amendments to RCW 42.56.120. The School for the Blind will provide public notice of this rule making through filings in the Washington State Register and through posting information on the school web site at <https://www.wssb.wa.gov/wp/>. During a public comment period, the school will also seek comment: (1) As to be described in the anticipated rule making proposal form (CR-102); (2) from persons who have requested notice of school rule making; and (3) from persons who attend the public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Scott McCallum, Superintendent, 2214 East 13th Street, Vancouver, WA 98661, phone 360-947-3301, fax 360-737-2120, email scott.mccallum@wssb.wa.gov, web site www.wssb.wa.gov; or Janet Kurz, Executive Assistant, 2214 East 13th Street, Vancouver, WA 98661, phone 360-947-3302, fax 360-737-2120, email janet.kurz@wssb.wa.gov, web site www.wssb.wa.gov.

September 15, 2017
Scott McCallum
Superintendent

WSR 17-19-086
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed September 19, 2017, 9:15 a.m.]

Subject of Possible Rule Making: The department is proposing to amend WAC 388-310-0300, 388-310-1450, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.05.050 [74.04.050], 74.04.055, 74.08.090, 74.08A.260, and 74.08A.270.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is proposing to amend WAC 388-310-0300 and 388-310-1450 to comply with legislation extending the infant exemption to WorkFirst participants with children under the age of two to a lifetime limit of twenty-four months.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No coordination with the Federal Administration for Children and Families is required for regulation of this subject.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Angela Aikins, P.O. Box 45440 [45470], Olympia, WA 98504-5470, phone 360-725-4784, email Angela.Aikins@dshs.wa.gov.

September 18, 2017
Katherine I. Vasquez
Rules Coordinator

WSR 17-19-091
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed September 19, 2017, 10:36 a.m.]

Subject of Possible Rule Making: WAC 296-06-120 Copying fees.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.56.070, 42.56.120, and 42.56.130.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is proposing rule making to amend the current public records fee schedule in WAC 296-06-120. Legislation passed in 2017 to amend RCW 42.56.120, which governs agency charges to requestors for providing copies of public records.

The purpose of this rule making is to implement an agency fee schedule for reimbursement of the costs associ-

ated with fulfilling public records requests. An agency study will be conducted to determine the actual costs associated with copying, scanning, and delivering records and the guidelines to appropriately assess the fees.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study; and parties interested in the formulation of this rule for proposal may contact the individual listed below. The public may also participate by commenting after amendments are proposed by providing written comments or giving oral testimony during the public hearing process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jessica Ward, P.O. Box 44632, Olympia, WA 98504, phone 360-902-5232, fax 360-902-5529, email Jessica.ward@Lni.wa.gov.

September 19, 2017
Joel Sacks
Director

WSR 17-19-093

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Children's Administration)

[Filed September 19, 2017, 10:58 a.m.]

Subject of Possible Rule Making: The department is proposing to amend WAC 388-32-0030 What FRS services does the department provide?, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 13.32A.040, 74.13.031, 74.080.090 [74.08.-090].

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is proposing to amend WAC 388-32-0030 in order to better align the rule language with current children's administration (CA) practice.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: CA will continue to coordinate with the office of assistant attorney general.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sherrie Flores, P.O. Box 45710, Olympia, WA 98504, phone 360-902-8332, fax 360-902-7903, email sherrie.flores@dshs.wa.gov.

September 18, 2017
Katherine I. Vasquez
Rules Coordinator

WSR 17-19-096

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF FISH AND WILDLIFE

[Filed September 19, 2017, 11:13 a.m.]

Subject of Possible Rule Making: The department is considering changes to recreational clam and oyster harvest season rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.055, and 77.12.047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department must annually amend recreational clam and oyster season rules on some public tidelands in response to shellfish population changes, shifts in recreational effort, conservation issues, and negotiations with treaty tribes and other state agencies. Rule amendments are designed to perpetuate shellfish resources while maximizing recreational harvest opportunity.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington department of health (DOH). The Washington department of fish and wildlife works closely with DOH to close beaches to recreational clam and oyster harvest if there is a risk to public health.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Scott Bird, Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501-1091, phone 360-902-2403, email Rules.Coordinator@dfw.wa.gov.

September 19, 2017
Scott Bird
Rules Coordinator

WSR 17-19-100

PREPROPOSAL STATEMENT OF INQUIRY PUBLIC DISCLOSURE COMMISSION

[Filed September 19, 2017, 12:08 p.m.]

Subject of Possible Rule Making: Amend WAC to comply with new Public Records Act (PRA) requirements (section 3, chapter 304, Laws of 2017).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.56.100, 42.56.040 (1)(d), 42.56.120 (as amended by chapter 304, Laws of 2017), and 42.17A.110(1).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amendments to chapter 42.56 RCW require agencies to adopt new rules establishing fees for producing copies of public records. Amended statute allows the agency to use default copy fee schedule provided

for in the new law. The statute also allows an agency to waive any charge assessed for a public record pursuant to a rule.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Office of the attorney general has the general statutory authority of PRA and is coordinating rule making among state agencies.

Process for Developing New Rule: Collaborative rule-making process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Barbara Sandahl, P.O. Box 40908, phone 360-753-1111, email Barbara.sandahl@pdc.wa.gov, web site www.pdc.wa.gov.

September 19, 2017
Barbara Sandahl
Deputy Director

WSR 17-19-101

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Developmental Disabilities Administration)

[Filed September 19, 2017, 12:12 p.m.]

Subject of Possible Rule Making: The department is proposing to amend WAC 388-827-0105, 388-827-0120, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71A.12.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The developmental disabilities administration (DDA) is proposing to amend these rules in order to clarify language related to state supplementary payments (SSP) program eligibility, which DDA is also enacting as emergency rules. These changes are necessary to preserve public health, safety, and general welfare of SSP clients who rely on SSP funds and are at risk of losing program eligibility. During the course of this review, DDA may identify additional changes that are necessary to improve clarity or update policy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Chantelle Diaz, DDA, P.O. Box 45310, Olympia, WA 98504-5310, phone 360-407-1589, fax 360-407-0955, TTY 1-800-833-6388, email Chantelle.Diaz@dshs.wa.gov.

September 18, 2017
Katherine I. Vasquez
Rules Coordinator

WSR 17-19-102

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Aging and Long-Term Support Administration)

[Filed September 19, 2017, 12:58 p.m.]

Subject of Possible Rule Making: The department is proposing to amend WAC 388-101-3000 Definitions, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 71A.12 and 74.34 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending WAC 388-101-3000 to strike the term "willful" from the definition list as a result of an order by the Division III Court of Appeals in *Crosswhite v. DSHS* invalidating the current definition of "willful." The removal of the current term is necessary to comply with the court's order. The department is also amending the definition of "financial exploitation" as the reference to RCW 74.34.020(6) is incorrect.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Claudia Baetge, Policy Program Manager, Aging and Long-Term Support Administration, Residential Care Services, P.O. Box 45600, Olympia, WA 98504-5600, phone 360-725-2589, fax 360-407-0976, email baetgcf@dshs.wa.gov.

September 19, 2017
Katherine I. Vasquez
Rules Coordinator

WSR 17-19-104

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Aging and Long-Term Support Administration)

[Filed September 19, 2017, 1:13 p.m.]

Subject of Possible Rule Making: The department is proposing to amend WAC 388-76-10000 Definitions, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 70.128 and 74.34 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is amending WAC 388-76-10000 to strike the term "willful" from the definition list as a result of an order by the Division III Court of Appeals in *Crosswhite v. DSHS* invalidating the current definition of "willful." The removal of the current term is necessary to comply with the court's order.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Claudia Baetge, Policy Program Manager, Aging and Long-Term Support Administration, P.O. Box 45600, Olympia, WA 98504-5600, phone 360-725-2589, fax 360-407-0976, email baetgcf@dshs.wa.gov.

September 19, 2017
Katherine I. Vasquez
Rules Coordinator

WSR 17-19-105
PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed September 19, 2017, 1:42 p.m.]

Subject of Possible Rule Making: To align WAC language governing vocational education minimum expenditures with the changes made in the 2017-19 appropriations act.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.56.070, 42.56.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The office of superintendent of public instruction is considering revising agency rules limiting indirect cost charges to school district state-funded vocational-secondary programs required under the Biennial Operating Appropriations Act. Rules on this subject are necessary to reduce the vocational program indirect rate to five percent, ensure that no district has minimum expenditures greater than its total program allocation, and ensure that districts and vocational education programs have access [to] the correct proportionate share of their allocations as directed in the appropriations act.

Process for Developing New Rule: Early solicitation of public comments and recommendations respecting new, amended, or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting T. J. Kelly, P.O. Box 47200, Olympia, WA 98504, phone 360-725-6301, fax 360-664-3683, TTY 306-664-3631, email thomas.kelly@k12.wa.us, web site www.k12.wa.us.

September 19, 2017
Chris P. S. Reykdal
State Superintendent of
Public Instruction

WSR 17-19-109
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed September 20, 2017, 9:52 a.m.]

Subject of Possible Rule Making: Columbia River fisheries above the Bonneville Dam.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012, 77.04.013, 77.04.055, and 77.15.005.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Parties have agreed through the *U.S. v. Oregon* fish management process and the regulatory consistency committee to amend inconsistent rules to ensure uniformity, to provide clarity, and to increase enforceability of regulations in waters of concurrent jurisdiction. Portions of Title 220 WAC require amendments to reflect changes already implemented by Oregon and tribal governments concerning this federal case.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Oregon, National Oceanic and Atmospheric Administration Fisheries and Columbia River tribes have agreed to rule language through the committee process assigned by the judge in the ongoing case of *U.S. v. Oregon*.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Deputy Chief Mike Cenci, 600 Capitol Way North, Olympia, WA 98501-1091, phone 360-902-2938, email Mike.Cenci@dfw.wa.gov; or Scott Bird, Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501-1091, phone 360-902-2403, email Rules.Coordinator@dfw.wa.gov.

September 20, 2017
Scott Bird
Rules Coordinator