

WSR 19-10-021
EXPEDITED RULES
DEPARTMENT OF AGRICULTURE

[Filed April 23, 2019, 6:37 a.m.]

Title of Rule and Other Identifying Information: Chapter 16-532 WAC, Hops.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of this proposal is to update hop bale labeling requirements and to update public disclosure rules to implement RCW 42.56-.040 and 42.56.120.

Reasons Supporting Proposal: Updating hop bale labeling requirements are [is] necessary to facilitate the use of new technology using hand-held inkjet printers for hop bale marking and to acknowledge harmonization of United States hop variety codes with international standards. Updating public disclosure rules for the commission is a housekeeping task necessary to implement RCW 42.56.120.

Statutory Authority for Adoption: RCW 15.65.047 and 42.56.040.

Statute Being Implemented: Chapters 15.65 and 42.56 RCW.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Washington hop commission, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Ann George, 32 North 3rd Street, Yakima, WA, 509-453-4749.

This notice meets the following criteria to use the expedited adoption process for these rules:

Relates only to internal governmental operations that are not subject to violation by a person.

Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: This rule making contains administrative changes and other changes that are necessary because of national industry standards. It does not rise to the level of requiring a referendum of hop producers.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING

AND THEY MUST BE SENT TO Teresa Norman, Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, phone 360-902-2043, fax 360-902-2092, email WSDARulesComments@agr.wa.gov, AND RECEIVED BY July 2, 2019.

April 23, 2019
Derek I. Sandison
Director

AMENDATORY SECTION (Amending WSR 08-14-054, filed 6/25/08, effective 7/26/08)

WAC 16-532-120 Labeling. Each lot of hops must be identified by the crop year produced, grower number and lot designation, and variety code stenciled on each bale.

(1) A ~~((three digit))~~ five-character grower number will be assigned by the Washington hop commodity board (commission) prior to the annual harvest.

(2) The first marking will consist of the last two digits of the crop year and a hyphen, followed by the ~~((three digit))~~ five-character grower number and three-digit lot designation (example: ~~((8-000-001))~~ 18-WA000-001).

(3) The first marking shall be affixed ~~((on the head or top))~~ in an easily identified location on the upper face of the bale (nonsewn side) and shall be in characters approximately two inches high.

(4) The second marking will ~~((consist of))~~ designate the hop variety, utilizing a ~~((two letter))~~ three-character abbreviation. A list of ~~((approved two letter))~~ three-character abbreviations will be approved annually by the Washington state hop commodity board, and will be consistent with internationally accepted variety codes issued by the International Hop Growers Convention.

(5) The second marking shall be affixed immediately below the first marking on the ~~((head or top))~~ upper face of the bale (nonsewn side), and shall be in characters approximately two inches high.

AMENDATORY SECTION (Amending WSR 17-05-032, filed 2/8/17, effective 3/11/17)

WAC 16-532-145 Fees—Inspection and copying. (1) No fee shall be charged for the inspection of public records.

(2) ~~((The commission shall charge fifteen cents per black and white copy plus postage to reimburse itself for the costs of providing copies of public records.~~

(3) Requests for records in special formatting, including color copies, will be charged at the amount necessary to reimburse the commission for its actual production costs. If the public records officer deems it more efficient to have copying or duplicating done outside the commission, the charges will be based on the actual cost of such outside copying or duplicating service.) Pursuant to RCW 42.56.120(2), the commission declares for the following reasons that it would be unduly burdensome for it to calculate the actual costs it charges for providing copies of public records. Funds were not allocated for performing a study to calculate such costs and the commission lacks the necessary funds to perform a study and calculations; staff resources are insufficient to perform a study and to calculate such actual costs; and a study

would interfere with and disrupt other essential commission functions.

(3) The commission may charge fees for production of copies of public records consistent with the fee schedule established in RCW 42.56.120.

(4) For all copying or duplicating service charges incurred, an invoice will be sent to the requestor. Reimbursement is payable within fifteen days of receipt of invoice payable to the Washington hop commission. The commission may require that all charges be paid in advance of release of the copies of the records.

~~((4))~~ (5) The commission or its designee may waive any of the foregoing copying costs.

WSR 19-10-046
EXPEDITED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)

[Filed April 29, 2019, 9:51 a.m.]

Title of Rule and Other Identifying Information: The department is proposing to amend WAC 388-408-0040 How does living in an institution affect my eligibility for basic food? and 388-420-010 Alcohol and drug treatment centers.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The community services division is proposing to amend WAC 388-408-0040 and 388-420-010 through the expedited rule-making process for housekeeping purposes. These amendments will update obsolete WAC cross-references that have the same effect as the previous cross-references.

Reasons Supporting Proposal: The cross-references have changed as a result of 2018 legislation (2ESHB 1388) transferring authority and responsibility of behavioral health agency licensing and certification from the department of social and health services (DSHS) to the department of health.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.510, 74.08.090, 74.08A.120, and 7 C.F.R. 273.11.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: DSHS, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Ivette Dones-Figueroa, P.O. Box 45470, Olympia, WA 98504-5470, 360-725-4651.

This notice meets the following criteria to use the expedited adoption process for these rules:

Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: Changes are minor and needed to correct obsolete WAC cross-references that have the same effect as the previous cross-references.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Rules Coordinator, DSHS, P.O. Box 45850, Olympia, WA 98504, phone 360-664-6097, fax 360-664-6185, email DSHSRPAURulesCoordinator@dshs.wa.gov, AND RECEIVED BY July 1, 2019.

April 25, 2019
Katherine I. Vasquez
Rules Coordinator

AMENDATORY SECTION (Amending WSR 15-16-022, filed 7/24/15, effective 8/24/15)

WAC 388-408-0040 How does living in an institution affect my eligibility for basic food? (1) For basic food, an "institution" means a place where people live that provides residents more than half of three meals daily as a part of their normal services.

(2) Most residents of institutions are not eligible for basic food.

(3) If you live in one of the following institutions, you may be eligible for basic food even if the institution provides the majority of your meals:

(a) Federally subsidized housing for the elderly;

(b) Qualified drug and alcohol treatment centers when an employee of the treatment center is the authorized representative as described under WAC 388-460-0010;

(c) Qualified developmental disabilities administration (DDA) group homes for persons with disabilities;

(d) A shelter for battered women and children when the resident left the home that included the abuser; or

(e) Nonprofit shelters for the homeless.

(4) A qualified DDA group home is a nonprofit residential facility that:

(a) Houses sixteen or fewer persons with disabilities as defined under WAC 388-400-0040(9); and

(b) Is certified by DDA.

(5) A qualified drug and alcohol treatment center is a residential facility that:

(a) Is authorized as a retailer by the U.S. Department of Agriculture, Food and Nutrition Service or operated by a private nonprofit organization; and

(b) Meets the ~~((division of behavioral health and recovery (DBHR) chemical dependency))~~ department of health (DOH) residential substance use disorder treatment services licensing and certification rules in WAC ~~((388-877B-0200))~~ 246-341-1108.

(6) The qualified drug and alcohol treatment center described in subsection (5) in this section must be:

(a) Receiving funds under part B of Title XIX of the Public Health Service Act;

(b) Eligible to receive funds under part B of Title XIX of the Public Health Service Act, but does not receive these funds; or

(c) Operating to further the purposes of part B of the Public Health Service Act to provide treatment and rehabilitation of drug addicts or alcoholics.

(7) Elderly or disabled individuals and their spouses may use basic food benefits to buy meals from the following meal providers if FNS has approved them to accept basic food benefits:

- (a) Communal dining facility; or
- (b) Nonprofit meal delivery service.

(8) If you are homeless, you may use your basic food benefits to buy prepared meals from nonprofit organizations the department has certified as meal providers for the homeless.

AMENDATORY SECTION (Amending WSR 14-21-119, filed 10/17/14, effective 11/17/14)

WAC 388-420-010 Alcohol and drug treatment centers. (1) Food assistance is only available to a resident of a drug and alcohol treatment center when the treatment center is administered by a public or private nonprofit agency. In addition, the residential treatment center must be:

(a) Licensed by the ~~((division of behavioral health and recovery (DBHR)))~~ **department of health (DOH)** as a behavioral health agency (see chapter ~~((388-877))~~ **246-341** WAC); and

(b) Certified by ~~((DBHR))~~ **DOH** to provide ~~((chemical dependency))~~ **residential substance use disorder** treatment services (see WAC ~~((388-877B-0200))~~ **246-341-1108**).

(2) A resident is considered a one person assistance unit. However if the resident's spouse or child is also living in the treatment center, the spouse or child is included in the resident's assistance unit.

(3) The resident must have a designated employee of the treatment center act as an authorized representative as specified in chapter 388-460 WAC.

(4) The authorized representative receives and uses the food assistance benefits for meals the resident is served in the treatment center.

(5) The authorized representative also has responsibilities as specified in chapter 388-460 WAC.

WSR 19-10-065

EXPEDITED RULES

DEPARTMENT OF REVENUE

[Filed April 30, 2019, 12:55 p.m.]

Title of Rule and Other Identifying Information: WAC 458-20-236 Baseball clubs and other sport organizations, is a rule that addresses the taxability of income received by sporting organizations for sponsoring games.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The department of revenue intends to repeal WAC 458-20-236 because there is no longer a statutory authority for the rule.

Reasons Supporting Proposal: In 2010, the legislature amended RCW 82.04.460 and enacted RCW 82.04.462 which resulted in a change to the apportionment method used by businesses engaged in apportionable activities and have nexus in Washington. As a result of these statutory changes, WAC 458-20-236 is no longer accurate or necessary.

Statute Authority for Adoption: Not applicable.

Statute Being Implemented: RCW 82.04.460, 82.04.462.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Department of revenue, governmental.

Name of Agency Personnel Responsible for Drafting: Leslie Mullin, 6400 Linderson Way S.W., Tumwater, WA, 360-534-1589; and Implementation and Enforcement: Randy Simmons, 6400 Linderson Way S.W., Tumwater, WA, 360-534-1605.

This notice meets the following criteria to use the expedited repeal process for these rules:

The statute on which the rule is based has been repealed and has not been replaced by another statute providing statutory authority for the rule.

The rule is no longer necessary because of changed circumstances.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: WAC 458-20-236 is being repealed because the statute on which the rule is based was amended in 2010 and a new statute was enacted that same year, so the information in the rule is no longer accurate or necessary.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Leslie Mullin, Department of Revenue, P.O. Box 47453, Olympia, WA 98504-7453, phone 360-534-1589, fax 360-534-1606, email LeslieMu@dor.wa.gov, AND RECEIVED BY July 1, 2019.

April 30, 2019

Kevin Dixon

Program Manager

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 458-20-236 Baseball clubs and other sport organizations.

WSR 19-10-072
EXPEDITED RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Filed May 1, 2019, 8:53 a.m.]

Title of Rule and Other Identifying Information: WAC 220-314-020 Possession limits—Bottomfish, 220-314-030 Halibut—Seasons—Daily and possession limits, 220-314-040 Lingcod—Areas and seasons, and 220-220-150 Oregon license reciprocity.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of this rule proposal is to amend rules affecting the coastal recreational bottomfish and halibut fisheries so that they are consistent with regulations adopted by the Pacific Fishery Management Council (PFMC). These changes are consistent with actions taken by PFMC, which includes an extensive stakeholder process.

Reasons Supporting Proposal: This rule change conforms state regulations to regulations recently adopted by PFMC and implemented into federal regulation by the National Marine Fisheries Service. Stakeholder input from Washington recreational anglers was considered during the PFMC public hearing process and meetings sponsored by the Washington department of fish and wildlife (WDFW). By rule, here are the main reasons supporting individual rule amendments:

WAC 220-314-020 Possession limits—Bottomfish.

Three changes would revise sublimits for bottomfish that are part of the aggregate daily bottomfish bag limit and remove the minimum size limit for cabezon.

Canary rockfish: Remove the canary rockfish sublimit: The west coast canary rockfish population has rebuilt sufficiently to allow the retention of canary rockfish as part of the daily aggregate bottomfish limit. In recent years, WDFW has revised restrictions on canary rockfish retention in a conservative manner after being a prohibited species in recreational fisheries for many years. In 2017, retention of up to two canary rockfish was allowed in some areas of the coast with retention expanded to two canary rockfish in all marine areas in 2018. The federal harvest quota for canary rockfish in Washington recreational fisheries is 47.1 mt in 2019 and 44.3 mt in 2020, well below the 2018 catch of 4.6 mt. Removing the canary rockfish sublimit will give anglers additional opportunity to target and retain canary rockfish without risk of exceeding federal harvest quota.

Cabezon: Reduce the cabezon sublimit to one in all coastal marine areas and remove the 18-inch size limit in Marine Area 4: Currently the cabezon sublimit is two fish per day in Marine Areas 1-3 and one fish per day in Marine Area 4. This rule change would revise the cabezon sublimit so that it is one fish per day in all marine areas, which streamline[s] regulations in coastal marine areas and simplifies rules for recreational anglers.

There is currently an 18-inch minimum size limit for cabezon in Marine Area 4. Removing the size limit will allow anglers to keep the first cabezon they catch regardless of size and could reduce the amount of discarded fish. Similar to the change to the sublimit, removing the minimum size limit in

Marine Area 4 will align with regulations in coastal Marine Areas 1-3 and simplify regulations for recreational anglers.

Flatfish: Allow three flatfish in addition to the nine daily bottomfish limit: This rule change is necessary to clarify current regulations so that it is clear that anglers can keep three flatfish (except Pacific halibut) per day that do not count toward their nine bottomfish daily aggregate limit, but that are in addition to it. The proposed rule change language better aligns with what is described in federal regulations.

WAC 220-314-030 Halibut—Seasons—Daily and possession limits.

Regulation changes are necessary to revise depth restrictions in Marine Area[s] 2 through 4. Depth restrictions are in place to reduce encounters with rebuilding yelloweye rockfish. The most recent stock assessment showed that yelloweye rockfish are rebuilding at [a] faster pace than previously thought. As a result, federal harvest quotas for yelloweye rockfish in Washington are significantly higher for 2019 and 2020 compared to recent years. Increased yelloweye rockfish harvest quotas allow some relaxation of depth restrictions and provide access to healthy lingcod resources that are commonly associated with yelloweye rockfish for recreational anglers.

Marine Area[s] 3 and 4: Revise regulations relative to the 20-fathom depth restriction: Currently anglers are restricted from fishing for, or retaining, bottomfish seaward of 20-fathoms from May 9 through Labor Day in Marine Areas 3 and 4. This rule change would revise the depth restriction so that [it] is in place from June 1 through Labor Day. In addition, the proposed rule changes would allow anglers to keep yellowtail and widow rockfish seaward of the 20-fathom depth restriction in the months of July and August on days open to the recreational salmon fishery. This change provides additional fishing opportunity for Washington recreational anglers to harvest healthy rockfish populations in a way that does not risk exceeding federal harvest quotas for rebuilding stocks like yelloweye rockfish.

Marine Area 2: Revise regulations relative to the 30-fathom depth restriction: Current regulations prohibit bottomfish retention seaward of 30-fathoms from March 15 through June 15; this rule change would revise the dates that the 30-fathom depth restriction is in place from the second Saturday in March through May 31. In addition, proposed rule changes would clarify that the 30-fathom depth restriction would be specific to lingcod rather than all bottomfish. These changes provide additional opportunity for recreational anglers to target lingcod in deepwater areas and streamline the regulations by implementing the start of the 30-fathom depth restriction so it is the same as the opening day of the recreational bottomfish and lingcod season.

WAC 220-314-040 Lingcod—Areas and seasons.

This rule change would open the lingcod season in Marine Area 4, west of the Bonilla-Tatoosh line from the second Saturday in March through the third Saturday in October. This aligns the opening of the lingcod season in this area with the opening of the recreational bottomfish and lingcod season in the other coastal management areas (Marine Areas 1-3). This change streamlines regulations in coastal marine areas and provides additional fishing opportunity for Washington

recreational anglers to target lingcod approximately one month earlier than the current season opening in April.

Proposed rule changes would allow lingcod retention when halibut is onboard a vessel in Marine Area 1 north of the Washington border on all days open to the recreational halibut fishery, rather than just during the month of May as described in the current rule.

In Marine Area 2, current regulations prohibit lingcod retention in a deepwater closed area (with some exceptions). This rule change would allow lingcod retention in this deepwater area from June 1 through 15 and from September 1 through 15. Other revisions to the current rule language would provide regulatory clarity by describing that the deepwater lingcod closures in Marine Areas 1 and 2 are in effect when lingcod is open, rather than year round.

WAC 220-220-150 Oregon license reciprocity.

In 2018, changes to WAC 220-314-030 were implemented to reflect a new four fish annual limit for the recreational halibut fishery approved through PFMC. The proposed change to WAC 220-220-150 expands the current rule language to include annual limits and improves the clarity and intent of the rule.

Statutory Authority for Adoption: RCW 77.040.020 [77.04.020], 77.12.045, and 77.12.047.

Statute Being Implemented: RCW 77.04.020, 77.12.045, and 77.12.047.

Rule is necessary because of federal law, C.F.R. Title 50, Part 660.

Name of Proponent: WDFW, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Heather Hall, 1111 Washington Street S.E., Olympia, WA, 360-902-2487; and Enforcement: Steve Bear, Police Chief, 1111 Washington Street S.E., Olympia, WA, 360-902-3463.

This notice meets the following criteria to use the expedited adoption process for these rules:

Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule.

Have been the subject of negotiated rule making, pilot rule making, or some other process that involved substantial participation by interested parties before the development of the proposed rule.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: These changes are consistent with actions taken by PFMC, which includes an extensive stakeholder process. Through the delegation of authority provided by the fish and wildlife commission to the director, WDFW regulatory changes for consistency with PFMC actions may be approved by the director via expedited rule making.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Heather Hall, WDFW, 1111 Washington Street S.E., Olympia, WA, phone 360-902-2487, fax 360-902-5244, email heather.hall@dfw.wa.gov, AND RECEIVED BY July 2, 2019.

April 30, 2019

Scott Bird

Rules Coordinator

AMENDATORY SECTION (Amending WSR 17-05-112, filed 2/15/17, effective 3/18/17)

WAC 220-220-150 Oregon license reciprocity. (1) A person may, from a vessel or other floating device, fish for game fish, food fish, unclassified fish, and shellfish, unless otherwise prohibited, from Pacific Ocean waters within three miles of the Washington coast from Leadbetter Point to the Washington-Oregon boundary, and from the concurrent waters of the Columbia River where the river forms the boundary between Oregon and Washington if the person possesses a valid Oregon resident angling license or a valid Oregon resident shellfish license, but only if Oregon recognizes as valid a comparable Washington personal use license in Pacific Ocean waters within three miles of the Oregon coast from the Oregon-Washington boundary to Cape Falcon and the concurrent waters of the Columbia River.

(2) This reciprocity applies only to fishing from a vessel or other floating device. Fishing from the Washington shore requires a Washington personal use license.

(3) This reciprocity applies only to Oregon residents, and residents of other states must possess either a valid Washington license or a valid Oregon license to take game fish, food fish, unclassified fish, and shellfish from the waters of the respective states.

(4) Any game fish, food fish, unclassified fish, or shellfish landed into Washington must conform with current rules in effect for the point of landing including, but not limited to, daily limits, possession limits, annual limits, size restrictions, and sex restrictions.

AMENDATORY SECTION (Amending WSR 18-23-070, filed 11/16/18, effective 12/17/18)

WAC 220-314-020 Possession limits—Bottomfish. It is unlawful for any person to fish for or take bottomfish for personal use except within the seasons, daily quantities and possession limits prescribed as follows:

(1) Coastal areas (Catch Record Card Areas 1 through 3 and 4 west of the Bonilla-Tatoosh line):

(a) Bottomfish fishing is open the second Saturday in March through the third Saturday in October, except fishing for surfperch from the shore is allowed year-round.

(b) Limit of surfperch (~~and flatfish~~) is 12 per person per day. For all other bottomfish, limit is 9 fish total per person per day, which may include no more than:

- (i) Lingcod: 2 fish, no minimum length.
- (ii) Rockfish: 7 fish in aggregate (~~which can include up to two canary rockfish in Catch Record Card Areas 1 through 4~~). The possession limit for yelloweye rockfish is 0.
- (iii) Wolf-eel: 0 fish from Catch Record Card Area 4.
- (iv) Cabezon: Marine Areas 1 through (~~3; 2 fish. Marine Area 4: 1 fish; the minimum size limit is 18 inches~~) 4: 1 fish, no minimum size.

(c) Additional flatfish: In addition to the bottomfish limit in (b) of this subsection, anglers may take 3 flatfish per person, per day, not to be counted towards the bottomfish limit but in addition to it.

(2) Inner Puget Sound (Catch Record Card Areas 4 east of the Bonilla-Tatoosh line, and 5 through 13):

(a) Catch Record Card Area 4 east of the Bonilla-Tatoosh line: Limit 10 fish total, which may include no more than:

- (i) Lingcod: 2 fish, minimum length of 22 inches.
- (ii) Rockfish: 6 fish. Only black or blue rockfish may be retained.
- (iii) Wolf-eel: 0 fish.
- (iv) Cabezon: 1 fish; the minimum size limit is 18 inches.

(b) Catch Record Card Areas 5 and 6: 15 fish total for all species and species groups of bottomfish, which may include no more than:

Rockfish in Marine Area 5 except	1 fish May 1 through September 30. Only black or blue rockfish may be retained.
in Marine Area 5 west of Slip Point	3 fish. Only black or blue rockfish may be retained.
in Marine Area 6.	0 fish
Surfperch	10 fish
Pacific cod	2 fish
Pollock	2 fish
Flatfish (except halibut)	15 fish
Lingcod	1 fish
Wolf-eel	0 fish
Cabezon	1 fish
Pacific hake	2 fish

(c) Catch Record Card Area 7: 15 fish total for all species of bottomfish, which may include no more than:

Rockfish	0 fish
Surfperch	10 fish
Pacific cod	2 fish

Flatfish (except halibut)	15 fish
Lingcod	1 fish
Wolf-eel	0 fish
Cabezon	1 fish
Pollock	2 fish
Pacific hake	2 fish

(d) Catch Record Card Areas 8-1 through 11 and 13: 15 fish total for all species and species groups of bottomfish, which may include no more than:

Rockfish	0 fish
Surfperch	10 fish
Pacific cod	0 fish
Pollock	0 fish
Flatfish (except halibut)	15 fish
Lingcod	1 fish
Wolf-eel	0 fish
Cabezon	1 fish
Pacific hake	0 fish

(e) Catch Record Card Area 12: 15 fish total for all species and species groups of bottomfish, which may include no more than:

Rockfish	0 fish
Surfperch	0 fish
Pacific cod	0 fish
Pollock	0 fish
Flatfish (except halibut)	15 fish
Lingcod	0 fish
Wolf-eel	0 fish
Cabezon	0 fish
Pacific hake	0 fish

(f) The possession limit for lingcod taken by angling gear is 26 to 36 inches in length. For spear fishing, lingcod may not be possessed that exceed 36 inches in length.

(g) In Marine Areas 5 through 11 and 13, the minimum size limit for cabezon is 18 inches. All cabezon must be released in Catch Record Card Areas 5 through 11 and 13 from December 1 through April 30.

(h) In Catch Record Card Area 5, the daily limit for rockfish is the first legal rockfish caught, except that west of Slip Point, the daily limit for rockfish is the first three legal rockfish caught. Only black or blue rockfish may be retained. After the daily limit of rockfish is caught, all subsequent rockfish must be released.

(i) In Catch Record Card Area 5, it is unlawful to take rockfish by spear fishing except when this area is open to spear fishing for lingcod.

(3) The possession limit at any time may not exceed the equivalent of two daily limits in fresh, frozen or processed form.

(4) Unless otherwise provided, bottomfish fishing is open the entire year.

(5) Daily limits include bottomfish caught in adjacent areas bordering other states, such as Oregon.

(6) It is unlawful to fish for, retain, or possess sixgill, sevengill, or thresher sharks.

AMENDATORY SECTION (Amending WSR 18-23-070, filed 11/16/18, effective 12/17/18)

WAC 220-314-030 Halibut—Seasons—Daily and possession limits. (1) It is unlawful to fish for or possess halibut taken for personal use except from the areas or in excess of the amounts provided for in this section:

(a) Catch Record Card Area 1: Closed except as provided by emergency rule. By-catch restriction: It is unlawful during any vessel trip to bring into port or land bottomfish, except flatfish, sablefish (~~and~~), Pacific cod, and lingcod north of the Washington-Oregon border if the vessel has brought halibut into port or landed halibut.

(b) Catch Record Card Area 2:

(i) The northern near shore fishery takes place in those waters from 47°31.70'N. lat. south to 46°58.00'N. lat. and east of a boundary line approximating the 30 fathom depth contour as defined by the following coordinates:

47°31.70'N. lat., 124°37.03'W. long.
47°25.67'N. lat., 124°34.79'W. long.
47°12.82'N. lat., 124°29.12'W. long.
46°58.00'N. lat., 124°24.24'W. long.

Closed except as provided by emergency rule.

(ii) All other waters in Area 2 - Closed except as provided by emergency rule.

(iii) From the second Saturday in March (~~(15)~~) through (~~June 15~~) May 31, it is unlawful to fish for or possess (~~bottomfish, except rockfish~~) lingcod, seaward of line approximating the 30-fathom depth contour as defined by the coordinates below. However, a person may fish for and retain (~~sablefish and Pacific cod from May 1 through June 15 and retain~~) lingcod on days open during the primary halibut season as described in (b)(ii) of this subsection, seaward of a line approximating the 30-fathom depth contour as defined by the coordinates below:

47°31.70'N. lat., 124°37.03'W. long.
47°25.67'N. lat., 124°34.79'W. long.
47°12.82'N. lat., 124°29.12'W. long.
46°52.94'N. lat., 124°22.58'W. long.
46°44.18'N. lat., 124°18.00'W. long.
46°38.17'N. lat., 124°15.88'W. long.

(c) Catch Record Card Areas 3 and 4 west of Bonilla-Tatoosh line - Closed except as provided by emergency rule. The following area southwest of Cape Flattery is closed to halibut fishing at all times:

Those waters within an eastward-facing C-shaped closed area defined as: Beginning at 48°18'N. lat., 125°18'W. long.; thence to 48°18'N. lat., 124°59'W. long.; thence to 48°11'N. lat., 124°59'W. long.; thence to 48°11'N. lat., 125°11'W. long.; thence to 48°04'N. lat., 125°11'W. long.; thence to 48°04'N. lat., 124°59'W. long.; thence to 48°00'N. lat.,

124°59'W. long.; thence to 48°00'N. lat., 125°18'W. long.; thence to the point of origin.

It is unlawful to fish for or possess bottomfish seaward of a line approximating the 20-fathom depth contour as defined by the following coordinates, from (~~May~~) June 1 through Labor Day except, on days and times open to halibut fishing (~~when only~~), it is permissible to retain lingcod, sablefish, and Pacific cod (~~can be retained~~). The retention of yellowtail rockfish and widow rockfish is permitted seaward of the line approximating 20 fathoms on days open to the recreational salmon fishery during the months of July and August:

48°23.9'N. lat., 124°44.2'W. long.
48°23.6'N. lat., 124°44.9'W. long.
48°18.6'N. lat., 124°43.6'W. long.
48°18.6'N. lat., 124°48.2'W. long.
48°10.0'N. lat., 124°48.8'W. long.
48°02.4'N. lat., 124°49.3'W. long.
47°37.6'N. lat., 124°34.3'W. long.
47°31.7'N. lat., 124°32.4'W. long.

(d) Catch Record Card Area 4 east of the Bonilla-Tatoosh line, closed except as provided by emergency rule. It is unlawful to fish for or possess bottomfish seaward of a line approximating 120 feet except, on days open to the Pacific halibut fishery in this area, it is permissible to retain lingcod, and Pacific cod seaward of 120 feet as defined by WAC 220-314-010.

(e) Catch Record Card Areas 5 through 13 - On days that the halibut fishery is open, it is lawful to fish for, retain, and possess lingcod and Pacific cod seaward of 120 feet in Catch Record Card Area(~~s 5 and 6~~) 5. Closed except as provided by emergency rule.

(2) Daily limit is one halibut taken from state or offshore waters. This does not include Canadian waters; see WAC 220-310-210 for limits on Canadian-origin halibut.

(3) The possession limit is two daily limits of halibut in any form, except the possession limit aboard the fishing vessel is one daily limit. See WAC 220-310-210 for rules on Canadian-origin halibut possession.

(4) The annual limit is four halibut taken from state or offshore waters. This does not include Canadian waters; see WAC 220-310-210 for limits on Canadian-origin halibut.

(5) It is unlawful to fish for, retain, possess, or land halibut into a port located within an area that is closed to halibut fishing. This does not include halibut caught in Canadian waters. See WAC 220-310-210 for rules on Canadian-origin halibut possession.

(6) A violation of this section is punishable under RCW 77.15.370 or 77.15.380, depending on the violation.

AMENDATORY SECTION (Amending WSR 17-17-045, filed 8/10/17, effective 9/10/17)

WAC 220-314-040 Lingcod—Areas and seasons. It is unlawful to take, fish for, or possess lingcod for personal use except during the following seasons and areas:

(1) Coastal area:

(a) Catch Record Card Areas 1 through 3 and 4 west of the Bonilla-Tatoosh line: From the second Saturday in March, through the third Saturday in October; and

(b) Catch Record Card Area 4 east (~~and west~~) of the Bonilla-Tatoosh line: April 16 through October 15.

(c) It is unlawful to fish for, retain, or possess lingcod in Catch Record Card Area 1 seaward of a line extending from 46°38.17'N. lat., 124°21.00'W. long. to 46°33.00'N. lat., 124°21.00'W. long. (~~year-round~~) when lingcod is open.

(d) It is unlawful to fish for, retain, or possess lingcod in Catch Record Card Area 2 seaward of a line extending from 47°31.70'N. lat., 124°45.00'W. long. south to 46°38.17'N. lat., 124°30.00'W. long. (~~year-round~~) when lingcod is open, except that lingcod may be taken, retained and possessed seaward of the line on days open during the primary halibut season and from June 1 through June 15 and September 1 through September 15.

(2) Catch Record Card Areas 5 through 13: May 1 through June 15 by angling, and May 21 through June 15 by spear fishing.

WSR 19-10-074
EXPEDITED RULES
UTILITIES AND TRANSPORTATION
COMMISSION

[Commission Docket A-181038—Filed May 1, 2019, 9:28 a.m.]

Title of Rule and Other Identifying Information: This rule making would revise adoption-by-reference dates in Title 480 WAC to incorporate the most recent version of adopted federal rules and other adopted publications.

Rules affected include WAC 480-14-999, 480-15-999, 480-30-999, 480-31-999, 480-62-999, 480-70-999, 480-73-999, 480-75-250, 480-75-999, 480-90-999, 480-93-223, 480-93-999, 480-100-999, 480-103-999, 480-108-999, 480-109-999, 480-120-999, and 480-123-999.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This proposal would revise the adoption-by-reference dates to reflect the current version(s) of adopted materials and make other minor administrative updates.

Reasons Supporting Proposal: The commission adopts by reference several parts in Titles 18, 47, and 49 of the Code of Federal Regulations and other state rules and national standards. This adoption package will make commission rules consistent with current published versions of federal rules and reflect the most current versions of the national safety standards.

Statutory Authority for Adoption: RCW 80.10.040, 80.04.160, 81.04.160, and 34.05.353.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Washington utilities and transportation commission, governmental.

Name of Agency Personnel Responsible for Drafting: Gregory J. Kopta, Administrative Law Judge, 1300 Evergreen Park Drive S.W., Olympia, WA 98504-7250, 360-664-

1355; Implementation and Enforcement: Mark L. Johnson, Executive Director and Secretary, 1300 Evergreen Park Drive S.W., Olympia, WA 98504-7250, 360-664-1115.

This notice meets the following criteria to use the expedited adoption process for these rules:

Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule.

Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Mark L. Johnson, Executive Director and Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, Olympia, WA 98504-7250, phone 360-664-1160, email records@utc.wa.gov, AND RECEIVED BY July 1, 2019.

May 1, 2019

Mark L. Johnson

Executive Director and Secretary

AMENDATORY SECTION (Amending WSR 18-13-106, filed 6/19/18, effective 7/20/18)

WAC 480-14-999 Adoption by reference. In this chapter, the commission adopts by reference all or portions of regulations and standards identified below. They are available for inspection at the commission library. The publication, effective dates, references within this chapter, and availability of the resource is within Title 49 Code of Federal Regulations (C.F.R.), including all appendices and amendments is published by the United States Government Printing Office.

(1) The commission adopts the version in effect on December 31, (~~2017~~) 2018, for 49 C.F.R. Parts 171, 172 and 173.

(2) This publication is referenced in WAC 480-14-250 (Insurance requirements).

(3) Copies of Title 49 C.F.R. are available from the U.S. Government Online Bookstore, <https://bookstore.gpo.gov/>, and from various third-party vendors.

AMENDATORY SECTION (Amending WSR 18-13-106, filed 6/19/18, effective 7/20/18)

WAC 480-15-999 Adoption by reference. In this chapter, the commission adopts by reference all or portions of regulations and standards identified below. They are available for inspection at the commission library. The publications, effective dates, references within this chapter, and availability of the resources are as follows:

(1) *North American Standard Out-of-Service Criteria* (OOSC) is published by the Commercial Vehicle Safety Alliance (CVSA).

(a) The commission adopts the version in effect on April 1, ~~((2018))~~ 2019.

(b) This publication is referenced in WAC 480-15-560 (Equipment safety requirements).

(c) The *North American Out-of-Service Criteria* is a copyrighted document. Copies are available from CVSA.

(2) **Title 49 Code of Federal Regulations**, cited as 49 C.F.R., including all appendices and amendments is published by the United States Government Printing Office.

(a) The commission adopts the version in effect on December 31, ~~((2017))~~ 2018.

(b) This publication is referenced in WAC 480-15-560 (Equipment safety requirements) and WAC 480-15-570 (Driver safety requirements).

(c) Copies of Title 49 Code of Federal Regulations are available from the U.S. Government Online Bookstore, <https://bookstore.gpo.gov/>, and from various third-party vendors.

AMENDATORY SECTION (Amending WSR 18-13-106, filed 6/19/18, effective 7/20/18)

WAC 480-30-999 Adoption by reference. In this chapter, the commission adopts by reference all or portions of regulations and standards identified below. They are available for inspection at the commission library. The publications, effective dates, references within this chapter, and availability of the resources are as follows:

(1) *North American Standard Out-of-Service Criteria* (OOSC) is published by the Commercial Vehicle Safety Alliance (CVSA).

(a) The commission adopts the version in effect on April 1, ~~((2018))~~ 2019.

(b) This publication is referenced in WAC 480-30-221 (Vehicle and driver safety requirements).

(c) The *North American Out-of-Service Criteria* is a copyrighted document. Copies are available from CVSA.

(2) **Title 49 Code of Federal Regulations**, cited as 49 C.F.R., including all appendices and amendments is published by the United States Government Printing Office.

(a) The commission adopts the version in effect on ~~((July 1, 2017))~~ December 31, 2018.

(b) This publication is referenced in WAC 480-30-221 (Vehicle and driver safety requirements) and WAC 480-30-226 (Intrastate medical waivers).

(c) Copies of Title 49 Code of Federal Regulations are available from the U.S. Government Online Bookstore, <https://bookstore.gpo.gov/>, and from various third-party vendors.

AMENDATORY SECTION (Amending WSR 18-13-106, filed 6/19/18, effective 7/20/18)

WAC 480-31-999 Adoption by reference. In this chapter, the commission adopts by reference all or portions of regulations and standards identified below. They are available for inspection at the commission library. The publications, effective dates, references within this chapter, and availability of the resources are as follows:

(1) *North American Standard Out-of-Service Criteria* (OOSC) is published by the Commercial Vehicle Safety Alliance (CVSA).

(a) The commission adopts the version in effect on April 1, ~~((2018))~~ 2019.

(b) This publication is referenced in WAC 480-31-120 (Equipment—Inspection—Ordered for repairs).

(c) The *North American Out-of-Service Criteria* is a copyrighted document. Copies are available from CVSA.

(2) **Title 49 Code of Federal Regulations**, cited as 49 C.F.R., including all appendices and amendments is published by the United States Government Printing Office.

(a) The commission adopts the version in effect on ~~((July 1, 2017))~~ December 31, 2018.

(b) This publication is referenced in WAC 480-31-100 (Equipment—Safety), WAC 480-31-120 (Equipment—Inspection—Ordered for repairs), and WAC 480-31-130 (Operation of motor vehicles).

(c) Copies of Title 49 Code of Federal Regulations are available from the U.S. Government Online Bookstore, <https://bookstore.gpo.gov/>, and from various third-party vendors.

AMENDATORY SECTION (Amending WSR 18-10-001, filed 4/18/18, effective 5/19/18)

WAC 480-62-999 Adoption by reference. In this chapter, the commission adopts by reference all or portions of regulations and standards identified below. They are available for inspection at the commission library. The publications, effective dates, references within this chapter, and availability of the resources are as follows:

(1) **Title 49 Code of Federal Regulations**, cited as 49 C.F.R., including all appendices and amendments is published by the United States Government Printing Office.

(a) The commission adopts the version in effect on December 31, ~~((2017))~~ 2018.

(b) This publication is referenced in WAC 480-62-160 (Compliance policy), WAC 480-62-200 (Roadway worker safety and operating rules and statutes), WAC 480-62-205 (Track safety standards), WAC 480-62-210 (Crossing signal circuitry), WAC 480-62-215 (Hazardous materials regulations), WAC 480-62-235 (Flaggers), WAC 480-62-240 (Railroad owned or operated passenger carrying vehicles—Equipment), ~~((and))~~ WAC 480-62-278 (Contract crew transportation vehicle and driver safety requirements), and WAC 480-62-293 (Contract crew transportation enforcement).

(c) Copies of Title 49 Code of Federal Regulations are available from the U.S. Government Online Bookstore, <https://bookstore.gpo.gov/>, and from various third-party vendors.

(2) **Manual on Uniform Traffic Control Devices**, cited as Manual on Uniform Traffic Control Devices, or MUTCD, is published by the United States Government Printing Office.

(a) The commission adopts the version in effect on December 31, ~~((2017))~~ 2018.

(b) This publication is referenced in WAC 480-62-230 (Traffic control devices) ~~((and))~~, WAC 480-62-235 (Flaggers), and WAC 480-62-245 (Railroad owned or operated passenger carrying vehicles—Operation).

(c) Copies of the MUTCD are available from the U.S. Government Online Bookstore, <https://bookstore.gpo.gov/>, and from various third-party vendors.

(3) **ANSI/ISEA Z308.1 - 2015 American National Standard for Minimum Requirements for Workplace First Aid Kits** is published by the American National Standards Institute.

(a) The commission adopts the version in effect on December 31, ~~((2017))~~ 2018.

(b) This publication is referenced in WAC 480-62-240 (Passenger carrying vehicles—Equipment).

(c) Copies of ANSI/ISEA Z308.1 - 2015 American National Standard for Minimum Requirements for Workplace First Aid Kits and Supplies are available from IHS Global Engineering Documents in Englewood, Colorado.

(4) **ANSI/ISEA 207-~~((2015))~~ 2011 - American National Standard for High-Visibility Public Safety Vests** is published by the American National Standards Institute.

(a) The commission adopts the version in effect on December 31, ~~((2017))~~ 2018.

(b) This publication is referenced in WAC 480-62-235 (Flaggers).

(c) Copies of ANSI/ISEA 207-~~((2015))~~ 2011 - American National Standard for High-Visibility Public Safety Vests are available from IHS Global Engineering Documents in Englewood, Colorado.

(5) **North American Standard Out-of-Service Criteria (OOSC)** is published by the *Commercial Vehicle Safety Alliance* (CVSA).

(a) The commission adopts the version in effect on April 1, ~~((2017))~~ 2019.

(b) This publication is referenced in WAC 480-62-278 (Contract crew transportation vehicle and driver safety requirements).

(c) The *North American Out-of-Service Criteria* is a copyrighted document. Copies are available from CVSA.

AMENDATORY SECTION (Amending WSR 18-13-106, filed 6/19/18, effective 7/20/18)

WAC 480-70-999 Adoption by reference. In this chapter, the commission adopts by reference all, or portions of, regulations and standards identified below. They are available for inspection at the commission library. The publications, effective dates, references within this chapter, and availability of the resources are as follows:

(1) **The North American Standard Out-of-Service Criteria** is published by the Commercial Vehicle Safety Alliance (CVSA).

(a) The commission adopts the version in effect on April 1, ~~((2018))~~ 2019.

(b) This publication is referenced in WAC 480-70-201 (Vehicle and driver safety requirements).

(c) The *North American Out-of-Service Criteria* is a copyrighted document. Copies are available from CVSA.

(2) **Title 40 Code of Federal Regulations**, cited as 40 C.F.R., including all appendices and amendments is published by the United States Government Printing Office.

(a) The commission adopts the version in effect on ~~((July 1, 2017))~~ December 31, 2018.

(b) This publication is referenced in WAC 480-70-041 (Definitions, general).

(c) Copies of Title 40 Code of Federal Regulations are available from the U.S. Government Online Bookstore, <https://bookstore.gpo.gov/>, and from various third-party vendors.

(3) **Title 49 Code of Federal Regulations**, cited as 49 C.F.R., including all appendices and amendments is published by the United States Government Printing Office.

(a) The commission adopts the version in effect on ~~((July 1, 2017))~~ December 31, 2018.

(b) This publication is referenced in WAC 480-70-201 (Vehicle and driver safety requirements), WAC 480-70-431 (Biomedical waste, adoption of federal regulations), and WAC 480-70-486 (Hazardous waste, adoption of federal regulations).

(c) Copies of Title 49 Code of Federal Regulations are available from the U.S. Government Online Bookstore, <https://bookstore.gpo.gov/>, and from various third-party vendors.

AMENDATORY SECTION (Amending WSR 18-13-106, filed 6/19/18, effective 7/20/18)

WAC 480-73-999 Adoption by reference. In this chapter, the commission adopts by reference all or portions of regulations and standards identified below. They are available for inspection at the commission library. The publications, effective date, references within this chapter, and availability of the resources are as follows:

(1) **Title 18 Code of Federal Regulations**, cited as 18 C.F.R., is published by the United States Government Printing Office.

(2) The commission adopts the version in effect on April 1, ~~((2017))~~ 2018.

(3) This publication is referenced in WAC 480-73-130 (Accounting system requirements), WAC 480-73-150 (Retaining and preserving records and reports), and WAC 480-73-160 (Annual reports).

(4) Copies of Title 18 Code of Federal Regulations are available from the U.S. Government Online Bookstore, <https://bookstore.gpo.gov/>, and from various third-party vendors.

AMENDATORY SECTION (Amending WSR 14-19-001, filed 9/3/14, effective 10/4/14)

WAC 480-75-250 Civil penalty for violation of chapter 81.88 RCW. Any pipeline company that violates any pipeline safety provision of any commission order, or any

rule in this chapter including those rules adopted by reference, or chapter 81.88 RCW is subject to a civil penalty not to exceed ~~((two hundred thousand dollars for each violation for each day that the violation persists. The maximum civil penalty under this subsection for a related series of violations is two million dollars))~~ the amounts in 49 C.F.R. Sec. 190.223.

AMENDATORY SECTION (Amending WSR 18-13-106, filed 6/19/18, effective 7/20/18)

WAC 480-75-999 Adoption by reference. In this chapter, the commission adopts by reference all or portions of regulations and standards identified below. They are available for inspection at the commission library. The publications, effective dates, references within this chapter, and availability of the resources are as follows:

(1) **Title 49 Code of Federal Regulations**, cited as 49 C.F.R., Parts 190.221, 190.223, 195, 196, 198, and 199 including all appendices and amendments except for 49 C.F.R. Sections 195.0 ~~((and))~~, 195.1, ~~((and 49 C.F.R. Sections))~~ 199.1 ~~((and))~~, 199.2, and 196.1 published by the United States Government Printing Office.

(a) The commission adopts the version in effect on ~~((January 23, 2017))~~ March 1, 2019.

(b) This publication is referenced in WAC 480-75-100 (Definitions), WAC 480-75-370 (Design factor (F) for steel pipe), WAC 480-75-250 (Civil penalty for violation of chapter 81.88 RCW), WAC 480-75-650 (Annual reports), and WAC 480-75-660 (Procedural manual for operations, maintenance, and emergencies).

(c) Copies of Title 49 Code of Federal Regulations are available from the U.S. Government Online Bookstore, <https://bookstore.gpo.gov/>.

(2) **The American Society of Mechanical Engineers (ASME) B31.4, 2006 edition, October 20, 2006.**

(a) This publication is referenced in WAC 480-75-350 (Design specifications for new pipeline projects), WAC 480-75-440 (Pipeline repairs), and WAC 480-75-450 (Construction specifications).

(b) Copies of ASME B31.4 are available from ASME, <https://www.asme.org/codes/>. It is also available for inspection at the commission.

(3) The 2007 edition, July 2007, of **Section IX of the ASME Boiler and Pressure Vessel Code.**

(a) This publication is referenced in WAC 480-75-430 (Welding procedures).

(b) Copies of the 2007 edition, of *Section IX of the ASME Boiler and Pressure Vessel Code* are available from ASME, <https://www.asme.org/codes/>. It is also available for inspection at the commission.

(4) The commission adopts **American Petroleum Institute (API) standard 1104** (20th edition 2005, including errata/addendum July 2007 and errata 2 (December 2008)).

(a) This publication is referenced in WAC 480-75-430 (Welding procedures) and WAC 480-75-460 (Welding inspection requirements).

(b) Copies of API standard 1104 (20th edition 2005, including errata/addendum July 2007 and errata December 2008) are available from the Office of API Publishing Ser-

vices, <https://www.api.org/>. It is also available for inspection at the commission.

AMENDATORY SECTION (Amending WSR 18-13-106, filed 6/19/18, effective 7/20/18)

WAC 480-90-999 Adoption by reference. In this chapter, the commission adopts by reference all or portions of regulations and standards identified below. They are available for inspection at the commission library. The publications, effective date, references within this chapter, and availability of the resources are as follows:

(1) **Title 18 Code of Federal Regulations**, cited as 18 C.F.R., including all appendices and amendments is published by the United States Government Publishing Office.

(a) The commission adopts the version in effect on April 1, ~~((2015))~~ 2018.

(b) The accounting and reporting for the types of transactions and events covered by the amendment should not be construed as indicative of their treatment by this commission for ratemaking purposes.

(c) This publication is referenced in WAC 480-90-203 (Accounting system requirements), WAC 480-90-244 (Transferring cash or assuming obligations), WAC 480-90-252 (Federal Energy Regulatory Commission (FERC) Form No. 2), and WAC 480-90-268 (Essential utilities services contracts report).

(d) Copies of Title 18 Code of Federal Regulations are available from the U.S. Government Publishing Office in Washington, D.C., or online at <https://www.gpo.gov/>, and from various third-party vendors. It is also available for inspection at the inspection branch of the state library.

(2) **The Regulations to Govern the Preservation of Records of Electric, Gas, and Water Utilities** is published by the National Association of Regulatory Utility Commissioners (NARUC).

(a) The commission adopts the version in effect in 2007.

(b) This publication is referenced in WAC 480-90-228 (Retention and preservation of records and reports).

(c) The *Regulations to Govern the Preservation of Records of Electric, Gas, and Water (Companies) Utilities* is a copyrighted document. Copies are available from NARUC, in Washington, D.C. or at NARUC publications store online: ~~((http://www.naruc.org/store))~~ <https://www.naruc.org/resolutions-index/2007-annual-meeting-resolutions/>. It is also available for inspection at the commission branch of the state library.

AMENDATORY SECTION (Amending WSR 14-19-002, filed 9/3/14, effective 10/4/14)

WAC 480-93-223 Civil penalty for violation of chapter 81.88 RCW and commission gas safety rules. Any gas pipeline company that violates any pipeline safety provision of any commission order, or any rule in this chapter including those rules adopted by reference, or chapter 81.88 RCW is subject to a civil penalty not to exceed ~~((two hundred thousand dollars for each violation for each day that the violation persists. The maximum civil penalty under this subsection for a related series of violations is two million dollars))~~ the amounts in 49 C.F.R. Sec. 190.223.

AMENDATORY SECTION (Amending WSR 18-13-106, filed 6/19/18, effective 7/20/18)

WAC 480-93-999 Adoption by reference. In this chapter, the commission adopts by reference each of the regulations and/or standards identified below. Each regulation or standard is listed by publication, publisher, scope of what the commission is adopting, effective date of the regulation or standard, the place within the commission's rules the regulation or standard is referenced, and where to obtain the regulation or standard.

(1) Parts 190.221, 190.223, 191, 192, 193, 196, 198, and 199 of Title 49 Code of Federal Regulations, including all appendices and amendments thereto as published by the United States Government Printing Office.

(a) The commission adopts the version of the above regulations that were in effect on (~~January 23, 2017~~) March 1, 2019, except the following sections are not adopted by reference: 191.1, 192.1(a), 193.2001(a), 196.1, 198.1, 199.1. In addition, please note that in WAC 480-93-013, the commission includes "new construction" in the definition of "covered task," as defined in 49 C.F.R. ((§)) Sec. 192.801 (b)(2).

(b) This publication is referenced in WAC 480-93-005 (Definitions), WAC 480-93-015 (Odorization of gas), WAC 480-93-018 (Records), WAC 480-93-080 (Welder and plastic joiner identification and qualification), WAC 480-93-100 (Valves), WAC 480-93-110 (Corrosion control), WAC 480-93-124 (Pipeline markers), WAC 480-93-160 (Reporting requirements of proposed construction), WAC 480-93-170 (Tests and reports for gas pipelines), WAC 480-93-180 (Plans and procedures), WAC 480-93-223 (Civil penalty for violation of chapter 81.88 RCW and commission gas safety rules), and WAC 480-93-18601 (Leak classification and action criteria—Grade—Definition—Priority of leak repair).

(c) Copies of Title 49 Code of Federal Regulations are available from the U.S. Government Online Bookstore, <https://bookstore.gpo.gov/>. It is also available for inspection at the commission.

(2) Section IX of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code.

(a) The commission adopts the 2007 edition, July 1, 2007, of Section IX of the ASME Boiler and Pressure Vessel Code.

(b) This publication is referenced in WAC 480-93-080.

(c) Copies of Section IX of the ASME Boiler and Pressure Vessel Code (2007 edition, including addenda through July 1, 2005) are available from ASME, <https://www.asme.org/codes/>. It is also available for inspection at the commission.

(3) The American Petroleum Institute (API) standard 1104 (20th edition October 2005, including errata/addendum July 2007 and errata 2 (2008)).

(a) The commission adopts the 20th edition 2005, including errata/addendum July 2007 and errata 2 (2008) of this standard.

(b) This standard is referenced in WAC 480-93-080.

(c) Copies of API standard 1104 (20th edition 2005, including errata/addendum July 2007 and errata December 2008) are available from the Office of API Publishing Services, <https://www.api.org/>. It is also available for inspection at the commission.

AMENDATORY SECTION (Amending WSR 18-13-106, filed 6/19/18, effective 7/20/18)

WAC 480-100-999 Adoption by reference. In this chapter, the commission adopts by reference all or portions of regulations and standards identified below. The publications, effective date, references within this chapter, and availability of the resources are as follows:

(1) **Title 18 Code of Federal Regulations**, cited as 18 C.F.R., including all appendices and amendments is published by the United States Government Publishing Office.

(a) The commission adopts the version in effect on April 1, (~~2015~~) 2018.

(b) The accounting and reporting for the types of transactions and events covered by the amendment should not be construed as indicative of their treatment by this commission for ratemaking purposes.

(c) This publication is referenced in WAC 480-100-203 (Accounting system requirements), WAC 480-100-244 (Transferring cash or assuming obligations), WAC 480-100-252 (Federal Energy Regulatory Commission (FERC) Form No. 1), and WAC 480-100-268 (Essential utilities services contracts report).

(d) Copies of Title 18 Code of Federal Regulations are available from the U.S. Government Publishing Office in Washington D.C., or online at <https://www.gpo.gov/>, and from various third-party vendors. It is also available for inspection at the commission library.

(2) The **Regulations to Govern the Preservation of Records of Electric, Gas, and Water Utilities** is published by the National Association of Regulatory Utility Commissioners (NARUC).

(a) The commission adopts the version in effect in 2007.

(b) This publication is referenced in WAC 480-100-228 (Retention and preservation of records and reports).

(c) The *Regulations to Govern the Preservation of Records of Electric, Gas, and Water ((Companies)) Utilities* is a copyrighted document. Copies are available from NARUC in Washington, D.C. or at NARUC publications store online: (~~(<http://www.naruc.org/store>)~~) <https://www.naruc.org/resolutions-index/2007-annual-meeting-resolutions/>. It is also available for inspection at the commission branch of the state library.

(3) The **National Electrical Code** is published by the National Fire Protection Association (NFPA).

(a) The commission adopts the edition effective in 2017, including errata 70-17-1 published September 29, 2016, errata 70-17-2 published December 16, 2016, 70-17-3 published January 11, 2017, and 70-17-4 published March 13, 2017.

(b) This publication is referenced in WAC 480-100-163 (Service entrance facilities).

(c) The National Electrical Code is a copyrighted document. Copies are available from the NFPA at 1 Batterymarch Park, Quincy, Massachusetts 02169, or at internet address <https://www.nfpa.org/>.

(4) The **American National Standard for Electric Meters: Code for Electricity Metering**, ANSI C12.1 is published by the American National Standards Institute.

(a) The commission adopts the version published in 2016.

(b) This publication is referenced in WAC 480-100-318 (Meter readings, multipliers, and test constants), WAC 480-100-338 (Accuracy requirements for electric meters), and WAC 480-100-343 (Statement of meter test procedures).

(c) The ANSI C12.1 is a copyrighted document. ANSI C12.1 - 2016 is available at American National Standards Institute web site <https://webstore.ansi.org/> (PDF) or at IHS Standards Store web site <https://global.ihs.com/> (PDF and print).

AMENDATORY SECTION (Amending WSR 18-20-098, filed 10/2/18, effective 11/2/18)

WAC 480-103-999 Adoption by reference. In this chapter, the commission adopts by reference the regulations and standards in *Regulations to Govern the Preservation of Records of Electric, Gas, and Water ((Companies)) Utilities*, published by the National Association of Regulatory Utility Commissioners (NARUC) as the standards for records retention for community solar companies unless otherwise specified in these rules. The commission adopts the version of this document in effect in 2007. ~~((This is a copyrighted publication, and copies are available from NARUC in Washington, D.C., or at the NARUC publications store online at <http://www.naruc.org/store>.)~~) The publication is ~~((also))~~ available for inspection at the commission's offices.

AMENDATORY SECTION (Amending WSR 18-13-106, filed 6/19/18, effective 7/20/18)

WAC 480-108-999 Adoption by reference. In this chapter, the commission adopts by reference all or portions of regulations and standards identified below. The publications, effective date, references within this chapter, and availability of the resources are as follows:

(1) The National Electrical Code is published by the National Fire Protection Association (NFPA).

(a) The commission adopts the edition effective 2017, including errata 70-17-1 published September 29, 2016, errata 70-17-2 published December 16, 2016, 70-17-3 published January 11, 2017, ~~((and))~~ 70-17-4 published March 13, 2017, 70-17-5 published May 9, 2018, and 70-17-06 published July 5, 2018.

(b) This publication is referenced in WAC 480-108-040 (General terms and conditions of interconnection).

(c) The National Electrical Code is a copyrighted document. Copies are available from the NFPA at 1 Batterymarch Park, Quincy, Massachusetts, 02169 or at internet address <https://www.nfpa.org/>.

(2) National Electrical Safety Code (NESC).

(a) The commission adopts the 2017 edition.

(b) This publication is referenced in WAC 480-108-040 (General terms and conditions of interconnection).

(c) Copies of the National Electrical Safety Code are available from the Institute of Electrical and Electronics Engineers at <https://standards.ieee.org/nesc>.

(3) Institute of Electrical and Electronics Engineers (IEEE) Standard 1547-2018, Standard for ~~((Interconnecting))~~ Interconnection and Interoperability of Distributed Energy Resources with Associated Electric Power Systems Interfaces.

(a) The commission adopts the version published ~~((in 2003 and reaffirmed in 2008, including amendment 1547a-2014, published May 21, 2014))~~ April 6, 2018.

(b) This publication is referenced in WAC 480-108-040 (General terms and conditions of interconnection).

(c) Copies of IEEE Standard 1547 are available from the Institute of Electrical and Electronics Engineers at <https://www.ieee.org>.

(4) ~~((American National Standards Institute (ANSI))~~) Institute of Electrical and Electronics Engineers (IEEE) Standard C37.90, IEEE Standard for Relays and Relay Systems Associated with Electric Power Apparatus.

(a) The commission adopts the version published in 2005 and reaffirmed in 2011.

(b) This publication is referenced in WAC 480-108-040 (General terms and conditions of interconnection).

(c) Copies of IEEE Standard C37.90 are available from the Institute of Electrical and Electronics Engineers at <https://www.ieee.org>.

(5) Institute of Electrical and Electronics Engineers (IEEE) Standard 519, Recommended Practices and Requirements for Harmonic Control in Electrical Power Systems.

(a) The commission adopts the version published June 11, 2014.

(b) This publication is referenced in WAC 480-108-040 (General terms and conditions of interconnection).

(c) Copies of IEEE Standard 519 are available from the Institute of Electrical and Electronics Engineers at <https://www.ieee.org>.

(6) Institute of Electrical and Electronics Engineers (IEEE) Standard 141, Recommended Practice for Electric Power Distribution for Industrial Plants.

(a) The commission adopts the version published in 1993 and reaffirmed in 1999.

(b) This publication is referenced in WAC 480-108-040 (General terms and conditions of interconnection).

(c) Copies of IEEE Standard 141 are available from the Institute of Electrical and Electronics Engineers at <https://www.ieee.org>.

(7) Institute of Electrical and Electronics Engineers (IEEE) Standard 142, Recommended Practice for Grounding of Industrial and Commercial Power Systems.

(a) The commission adopts the version published in 2007.

(b) This publication is referenced in WAC 480-108-040 (General terms and conditions of interconnection).

(c) Copies of IEEE Standard 142 are available from the Institute of Electrical and Electronics Engineers at <https://www.ieee.org>.

(8) Underwriters Laboratories (UL), including UL Standard 1741, Inverters, Converters, Controllers and Interconnection Systems Equipment for Use with Distributed Energy Resources.

(a) The commission adopts the version published January 28, 2010.

(b) This publication is referenced in WAC 480-108-040 (General terms and conditions of interconnection).

(c) UL Standard 1741 is available from Underwriters Laboratory at <https://www.ul.com>.

(9) Occupational Safety and Health Administration (OSHA) Standard at 29 C.F.R. 1910.269.

(a) The commission adopts the version published on November 18, 2016, effective January 17, 2017.

(b) This publication is referenced in WAC 480-108-040 (General terms and conditions of interconnection).

(c) Copies of Title 29 Code of Federal Regulations are available from the U.S. Government Online Bookstore, <https://bookstore.gpo.gov/>, and from various third-party vendors.

AMENDATORY SECTION (Amending WSR 18-13-106, filed 6/19/18, effective 7/20/18)

WAC 480-109-999 Adoption by reference. In this chapter, the commission adopts by reference all, or portions of, the publications identified below. They are available for inspection at the commission library. The publications, publication dates, references within this chapter, and availability of the resources are as follows:

(1) *Northwest Conservation and Electric Power Plan* as published by the Northwest Power and Conservation Council.

(a) The commission adopts the seventh version published in 2016.

(b) This publication is referenced in WAC 480-109-100 Energy efficiency resource standard.

(c) Copies of *Seventh Northwest Conservation and Electric Power Plan* are available from the Northwest Power and Conservation Council at <https://www.nwccouncil.org/energy/powerplan/7/plan/>.

(2) *Weatherization Manual* as published by the Washington state department of commerce.

(a) The commission adopts the version published in ~~((July 2015 (with 2016 revisions)))~~ November 2018.

(b) This publication is referenced in WAC 480-109-100 Energy efficiency resource standard.

(c) Copies of *Weatherization Manual* are available from the Washington state department of commerce at ~~((<http://www.commerce.wa.gov/wp-content/uploads/2016/07/wx-manual-2016.pdf>))~~ <https://www.commerce.wa.gov/wp-content/uploads/2013/01/Wx-Manual-2018-Nov-1.docx>.

(3) The unit energy savings values as published by the Northwest Power and Conservation Council's Regional Technical Forum.

(a) The commission adopts the unit energy savings with status of "Active" or "Under Review" on January 10, ~~((2016))~~ 2019.

(b) This information is referenced in WAC 480-109-100 Energy efficiency resource standard.

(c) The spreadsheets containing the unit energy savings values are available for download at [https://rtf.nwccouncil.org/measures\(\(Default.asp\)\)](https://rtf.nwccouncil.org/measures((Default.asp))).

(4) The standard protocols as published by the Northwest Power and Conservation Council's Regional Technical Forum.

(a) The commission adopts the standard protocols with status of "Active" or "Under Review" on January 10, ~~((2016))~~ 2019.

(b) This information is referenced in WAC 480-109-100 Energy efficiency resource standard.

(c) The spreadsheets containing the standard protocols are available for download at <https://rtf.nwccouncil.org/standard-protocols>.

AMENDATORY SECTION (Amending WSR 18-13-106, filed 6/19/18, effective 7/20/18)

WAC 480-120-999 Adoption by reference. In this chapter, the commission adopts by reference all or portions of regulations and standards identified below. They are available for inspection at the commission library. The publications, effective dates, references within this chapter, and availability of the resources are as follows:

(1) **American National Standards for Telecommunications** - "*Network Performance Parameters for Dedicated Digital Services for Rates Up To and Including DS3 - Specifications*" (ATIS 0100510) is published by the American National Standards Institute (ANSI).

(a) The commission adopts the version in effect on December 29, 1999, and reaffirmed 2013.

(b) This publication is referenced in WAC 480-120-401 (Network performance standards).

(c) The American National Standards for Telecommunications "*Network Performance Parameters for Dedicated Digital Services for Rates Up To and Including DS3 - Specifications*" is a copyrighted document. Copies are available from ANSI in Washington, D.C. and from various third-party vendors.

(2) **The Institute of Electrical And Electronic Engineers (IEEE) Standard Telephone Loop Performance Characteristics** (ANSI/IEEE Std 820-2005) is published by the ANSI and the IEEE.

(a) The commission adopts the version in effect as published in 2005.

(b) This publication is referenced in WAC 480-120-401 (Network performance standards).

(c) *The IEEE Standard Telephone Loop Performance Characteristics* is a copyrighted document. Copies are available from ANSI and IEEE in Washington, D.C. and from various third-party vendors.

(3) **The National Electrical Safety Code** is published by the IEEE.

(a) The commission adopts the 2017 edition.

(b) This publication is referenced in WAC 480-120-402 (Safety).

(c) *The National Electrical Safety Code* is a copyrighted document. Copies are available from IEEE in Washington, D.C. and from various third-party vendors.

(4) **Title 47 Code of Federal Regulations**, cited as 47 C.F.R., is published by the United States Government Printing Office.

(a) For this publication as referenced in WAC 480-120-359 (Accounting requirements for companies not classified as competitive) and WAC 480-120-349 (Retaining and preserving records and reports), the commission adopts the version of the relevant sections in effect on October 1, ~~((2016))~~ 2018.

(b) For this publication as referenced in WAC 480-120-202 (Customer proprietary network information), WAC 480-120-146 (Changing service providers from one local exchange company to another), and any other reference in chapter 480-120 WAC, the commission adopts the version of the relevant sections in effect on October 1, ((2016)) 2018.

(c) The ((2016)) 2018 version of C.F.R. Title 47 is available from the U.S. Government Online Bookstore, <https://bookstore.gpo.gov/>, and from various third-party vendors.

AMENDATORY SECTION (Amending WSR 17-15-054, filed 7/13/17, effective 8/13/17)

WAC 480-123-999 Adoption by reference. In this chapter, the commission adopts by reference all or portions of regulations and standards identified below. They are available for inspection at the commission branch of the Washington state library. The publications, effective dates, references within this chapter, and availability of the resources are as follows:

(1) The Cellular Telecommunications and Internet Association's (CTIA) Consumer Code for Wireless Service.

(a) The commission adopts the version in effect on January 1, 2017.

(b) This publication is referenced in WAC 480-123-030 (contents of petition for eligible telecommunications carriers).

(c) Copies of the CTIA Consumer Code for Wireless Service are available at <https://www.ctia.org/initiatives/voluntary-guidelines/consumer-code-for-wireless-service>.

(2) Title 47, Code of Federal Regulations, cited as 47 C.F.R., is published by the United States Government Printing Office.

(a) The commission adopts the version in effect on October 1, ((2016)) 2018.

(b) This publication is referenced in WAC 480-123-010 (Federal universal service contracts), WAC 480-123-060 (Annual certification of eligible telecommunications carriers), WAC 480-123-070 (Annual certifications and reports), WAC 480-123-100 (Prerequisites for requesting program support), and WAC 480-123-110 (Petitions for eligibility to receive program support).

(c) The ((2016)) 2018 version of C.F.R. Title 47 is available from the U.S. Government Online Bookstore, <https://bookstore.gpo.gov/>, and from various third-party vendors.

The current rule adopts the August 7, 2017, version of USDA organic regulations. This proposal updates the language to adopt the May 30, 2019, version of the federal regulation in order to remain consistent with the National Organic Program.

Reasons Supporting Proposal: Updating this chapter will ensure the rule remains compliant with RCW 15.86.060(1), which directs the director to adopt rules "... appropriate for the adoption of the national organic program." Further, this change will ensure compliance with RCW 15.86.065(3), which states the program "shall not be inconsistent with the requirements of the national organic program."

The department adopts these national standards for organically-produced agricultural products in order to remain uniform with the National Organic Program. These standards assure consumers that products with the USDA organic seal meet consistent, uniform standards that are in compliance with federal regulations.

Statutory Authority for Adoption: RCW 15.86.060(1), [15.86.]065(3).

Statute Being Implemented: Chapter 15.86 RCW.

Rule is necessary because of federal law, [no further information supplied by agency].

Name of Proponent: Washington state department of agriculture, governmental.

Name of Agency Personnel Responsible for Drafting: Scott Rice, P.O. Box 42560, Olympia, WA 98504-2560, 360-359-3021; Implementation and Enforcement: Brenda Book, P.O. Box 42560, Olympia, WA 98504-2560, 360-902-2090.

This notice meets the following criteria to use the expedited adoption process for these rules:

Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: Adopting the current version of 7 C.F.R. Part 205 meets the criteria for expedited adoption under RCW 34.05.353 (1)(b) by adopting federal regulations.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Gloriann Robinson, Agency Rules Coordinator, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560 or

WSR 19-10-075 EXPEDITED RULES DEPARTMENT OF AGRICULTURE

[Filed May 1, 2019, 9:28 a.m.]

Title of Rule and Other Identifying Information: Chapter 16-157 WAC, Organic food standards and certification.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The department is proposing to adopt the current version of the United States Department of Agriculture (USDA) organic regulations (7 C.F.R. Part 205).

1111 Washington Street S.E., Olympia, WA 98504, phone
360-902-1802, fax 360-902-2092, email WSDARules
Comments@agr.wa.gov, AND RECEIVED BY July 1, 2019.

April 30, 2019
Steve Fuller
Assistant Director

AMENDATORY SECTION (Amending WSR 19-01-062,
filed 12/14/18, effective 1/14/19)

WAC 16-157-020 Adoption of the National Organic Program. The Washington state department of agriculture adopts the standards of the National Organic Program, 7 C.F.R. Part 205, effective ~~((August 7, 2017))~~ May 30, 2019, for the production and handling of organic crops, livestock, and processed agricultural products. The National Organic Program rules may be obtained from the department by emailing the organic program at organic@agr.wa.gov, by phone at 360-902-1805 or accessing the National Organic Program's web site at <https://www.ams.usda.gov/rules-regulations/organic>.