

WSR 19-22-002
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Economic Services Administration)

[Filed October 24, 2019, 8:52 a.m., effective October 26, 2019]

Effective Date of Rule: October 26, 2019.

Purpose: The department is amending WAC 388-478-0027 What are the payment standards for pregnant women assistance (PWA)?

The 2019-2021 Operating budget included an increase to the PWA payment standard of \$363 for assistance units with an obligation to pay shelter costs or \$221 for assistance units with shelter provided at no cost. The department implemented this increase effective July 1, 2019, by filing an emergency CR-103E Rule-making order as WSR 19-14-055 on June 28, 2019.

This second emergency rule-making order is needed while the department completes the permanent rule-making process. The department filed a permanent CR-103 Rule-making order as WSR 19-21-056 on October 11, 2019.

Citation of Rules Affected by this Order: Amending WAC 388-478-0027.

Statutory Authority for Adoption: RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, 74.08A.100, 74.04.770, 74.04.0052, 74.04.655, 74.08.043, 74.08.335.

Other Authority: ESHB 1109 (chapter 415, Laws of 2019).

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Increasing the payment standard for the PWA program based on the 2019-2021 Operating budget is necessary for the preservation of the public health and general welfare as this program provides financial grants to persons who are pregnant and in need.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: October 21, 2019.

Katherine I. Vasquez
 Rules Coordinator

AMENDATORY SECTION (Amending WSR 12-10-042, filed 4/27/12, effective 6/1/12)

WAC 388-478-0027 What are the payment standards for pregnant women assistance (PWA)? (1) The payment standards for PWA cash assistance units with obligations to pay shelter costs are:

| Assistance Unit Size | Payment Standard |
|----------------------|------------------|
| 1 | \$((+97)) 363 |

(2) The payment standards for PWA cash assistance units with shelter provided at no cost are:

| Assistance Unit Size | Payment Standard |
|----------------------|------------------|
| 1 | \$((+20)) 221 |

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 19-22-003
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Aging and Long-Term Support Administration)

[Filed October 24, 2019, 8:58 a.m., effective October 26, 2019]

Effective Date of Rule: October 26, 2019.

Purpose: The department is amending WAC 388-105-0005 in order to update the tables of rates in WAC 388-105-0005 to reflect rates consistent with legislative appropriation and direction.

Citation of Rules Affected by this Order: Amending WAC 388-105-0005.

Statutory Authority for Adoption: RCW 74.39A.030 (3)(a).

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The rule needs to reflect the appropriate rate amounts to avoid confusion and possible interruption of service. Regular rule making has been completed. The department filed a CR-103 Rule-making order as WSR 19-21-175 on October 23, 2019.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: October 23, 2019.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making:

Katherine I. Vasquez
Rules Coordinator

AMENDATORY SECTION (Amending WSR 18-21-001, filed 10/3/18, effective 11/3/18)

WAC 388-105-0005 The daily medicaid payment rates for clients who have been assessed using the CARE tool and reside at an AFH or assisted living facility contracted to provide assisted living, adult residential care, or enhanced adult residential care services. For contracted adult family homes (AFH) ~~((and assisted living facilities contracted to provide assisted living (AL), adult residential care (ARC), or enhanced adult residential care (EARC) services;))~~ the department pays the following daily rates for medicaid residents who have been assessed using the comprehensive assessment reporting evaluation (CARE) tool:

| COMMUNITY RESIDENTIAL DAILY RATES FOR CLIENTS ASSESSED USING CARE | | | | | |
|---|--|---------------------------------------|--|---|--|
| KING COUNTY | | | | | |
| CARE CLASSIFICATION | ((AL Without Capital Add-on)) | ((AL With Capital Add-on)) | ((ARC/EARC Without Capital Add-On)) | ((ARC/EARC With Capital Add-On)) | AFH |
| A Low | ((73.34)) | ((81.18)) | ((52.02)) | ((54.44)) | ((71.96)) <u>81.40</u> |
| A Med | ((79.35)) | ((87.19)) | ((58.95)) | ((61.37)) | ((74.74)) <u>84.53</u> |
| A High | ((88.99)) | ((96.83)) | ((64.70)) | ((67.12)) | ((81.23)) <u>91.82</u> |
| B Low | ((73.34)) | ((81.18)) | ((52.02)) | ((54.44)) | ((73.40)) <u>83.02</u> |
| B Med | ((81.78)) | ((89.62)) | ((65.89)) | ((68.31)) | ((79.78)) <u>90.20</u> |
| B Med-High | ((92.54)) | ((100.38)) | ((70.04)) | ((72.46)) | ((86.56)) <u>97.81</u> |
| B High | ((97.39)) | ((105.23)) | ((79.97)) | ((82.39)) | ((89.05)) <u>100.62</u> |
| C Low | ((79.35)) | ((87.19)) | ((58.95)) | ((61.37)) | ((81.03)) <u>91.60</u> |
| C Med | ((88.99)) | ((96.83)) | ((73.83)) | ((76.28)) | ((93.33)) <u>105.42</u> |
| C Med-High | ((110.64)) | ((118.48)) | ((98.27)) | ((100.69)) | ((98.41)) <u>107.80</u> |
| C High | ((111.74)) | ((119.58)) | ((99.22)) | ((101.64)) | ((99.76)) <u>110.28</u> |
| D Low | ((81.78)) | ((89.62)) | ((79.50)) | ((81.92)) | ((86.46)) <u>97.70</u> |
| D Med | ((90.79)) | ((98.63)) | ((92.02)) | ((94.44)) | ((95.25)) <u>107.58</u> |
| D Med-High | ((117.26)) | ((125.10)) | ((116.86)) | ((119.28)) | ((114.84)) <u>122.78</u> |

| COMMUNITY RESIDENTIAL DAILY RATES FOR CLIENTS ASSESSED USING CARE | | | | | |
|---|--|---------------------------------------|--|---|--|
| KING COUNTY | | | | | |
| CARE CLASSIFICATION | ((AL Without Capital Add-on)) | ((AL With Capital Add-on)) | ((ARC/EARC Without Capital Add-On)) | ((ARC/EARC With Capital Add-On)) | AFH |
| D High | (((\$126.30)) | (((\$134.14)) | (((\$126.30)) | (((\$128.72)) | \$((\$130.57)) <u>135.29</u> |
| E Med | (((\$152.53)) | (((\$160.37)) | (((\$152.53)) | (((\$154.95)) | \$((\$157.48)) <u>162.20</u> |
| E High | (((\$178.76)) | (((\$186.60)) | (((\$178.76)) | (((\$181.18)) | \$((\$184.42)) <u>189.14</u> |

| COMMUNITY RESIDENTIAL DAILY RATES FOR CLIENTS ASSESSED USING CARE | | | | | |
|---|--|---------------------------------------|--|---|--|
| METROPOLITAN COUNTIES* | | | | | |
| CARE CLASSIFICATION | ((AL Without Capital Add-on)) | ((AL With Capital Add-on)) | ((ARC/EARC Without Capital Add-On)) | ((ARC/EARC With Capital Add-On)) | AFH |
| A Low | (((\$67.30)) | (((\$74.64)) | (((\$52.02)) | (((\$54.44)) | \$((\$70.78)) <u>79.00</u> |
| A Med | (((\$70.94)) | (((\$78.28)) | (((\$56.64)) | (((\$59.06)) | \$((\$73.49)) <u>81.99</u> |
| A High | (((\$86.59)) | (((\$93.93)) | (((\$61.71)) | (((\$64.13)) | \$((\$79.80)) <u>88.92</u> |
| B Low | (((\$67.30)) | (((\$74.64)) | (((\$52.02)) | (((\$54.44)) | \$((\$72.18)) <u>80.55</u> |
| B Med | (((\$76.93)) | (((\$84.27)) | (((\$62.43)) | (((\$64.85)) | \$((\$78.39)) <u>87.38</u> |
| B Med-High | (((\$87.09)) | (((\$94.43)) | (((\$66.35)) | (((\$68.77)) | \$((\$84.98)) <u>94.62</u> |
| B High | (((\$94.98)) | (((\$102.32)) | (((\$77.73)) | (((\$80.15)) | \$((\$87.41)) <u>97.30</u> |
| C Low | (((\$70.94)) | (((\$78.28)) | (((\$56.87)) | (((\$59.29)) | \$((\$79.61)) <u>88.72</u> |
| C Med | (((\$86.59)) | (((\$93.93)) | (((\$72.92)) | (((\$75.31)) | \$((\$91.57)) <u>101.87</u> |
| C Med-High | (((\$107.01)) | (((\$114.35)) | (((\$91.33)) | (((\$93.75)) | \$((\$93.63)) <u>104.13</u> |
| C High | (((\$108.09)) | (((\$115.43)) | (((\$97.13)) | (((\$99.55)) | \$((\$97.03)) <u>106.49</u> |
| D Low | (((\$76.93)) | (((\$84.27)) | (((\$78.41)) | (((\$80.83)) | \$((\$84.89)) <u>94.52</u> |
| D Med | (((\$88.34)) | (((\$95.68)) | (((\$90.18)) | (((\$92.60)) | \$((\$93.44)) <u>103.92</u> |
| D Med-High | (((\$113.42)) | (((\$120.76)) | (((\$113.99)) | (((\$116.41)) | \$((\$111.37)) <u>118.39</u> |

| COMMUNITY RESIDENTIAL DAILY RATES FOR CLIENTS ASSESSED USING CARE METROPOLITAN COUNTIES* | | | | | |
|---|--|---------------------------------------|--|---|--|
| CARE CLASSIFICATION | ((AL Without Capital Add-on)) | ((AL With Capital Add-on)) | ((ARC/EARC Without Capital Add-On)) | ((ARC/EARC With Capital Add-On)) | AFH |
| D High | (((\$122.85)) | (((\$130.19)) | (((\$122.85)) | (((\$125.27)) | \$((\$126.36)) <u>131.08</u> |
| E Med | (((\$147.82)) | (((\$155.16)) | (((\$147.82)) | (((\$150.24)) | \$((\$151.99)) <u>156.71</u> |
| E High | (((\$172.77)) | (((\$180.11)) | (((\$172.77)) | (((\$175.19)) | \$((\$177.61)) <u>182.33</u> |

*Benton, Clark, Franklin, Island, Kitsap, Pierce, Snohomish, Spokane, Thurston, Whatcom, and Yakima counties.

| COMMUNITY RESIDENTIAL DAILY RATES FOR CLIENTS ASSESSED USING CARE NONMETROPOLITAN COUNTIES** | | | | | |
|---|--|---------------------------------------|--|---|---|
| CARE CLASSIFICATION | ((AL Without Capital Add-on)) | ((AL With Capital Add-on)) | ((ARC/EARC Without Capital Add-On)) | ((ARC/EARC With Capital Add-On)) | AFH |
| A Low | (((\$66.13)) | (((\$73.79)) | (((\$52.02)) | (((\$54.44)) | \$((\$69.07)) <u>76.61</u> |
| A Med | (((\$70.94)) | (((\$78.60)) | (((\$55.50)) | (((\$57.92)) | \$((\$71.67)) <u>79.44</u> |
| A High | (((\$86.59)) | (((\$94.25)) | (((\$60.73)) | (((\$63.15)) | \$((\$77.73)) <u>86.02</u> |
| B Low | (((\$66.13)) | (((\$73.79)) | (((\$52.02)) | (((\$54.44)) | \$((\$70.42)) <u>78.07</u> |
| B Med | (((\$76.93)) | (((\$84.59)) | (((\$61.27)) | (((\$63.69)) | \$((\$76.38)) <u>84.56</u> |
| B Med-High | (((\$87.09)) | (((\$94.25)) | (((\$65.11)) | (((\$67.53)) | \$((\$82.71)) <u>91.43</u> |
| B High | (((\$94.98)) | (((\$102.64)) | (((\$73.55)) | (((\$75.97)) | \$((\$85.04)) <u>93.97</u> |
| C Low | (((\$70.94)) | (((\$78.60)) | (((\$55.50)) | (((\$57.92)) | \$((\$77.55)) <u>85.83</u> |
| C Med | (((\$86.59)) | (((\$94.25)) | (((\$68.96)) | (((\$71.38)) | \$((\$89.04)) <u>98.31</u> |
| C Med-High | (((\$107.01)) | (((\$114.67)) | (((\$87.87)) | (((\$90.29)) | \$((\$91.01)) <u>100.46</u> |
| C High | (((\$108.09)) | (((\$115.75)) | (((\$91.83)) | (((\$94.25)) | \$((\$93.08)) <u>102.70</u> |
| D Low | (((\$76.93)) | (((\$84.59)) | (((\$74.14)) | (((\$76.56)) | \$((\$82.62)) <u>91.34</u> |
| D Med | (((\$88.34)) | (((\$96.00)) | (((\$85.28)) | (((\$87.70)) | \$((\$90.83)) <u>100.26</u> |

COMMUNITY RESIDENTIAL DAILY RATES FOR CLIENTS ASSESSED USING CARE
NONMETROPOLITAN COUNTIES**

| CARE CLASSIFICATION | ((AL Without Capital Add-on)) | ((AL With Capital Add-on)) | ((ARC/EARC Without Capital Add-On)) | ((ARC/EARC With Capital Add-On)) | AFH |
|---------------------|--|---------------------------------------|--|---|---|
| D Med-High | (((\$113.42)) | (((\$121.08)) | (((\$107.76)) | (((\$110.18)) | (((\$103.46)) <u>113.99</u> |
| D High | (((\$116.14)) | (((\$123.80)) | (((\$116.14)) | (((\$118.56)) | (((\$119.54)) <u>124.26</u> |
| E Med | (((\$139.74)) | (((\$147.40)) | (((\$139.74)) | (((\$142.16)) | (((\$143.76)) <u>148.48</u> |
| E High | (((\$163.33)) | (((\$170.99)) | (((\$163.33)) | (((\$165.75)) | (((\$167.99)) <u>172.71</u> |

** Nonmetropolitan counties: Adams, Asotin, Chelan, Clallam, Columbia, Cowlitz, Douglas, Ferry, Garfield, Grant, Grays Harbor, Jefferson, Kittitas, Klickitat, Lewis, Lincoln, Mason, Okanogan, Pacific, Pend Orielle, San Juan, Skagit, Skamania, Stevens, Wahkiakum, Walla Walla and Whitman.

COMMUNITY RESIDENTIAL DAILY RATES FOR CLIENTS ASSESSED USING CARE
HIGH COST COUNTIES***

| CARE CLASSIFICATION | <u>AL Without Capital Add-On</u> | <u>AL With Capital Add-On</u> | <u>ARC Without Capital Add-On</u> | <u>EARC Without Capital Add-On</u> |
|---------------------|----------------------------------|-------------------------------|-----------------------------------|------------------------------------|
| <u>A Low</u> | <u>\$73.34</u> | <u>\$81.44</u> | <u>\$56.18</u> | <u>\$58.52</u> |
| <u>A Med</u> | <u>\$79.35</u> | <u>\$87.45</u> | <u>\$71.90</u> | <u>\$75.31</u> |
| <u>A High</u> | <u>\$88.99</u> | <u>\$97.09</u> | <u>\$82.62</u> | <u>\$86.75</u> |
| <u>B Low</u> | <u>\$73.34</u> | <u>\$81.44</u> | <u>\$57.33</u> | <u>\$59.75</u> |
| <u>B Med</u> | <u>\$85.24</u> | <u>\$93.34</u> | <u>\$81.20</u> | <u>\$85.24</u> |
| <u>B Med-High</u> | <u>\$92.54</u> | <u>\$100.64</u> | <u>\$86.70</u> | <u>\$91.12</u> |
| <u>B High</u> | <u>\$97.39</u> | <u>\$105.49</u> | <u>\$92.21</u> | <u>\$96.99</u> |
| <u>C Low</u> | <u>\$79.35</u> | <u>\$87.45</u> | <u>\$75.07</u> | <u>\$78.70</u> |
| <u>C Med</u> | <u>\$88.99</u> | <u>\$97.09</u> | <u>\$84.29</u> | <u>\$88.54</u> |
| <u>C Med-High</u> | <u>\$110.64</u> | <u>\$118.74</u> | <u>\$98.27</u> | <u>\$98.27</u> |
| <u>C High</u> | <u>\$111.74</u> | <u>\$119.84</u> | <u>\$99.22</u> | <u>\$99.22</u> |
| <u>D Low</u> | <u>\$88.02</u> | <u>\$96.12</u> | <u>\$83.80</u> | <u>\$88.02</u> |
| <u>D Med</u> | <u>\$90.79</u> | <u>\$98.89</u> | <u>\$92.02</u> | <u>\$92.02</u> |
| <u>D Med-High</u> | <u>\$117.26</u> | <u>\$125.36</u> | <u>\$116.86</u> | <u>\$116.86</u> |
| <u>D High</u> | <u>\$126.30</u> | <u>\$134.40</u> | <u>\$126.30</u> | <u>\$126.30</u> |
| <u>E Med</u> | <u>\$152.53</u> | <u>\$160.63</u> | <u>\$152.53</u> | <u>\$152.53</u> |
| <u>E High</u> | <u>\$178.76</u> | <u>\$186.86</u> | <u>\$178.76</u> | <u>\$178.76</u> |

***High cost counties: King and Snohomish.

| COMMUNITY RESIDENTIAL DAILY RATES FOR CLIENTS ASSESSED USING CARE | | | | |
|---|--------------------|-----------------|---------------------|-----------------|
| MEDIUM-HIGH COST COUNTIES**** | | | | |
| CARE CLASSIFICATION | AL Without Capital | AL With Capital | ARC Without Capital | EARC Without |
| | Add-On | Add-On | Add-On | Capital Add-On |
| <u>A Low</u> | <u>\$67.30</u> | <u>\$74.90</u> | <u>\$53.50</u> | <u>\$55.66</u> |
| <u>A Med</u> | <u>\$71.16</u> | <u>\$78.76</u> | <u>\$68.01</u> | <u>\$71.16</u> |
| <u>A High</u> | <u>\$86.59</u> | <u>\$94.19</u> | <u>\$77.89</u> | <u>\$81.71</u> |
| | | | | |
| <u>B Low</u> | <u>\$67.30</u> | <u>\$74.90</u> | <u>\$57.24</u> | <u>\$56.80</u> |
| <u>B Med</u> | <u>\$80.32</u> | <u>\$84.91</u> | <u>\$76.59</u> | <u>\$80.32</u> |
| <u>B Med-High</u> | <u>\$87.09</u> | <u>\$94.69</u> | <u>\$81.67</u> | <u>\$85.74</u> |
| <u>B High</u> | <u>\$94.98</u> | <u>\$102.58</u> | <u>\$86.74</u> | <u>\$91.16</u> |
| | | | | |
| <u>C Low</u> | <u>\$74.28</u> | <u>\$81.88</u> | <u>\$70.93</u> | <u>\$74.28</u> |
| <u>C Med</u> | <u>\$86.59</u> | <u>\$94.19</u> | <u>\$79.44</u> | <u>\$83.36</u> |
| <u>C Med-High</u> | <u>\$107.01</u> | <u>\$114.61</u> | <u>\$91.33</u> | <u>\$91.33</u> |
| <u>C High</u> | <u>\$108.09</u> | <u>\$115.69</u> | <u>\$97.13</u> | <u>\$97.13</u> |
| | | | | |
| <u>D Low</u> | <u>\$82.88</u> | <u>\$90.48</u> | <u>\$78.99</u> | <u>\$82.88</u> |
| <u>D Med</u> | <u>\$88.34</u> | <u>\$95.94</u> | <u>\$90.18</u> | <u>\$90.18</u> |
| <u>D Med-High</u> | <u>\$113.42</u> | <u>\$121.02</u> | <u>\$113.99</u> | <u>\$113.99</u> |
| <u>D High</u> | <u>\$122.85</u> | <u>\$130.45</u> | <u>\$122.85</u> | <u>\$122.85</u> |
| | | | | |
| <u>E Med</u> | <u>\$147.82</u> | <u>\$155.42</u> | <u>\$147.82</u> | <u>\$147.82</u> |
| <u>E High</u> | <u>\$172.77</u> | <u>\$180.37</u> | <u>\$172.77</u> | <u>\$172.77</u> |

****Medium-High cost counties: Benton, Clark, Franklin, Grays Harbor, Kitsap, Kittitas, Klickitat, Lewis, Mason, Okanogan, Pacific, Pierce, Skagit, Skamania, Wahkiakum, and Whatcom.

| COMMUNITY RESIDENTIAL DAILY RATES FOR CLIENTS ASSESSED USING CARE | | | | |
|---|--------------------|-----------------|---------------------|----------------|
| STANDARD COST COUNTIES***** | | | | |
| CARE CLASSIFICATION | AL Without Capital | AL With Capital | ARC Without Capital | EARC Without |
| | Add-On | Add-On | Add-On | Capital Add-On |
| <u>A Low</u> | <u>\$66.13</u> | <u>\$74.05</u> | <u>\$52.73</u> | <u>\$57.84</u> |
| <u>A Med</u> | <u>\$70.94</u> | <u>\$78.86</u> | <u>\$66.89</u> | <u>\$69.96</u> |
| <u>A High</u> | <u>\$86.59</u> | <u>\$94.51</u> | <u>\$76.54</u> | <u>\$80.27</u> |
| | | | | |
| <u>B Low</u> | <u>\$66.13</u> | <u>\$74.05</u> | <u>\$53.76</u> | <u>\$55.95</u> |
| <u>B Med</u> | <u>\$78.91</u> | <u>\$86.83</u> | <u>\$75.27</u> | <u>\$78.91</u> |
| <u>B Med-High</u> | <u>\$87.09</u> | <u>\$95.01</u> | <u>\$80.22</u> | <u>\$84.20</u> |
| <u>B High</u> | <u>\$94.98</u> | <u>\$102.90</u> | <u>\$85.18</u> | <u>\$89.49</u> |
| | | | | |
| <u>C Low</u> | <u>\$73.01</u> | <u>\$80.93</u> | <u>\$69.75</u> | <u>\$73.01</u> |
| <u>C Med</u> | <u>\$86.59</u> | <u>\$94.51</u> | <u>\$78.05</u> | <u>\$81.88</u> |
| <u>C Med-High</u> | <u>\$107.01</u> | <u>\$114.93</u> | <u>\$87.87</u> | <u>\$87.87</u> |
| <u>C High</u> | <u>\$108.09</u> | <u>\$116.01</u> | <u>\$91.83</u> | <u>\$91.83</u> |

| COMMUNITY RESIDENTIAL DAILY RATES FOR CLIENTS ASSESSED USING CARE | | | | |
|---|--------------------------------------|-----------------------------------|---------------------------------------|--|
| STANDARD COST COUNTIES***** | | | | |
| CARE CLASSIFICATION | <u>AL Without Capital Add-On</u> | <u>AL With Capital Add-On</u> | <u>ARC Without Capital Add-On</u> | <u>EARC Without Capital Add-On</u> |
| <u>D Low</u> | <u>\$81.41</u> | <u>\$89.33</u> | <u>\$77.61</u> | <u>\$81.41</u> |
| <u>D Med</u> | <u>\$88.34</u> | <u>\$96.26</u> | <u>\$85.28</u> | <u>\$85.28</u> |
| <u>D Med-High</u> | <u>\$113.42</u> | <u>\$121.34</u> | <u>\$107.76</u> | <u>\$107.76</u> |
| <u>D High</u> | <u>\$116.14</u> | <u>\$124.06</u> | <u>\$116.14</u> | <u>\$116.14</u> |
| <u>E Med</u> | <u>\$139.74</u> | <u>\$147.66</u> | <u>\$139.74</u> | <u>\$139.74</u> |
| <u>E High</u> | <u>\$163.33</u> | <u>\$171.25</u> | <u>\$163.33</u> | <u>\$163.33</u> |

*****Standard cost counties: Nonmetropolitan counties: Adams, Asotin, Chelan, Clallam, Columbia, Cowlitz, Douglas, Ferry, Garfield, Grant, Island, Jefferson, Lincoln, Pend Orielle, San Juan, Spokane, Stevens, Thurston, Walla Walla, Whitman, and Yakima.

Reviser's note: The spelling errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

WSR 19-22-010
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 19-267—Filed October 25, 2019, 9:39 a.m., effective October 26, 2019, 12:01 p.m.]

Effective Date of Rule: October 26, 2019, 12:01 p.m.

Purpose: Amend recreational razor clam rules.

Citation of Rules Affected by this Order: Repealing WAC 220-330-16000G and 220-330-16000H; and amending WAC 220-330-160.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule is needed to open razor clam harvest opportunity on coastal beaches. Survey results show that adequate clams are available for harvest in Razor Clam Areas 1, 3, 4 and 5 for recreational harvest. Washington department of health has certified clams from this beach to be safe for human consumption. There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: October 24, 2019.

Kelly Susewind
Director

NEW SECTION

WAC 220-330-16000H Razor clams—Areas and seasons. Notwithstanding the provisions of WAC 220-330-160, it is unlawful to take, dig for or possess razor clams taken for personal use from any beaches in any razor clam area except as provided for in this section:

(1) Effective 12:01 p.m. October 26, 2019 through 11:59 p.m. November 1, 2019, razor clam digging is permissible in Razor Clam Area 1. Digging is permissible from 12:01 p.m. to 11:59 p.m. each day only.

(2) Effective 12:01 p.m. October 26, 2019 through 11:59 p.m. November 1, 2019, razor clam digging is permissible in Razor Clam Area 3. Digging is permissible from 12:01 p.m. to 11:59 p.m. each day only.

(3) Effective 12:01 p.m. October 26, 2019 through 11:59 p.m. October 26, 2019, and 12:01 p.m. October 28, 2019 through 11:59 p.m. October 28, 2019, and 12:01 p.m. October 30, 2019 through 11:59 p.m. October 30, 2019, and 12:01 p.m. November 1, 2019 through 11:59 p.m. November 1, 2019, razor clam digging is permissible in Razor Clam Area 4. Digging is permissible from 12:01 p.m. to 11:59 p.m. each day only.

(4) Effective 12:01 p.m. October 27, 2019 through 11:59 p.m. October 27, 2019, and 12:01 p.m. October 29, 2019 through 11:59 p.m. October 29, 2019, and 12:01 p.m. Octo-

ber 31, 2019 through 11:59 p.m. October 31, 2019, razor clam digging is permissible in Razor Clam Area 5. Digging is permissible from 12:01 p.m. to 11:59 p.m. each day only.

(5) It is unlawful to dig for razor clams at any time in the Long Beach, Twin Harbors and Copalis Beach Clam sanctuaries defined in WAC 220-320-130.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-330-16000G Razor clams—Areas and seasons. (19-266)

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. November 2, 2019:

WAC 220-330-1600000H Razor clams—Areas and seasons.

Reviser's note: The section above appears as filed by the agency pursuant to RCW 34.08.040; however, the reference to WAC 220-330-1600000H is probably intended to be WAC 220-330-16000H.

**WSR 19-22-018
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 19-268—Filed October 25, 2019, 2:45 p.m., effective October 25, 2019, 2:45 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: Amend Puget Sound commercial salmon fishing rules.

Citation of Rules Affected by this Order: Repealing WAC 220-354-12000Q and 220-354-16000W; and amending WAC 220-354-120 and 220-354-160.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This emergency rule is needed to close scheduled openings for commercial purse seine and gillnet fisheries in Puget Sound Management and Catch Reporting Areas 10 and 11. Inseason updates indicate that the nontreaty share for these fisheries has been achieved. There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 2, Amended 0, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: October 25, 2019.

Amy H. Windrope
for Kelly Susewind
Director

NEW SECTION

WAC 220-354-12000Q Puget Sound salmon—Purse seine—Open periods. Notwithstanding the provisions of WAC 220-354-120, effective immediately until further notice:

| Areas | Open Periods |
|-----------|--------------|
| 10 and 11 | Closed |

NEW SECTION

WAC 220-354-16000W Puget Sound salmon—Gillnet—Open periods. Notwithstanding the provisions of WAC 220-354-160, effective immediately until further notice:

| Areas | Open Periods |
|-----------|--------------|
| 10 and 11 | Closed |

REPEALER

The following sections of the Washington Administrative Code are repealed effective November 8, 2019:

WAC 220-354-12000Q Puget Sound salmon—Purse seine—Open periods.

WAC 220-354-16000W Puget Sound salmon—Gillnet—Open periods.

**WSR 19-22-023
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 19-269—Filed October 28, 2019, 4:13 p.m., effective November 1, 2019]

Effective Date of Rule: November 1, 2019.

Purpose: Amend recreational fishing rules for Padden and Steel lakes.

Citation of Rules Affected by this Order: Repealing WAC 220-312-04000C; and amending WAC 220-312-040.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This emergency rule is needed to extend the gamefish open season for Padden Lake and Steel Lake. The Washington department of fish and wildlife stocked catchable-size rainbow trout in both lakes this fall in late-October and will again prior to black Friday (November 29). These fish and the extension of the fishing season will provide additional fishing opportunities through the holidays in these lakes. There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: October 28, 2019.

Amy H. Windrope
for Kelly Susewind
Director

NEW SECTION

WAC 220-312-04000C Freshwater exceptions to statewide rules—Puget Sound. Notwithstanding the provisions of WAC 220-312-040, effective November 1, 2019 through January 5, 2020:

(a) Padden Lake (Whatcom County): Gamefish: Statewide minimum length/daily limit.

(b) Steel Lake (King County): Gamefish: Statewide minimum length/daily limit.

REPEALER

The following section of the Washington Administrative Code is repealed effective January 6, 2020:

WAC 220-312-04000C Freshwater exceptions to statewide rules—Puget Sound.

WSR 19-22-029 EMERGENCY RULES DEPARTMENT OF FISH AND WILDLIFE

[Order 19-270—Filed October 29, 2019, 2:42 p.m., effective October 29, 2019, 2:42 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: Amend commercial sea urchin rules in Puget Sound.

Citation of Rules Affected by this Order: Repealing WAC 220-340-75000P; and amending WAC 220-340-750.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This emergency rule closes harvest of green sea urchins in Marine Fish-Shellfish Management and Catch Reporting Areas 23B, 25A, 25B of District 2 because the quota for green sea urchin in these areas has been reached. Harvestable surpluses of sea urchin exist in the districts specified to remain open. There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: October 29, 2019.

James B. Scott, Jr.
for Kelly Susewind
Director

NEW SECTION

WAC 220-340-75000Q Commercial sea urchin fishery. Notwithstanding the provisions of WAC 220-340-750, effective immediately until further notice:

(1) It is unlawful for any person to fish for, take, or possess for commercial purposes any green sea urchins less than 2.25 inches; or red sea urchins measuring less than 3.25 inches or greater than 5 inches. All measurements are caliper measurements of the largest shell (test) diameter, exclusive of the spines.

(2) The following areas are open for green sea urchin harvest only, seven days-per-week: Sea Urchin District 1; District 2 Marine Fish-Shellfish Management and Catch Reporting Areas 21A, 21B, 22A, 22B, 23A; District 3 east of a line projected true north from the shoreline at 123 degrees 48.3 minutes west longitude; District 4 west of a line projected true north from the shoreline at 123 degrees 52.7 minutes west longitude; District 6; and District 7 except all waters of Hale Passage and Wollochet Bay within the following lines: west of a line projected true south from the shoreline near Point Fosdick at 122 degrees 35 minutes west longitude to 47 degrees 14 minutes north latitude, and thence projected true west to the shoreline of Fox Island, and east of a line projected true south from the shoreline near Green Point at 122 degrees 41 minutes west longitude to 47 degrees 16.5 minutes north latitude, and thence projected true east to the shoreline of Fox Island.

(3) The maximum cumulative landings for green sea urchins for each weekly fishery opening period is 1,000 pounds per valid designated sea urchin harvest license. Each fishery week begins Monday and ends Sunday.

(4) The following areas are open for red sea urchin harvest seven days-per-week: Sea Urchin District 1; District 2; and District 3 east of a line projected true north from the shoreline at 123 degrees 48.3 minutes west longitude; and District 4 west of a line projected true north from the shoreline at 123 degrees 52.7 minutes west longitude.

(5) The maximum cumulative landings for red sea urchins for each weekly fishery opening period is 1,500 pounds per valid designated sea urchin harvest license. Each fishery week begins Monday and ends Sunday.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-340-75000P Commercial sea urchin fisheries.
(19-217)

WSR 19-22-035
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)

[Filed October 31, 2019, 8:54 a.m., effective November 1, 2019]

Effective Date of Rule: November 1, 2019.

Purpose: The department is amending WAC 388-412-0015 General information about your food assistance allotments, 388-450-0185 What income deductions does the department allow when determining if I am eligible for food benefits and the amount of my monthly benefits?, 388-450-0190 How does the department figure my shelter cost income deduction for basic food?, 388-450-0195 Does the department use my utility costs when calculating my basic food or WASHCAP benefits?, and 388-478-0060 What are the income limits and maximum benefit amounts for basic food?

Changes proposed under this filing incorporate a recent change to federal law requiring states to provide a simplified shelter cost income deduction for homeless households and update certain basic food standards for FFY 2020, in compliance with requirements of the United States Department of Agriculture (USDA) Food and Nutrition Service (FNS). These changes may increase basic food benefit allotments. This deduction will be factored into benefit calculations, as applicable, for individuals who are homeless, with or without shelter, but are responsible for shelter costs. Concurrent permanent rule making is in process. The department will file a supplemental CR-102 proposal and have a second hearing and public comment period. This second emergency cancels and supersedes the emergency filed as WSR 19-20-085.

Citation of Rules Affected by this Order: Amending WAC 388-412-0015, 388-450-0185, 388-450-0190, 388-450-0195, and 388-478-0060.

Statutory Authority for Adoption: RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.510, 74.08.090, 74.08A.120.

Other Authority: 7 C.F.R. § 273.9 (a)(3), USDA FNS: "Supplemental Nutrition Assistance Program Provisions of the Agriculture Improvement Act of 2018 - Section 4004 - Information Memorandum" dated February 8, 2019, USDA FNS "Supplemental Nutrition Assistance Program Provisions of the Agriculture Improvement Act of 2018 - Section 4004 - Information Memorandum" dated March 12, 2019, USDA FNS Memorandum: "SNAP—Fiscal Year 2020 Cost-of-Living Adjustments" dated July 24, 2019, USDA FNS standard utility allowance approval letter dated August 19, 2019.

Under RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: These amendments are necessary to comply with federal regulations.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 1, Repealed 0; Federal Rules or Standards: New 0, Amended 4, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 5, Repealed 0.

Date Adopted: October 28, 2019.

Katherine I. Vasquez
Rules Coordinator

AMENDATORY SECTION (Amending WSR 18-02-043, filed 12/26/17, effective 1/26/18)

WAC 388-412-0015 General information about your food assistance allotments. (1) Your monthly allotment under the Washington basic food program, food assistance program for legal immigrants (FAP), Washington combined application project (WASHCAP), or the transitional food assistance (TFA) program is the total dollar value of benefits your assistance unit (AU) receives for a calendar month.

(2) How we determine monthly allotments:

(a) We calculate your monthly allotment for federally funded basic food as described under WAC 388-450-0162.

(b) We calculate your monthly allotment for state-funded food assistance as described under WAC 388-400-0050.

(3) Maximum allotment:

(a) The maximum allotment for the number of people in your AU eligible for federally funded basic food benefits is described under WAC 388-478-0060.

(b) The maximum allotment for the number of people in your AU eligible for state-funded FAP benefits is set by the legislature in the biennial operating budget as described in WAC 388-400-0050.

(4) Prorated benefits in the first month. If we determine you are eligible for food assistance, your first month's benefits are calculated from the date you applied through the end of the month of your application. This is called proration and is based on a thirty-day month:

(a) If your prorated benefits for the first month are under ten dollars, you will not receive an allotment for the first month.

(b) If there was a delay in processing your application, we determine when your benefits start under WAC 388-406-0055.

(5) Combined allotment for first and second month's benefits. If you apply for benefits on or after the sixteenth of the month and we determine you are eligible for food assistance for both the first and second month, we will issue both months' benefits in one allotment.

(6) Minimum allotment. Unless it is the first month of your certification period and your benefits are prorated as described in subsection (4) of this section, your monthly allotment will be at least:

(a) ~~((Fifteen))~~ Sixteen dollars if your AU has one or two members and at least one person is eligible for federally funded basic food; or

(b) ~~((Fifteen))~~ Sixteen dollars if your AU has one or two members and all members of your AU are eligible for state-funded FAP.

(7) Use of food assistance benefits. Your food assistance benefits may only be used to buy eligible food items as described under WAC 388-412-0046. If you use your benefits in any other way, it is an intentional program violation under WAC 388-446-0015 and could result in fines, imprisonment, disqualification from receiving food assistance benefits, or any combination of these penalties.

AMENDATORY SECTION (Amending WSR 19-01-031, filed 12/12/18, effective 1/12/19)

WAC 388-450-0185 What income deductions does the department allow when determining if I am eligible for food benefits and the amount of my monthly benefits?

(1) We determine if your assistance unit (AU) is eligible for basic food and calculate your monthly benefits according to requirements of the Food and Nutrition Act of 2008 and federal regulations related to the supplemental nutrition assistance program (SNAP).

(2) Under these federal laws, we subtract the following amounts from your AU's total monthly income to determine your countable monthly income under WAC 388-450-0162:

(a) A standard deduction based on the number of eligible people in your AU under WAC 388-408-0035:

| Eligible AU members | Standard deduction |
|---------------------|---------------------------------|
| 3 or less | ((164)) <u>\$167</u> |
| 4 | ((174)) <u>\$178</u> |
| 5 | ((204)) <u>\$209</u> |
| 6 or more | ((234)) <u>\$240</u> |

(b) Twenty percent of your AU's gross earned income (earned income deduction);

(c) Your AU's expected monthly dependent care expense needed for an AU member to:

(i) Keep work, look for work, or accept work;

(ii) Attend training or education to prepare for employment; or

(iii) Meet employment and training requirements under chapter 388-444 WAC;

(d) Medical expenses over thirty-five dollars a month owed or anticipated by an elderly or disabled person in your AU as allowed under WAC 388-450-0200; and

(e) A portion of your shelter costs as described in WAC 388-450-0190.

AMENDATORY SECTION (Amending WSR 19-01-031, filed 12/12/18, effective 1/12/19)

WAC 388-450-0190 How does the department figure my shelter cost income deduction for basic food? The department calculates your shelter cost income deduction for basic food as follows:

(1) First, we add up the amounts your assistance unit (AU) must pay each month for shelter. We do not count any overdue amounts, late fees, penalties, or mortgage payments you make ahead of time as allowable shelter costs. We count the following expenses as an allowable shelter cost in the month the expense is due:

(a) Monthly rent, lease, and mortgage payments;

(b) Property taxes;

(c) Homeowner's association or condo fees;

(d) Homeowner's insurance for the building only;

(e) Utility allowance your AU is eligible for under WAC 388-450-0195;

(f) Out-of-pocket repairs for the home if it was substantially damaged or destroyed due to a natural disaster such as a fire or flood;

(g) Expense of a temporarily unoccupied home because of employment, training away from the home, illness, or abandonment caused by a natural disaster or casualty loss if your:

- (i) AU intends to return to the home;
- (ii) AU has current occupants who are not claiming the shelter costs for basic food purposes; and
- (iii) AU's home is not being leased or rented during your AU's absence.

(h) A homeless AU with shelter costs is eligible for a homeless shelter expense deduction of one hundred fifty-two dollars. If the homeless AU has shelter costs in excess of one hundred fifty-two dollars, the AU has the option to claim either:

- (i) The homeless shelter deduction; or
- (ii) Actual shelter costs.

(2) Second, we subtract all deductions your AU is eligible for under WAC 388-450-0185 (2)(a) through (2)(d) from your AU's gross income. The result is your AU's countable income.

(3) Finally, we subtract one-half of your AU's countable income from your AU's total shelter costs. The result is your excess shelter costs. Your AU's shelter cost deduction is the excess shelter costs:

- (a) Up to a maximum of five hundred ~~((fifty-two))~~ sixty-nine dollars if no one in your AU is elderly or disabled; or
- (b) The entire amount if an eligible person in your AU is elderly or disabled, even if the amount is over five hundred ~~((fifty-two))~~ sixty-nine dollars.

AMENDATORY SECTION (Amending WSR 19-01-031, filed 12/12/18, effective 1/12/19)

WAC 388-450-0195 Does the department use my utility costs when calculating my basic food or WASH-CAP benefits? (1) The department uses utility allowances instead of the actual utility costs your assistance unit (AU) pays when we determine your:

(a) Monthly benefits under WAC 388-492-0070 if you receive Washington state combined application project (WASHCAP); or

(b) Shelter cost income deduction under WAC 388-450-0190 for basic food.

(2) We use the following amounts if you have utility costs separate from your rent or mortgage payment:

(a) If your AU has heating or cooling costs or receives more than twenty dollars in low income home energy assistance program (LIHEAP) benefits each year, you get a standard utility allowance (SUA) of four hundred ~~((thirty))~~ thirty-seven dollars.

(b) If your household does not receive a LIHEAP payment and the reason is solely because of your immigration status, you get a SUA of four hundred ~~((thirty))~~ thirty-seven dollars.

(c) If your AU does not qualify for the SUA and you have any two utility costs listed in subsection (3) of this section, you get a limited utility allowance (LUA) of three hundred ~~((thirty-six))~~ forty-three dollars.

(d) If your AU has only telephone costs and no other utility costs, you get a telephone utility allowance (TUA) of fifty-eight dollars.

(3) "Utility costs" include the following:

- (a) Heating or cooling fuel;
- (b) Electricity or gas;
- (c) Water;
- (d) Sewer;
- (e) Well installation/maintenance;
- (f) Septic tank installation/maintenance;
- (g) Garbage/trash collection; and
- (h) Telephone service.

(4) If you do not have a utility cost separate from your rent or mortgage payment and do not receive low income energy assistance program (LIHEAP), you do not receive a utility allowance.

AMENDATORY SECTION (Amending WSR 19-01-031, filed 12/12/18, effective 1/12/19)

WAC 388-478-0060 What are the income limits and maximum benefit amounts for basic food? (1) If your assistance unit (AU) meets all other eligibility requirements for basic food, your AU must have income at or below the limits in columns B and C of this subsection to get basic food, unless you meet one of the exceptions listed below in subsection (2) of this section. The maximum monthly food assistance benefit your AU could receive is listed in column D of this subsection.

EFFECTIVE ~~((10/1/2018))~~ 10/1/2019

| Column A Number of Eligible AU Members | Column B Maximum Gross Monthly Income | Column C Maximum Net Monthly Income | Column D Maximum Allotment | Column E 165% of Poverty Level |
|---|--|--|------------------------------------|--|
| 1 | ((1,316)) <u>\$1,354</u> | ((1,012)) <u>\$1,041</u> | ((192)) <u>\$194</u> | ((1,670)) <u>\$1,718</u> |
| 2 | ((1,784)) <u>1,832</u> | ((1,352)) <u>1,410</u> | ((353)) <u>355</u> | ((2,264)) <u>2,326</u> |
| 3 | ((2,252)) <u>2,311</u> | ((1,732)) <u>1,778</u> | ((505)) <u>509</u> | ((2,858)) <u>2,933</u> |

EFFECTIVE ((10/1/2018)) 10/1/2019

| Column A Number of Eligible AU Members | Column B Maximum Gross Monthly Income | Column C Maximum Net Monthly Income | Column D Maximum Allotment | Column E 165% of Poverty Level |
|--|---|---|----------------------------------|--------------------------------------|
| 4 | ((2,720)) <u>2,790</u> | ((2,092)) <u>2,146</u> | ((642)) <u>646</u> | ((3,452)) <u>3,541</u> |
| 5 | ((3,188)) <u>3,269</u> | ((2,452)) <u>2,515</u> | ((762)) <u>768</u> | ((4,046)) <u>4,149</u> |
| 6 | ((3,656)) <u>3,748</u> | ((2,812)) <u>2,883</u> | ((914)) <u>921</u> | ((4,640)) <u>4,757</u> |
| 7 | ((4,124)) <u>4,227</u> | ((3,172)) <u>3,251</u> | ((1,011)) <u>1,018</u> | ((5,234)) <u>5,364</u> |
| 8 | ((4,592)) <u>4,705</u> | ((3,532)) <u>3,620</u> | ((1,155)) <u>1,164</u> | ((5,828)) <u>5,972</u> |
| 9 | ((5,060)) <u>5,184</u> | ((3,892)) <u>3,989</u> | ((1,299)) <u>1,310</u> | ((6,422)) <u>6,580</u> |
| 10 | ((5,528)) <u>5,663</u> | ((4,252)) <u>4,358</u> | ((1,443)) <u>1,456</u> | ((7,016)) <u>7,188</u> |
| Each Additional Member | ((+468)) <u>+479</u> | ((+360)) <u>+369</u> | ((+144)) <u>+146</u> | ((+594)) <u>+608</u> |

(2) Exceptions:

(a) If your AU is categorically eligible as under WAC 388-414-0001, your AU does not have to meet the gross or net income standards in columns B and C of subsection (1) of this section. We budget your AU's income to decide the amount of basic food your AU will receive.

(b) If your AU includes a member who is sixty years of age or older or has a disability, your AU's income must be at or below the limit in column C of subsection (1) of this section.

(c) If you are sixty years of age or older and cannot buy and cook your own meals because of a permanent disability, we will use column E of subsection (1) of this section to decide if you can be a separate AU.

(d) If your AU has zero income, your benefits are the maximum allotment in column D of subsection (1) of this section, based on the number of eligible members in your AU.

WSR 19-22-039
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 19-271—Filed October 31, 2019, 3:13 p.m., effective October 31, 2019, 3:13 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: The proposal will amend a landmark description in WAC 220-416-070 and 220-413-180.

Citation of Rules Affected by this Order: Amending WAC 220-416-070 and 220-413-180.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.055, 77.12.047, and 77.12.240.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This emergency rule is needed to update a landmark reference in the WAC listed. WAC 220-

416-070 and 220-413-180 both contain the language "... the old Hanford townsite power line crossing (wooden towers) in Section 24 ..." when describing the boundary of areas that are associated with special closures. Washington department of fish and wildlife was recently notified the wooden towers referenced in this language are being torn down in November, but the power lines will remain. Waterfowl and big-game seasons when these rules apply are currently open and ongoing. There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: October 31, 2019.

Kelly Susewind
Director

NEW SECTION

WAC 220-413-18000A Special closures and firearm restriction areas. Notwithstanding the provisions of WAC 220-413-180, effective immediately:

Columbia River: The Columbia River, all islands except privately owned, in the river, the Benton County shoreline below the high water mark, Central Hanford Department of Energy property, and any peninsula originating on the Benton County shoreline, between Vernita Bridge on Highway 24 downstream to the Richland city limits are designated as a "CLOSED AREA" to hunting wild animals and wild birds except waterfowl hunting is open below the high water mark between the old Hanford townsite power line crossing in Section 24, T 13 N, R 27 E, and the Richland city limits.

NEW SECTION

WAC 220-416-07000A Columbia, Snake, and Yakima River waterfowl, coot, and snipe closures. Notwithstanding the provisions of WAC 220-416-070, effective immediately:

It is unlawful to hunt migratory waterfowl, coot, and snipe on or within the Columbia River and those lands lying within one-quarter mile of the Columbia River between the old Hanford townsite power line crossing in Section 24, T13N, R27E, to Vernita Bridge (Highway 24). (Benton, Franklin, and Grant counties)

WSR 19-22-041
EMERGENCY RULES
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed November 1, 2019, 9:19 a.m., effective November 1, 2019, 9:19 a.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: This emergency rule making amends chapter 296-127 WAC, Prevailing wage, to provide a new scope of work specific to landscape maintenance that is separate and unique from landscape construction. Under the emergency rule, the landscape maintenance worker scope of work description is work involved in the tending to and maintenance of a previously beautified plot of land. A description of specific activities that may be within the scope and activities that are not included in the scope are listed in the rule.

An initial emergency rule (WSR 19-07-014) and CR-101 Preproposal statement of inquiry (WSR 19-07-015) were filed on March 8, 2019. A second emergency rule making was filed on July 5, 2019 (WSR 19-15-004). This rule mak-

ing renews the emergency rules while the permanent rule-making process continues.

Citation of Rules Affected by this Order: New WAC 296-127-01345.

Statutory Authority for Adoption: Chapter 39.12 RCW.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: 2018's SSB 5493, effective June 7, 2018, revised RCW 39.12.015. Under the new law, the department is directed to "establish the prevailing rate of wage ... established in collective bargaining agreements for those trades and occupations that have collective bargaining agreements." Where no collective bargaining agreement (CBA) exists, the department is to conduct wage and hour surveys. Other methods may be used where a survey is not sufficient.

The department implemented SSB 5493 in the prevailing rates published on August 1, 2018. As a result of the new law, the rates for landscape construction (landscape laborer) significantly increased. On February 25, 2019, the department received a petition from the Association of Washington Cities (AWC) to create a separate landscape maintenance scope of work. Due to the increase in costs, cities are deferring or eliminating necessary maintenance to keep public areas safe, including: Preparing parks, athletic fields, trails and other recreational facilities for the spring and summer season; maintenance of critical vegetation on stormwater facilities like retention ponds; and storm related clean-up to remove dangerous debris from public spaces. Lack of adequate maintenance will result in unsafe facilities creating risks to the public and liability concerns for cities. The department has also heard from companies who contract with cities to do landscape maintenance work with concerns that contracts are not being renewed and workers will be laid off as [a] result.

Under WAC 296-127-013, scope of work descriptions may be issued by the director or designee to determine the applicable prevailing wage and are created using authoritative sources including: Apprenticeship standards; CBAs; dictionaries of occupational titles; experts from organized labor, licensed contractors, and contractors' associations; and recognized labor and management industry practice. Under WAC 296-127-01346, the introductory paragraph of the landscape construction scope of work description is work involved in the beautification of a plot of land by changing its natural features through the addition or modification of lawns, trees, bushes, etc. Upon review of the scope of the work, the department determined that the separate scope for landscape maintenance worker is appropriate. Based on information from the AWC and contractors, the rules meet the criteria for emergency rules as needed for the preservation of public health, safety, or general welfare.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: November 1, 2019.

Joel Sacks
Director

NEW SECTION

WAC 296-127-01345 Landscape maintenance workers. For the purpose of the Washington state public works law, chapter 39.12 RCW, landscape maintenance involves the tending to and maintenance of a previously beautified plot of land.

(1) Landscape maintenance includes:

(a) Mowing, weeding, and maintaining of lawns, yards, gardens, athletic fields, golf courses, parks, trails or other previously landscaped surfaces;

(b) Pruning, trimming, mulching and composting;

(c) Maintaining decorative rock including adding material to existing areas;

(d) Incidental hauling or placing of top soil, plants or other landscaping materials in trucks with only one rear axle;

(e) Reseeding, resodding, replanting, top dressing, aerification, and applying chemicals, fertilizers and soil amendments;

(f) Use of power tools with up to twenty horsepower such as line trimmers, edgers, mowers, leaf and snow blowers;

(g) Rehydroseeding using equipment up to one hundred gallon capacity;

(h) Use of riding mowers up to fifty horsepower;

(i) Irrigation system repair and maintenance on existing systems;

(j) Storm drain and catch pond maintenance, including minor debris removal, and clearing of drain grates.

(2) Landscape maintenance does not include:

(a) Any landscape or nonlandscape construction activity or work, other than incidental maintenance and repairs mentioned in subsection (1) of this section;

(b) Power line clearance tree trimming or clearing;

(c) Construction of irrigation systems other than incidental repairs mentioned in subsection (1) of this section;

(d) Tree falling or bucking;

(e) The use of power tools over twenty horsepower except riding mowers;

(f) The use of riding mowers over fifty horsepower;

(g) The use of any other riding equipment, other than riding mowers up to fifty horsepower;

(h) Rehydroseeding using equipment with more than one hundred gallon capacity;

(i) Inspection, service, maintenance or repair of a back-flow protection device connected to a potable water system.

WSR 19-22-044

EMERGENCY RULES

DEPARTMENT OF

FISH AND WILDLIFE

[Order 19-272—Filed November 1, 2019, 11:00 a.m., effective one hour before official sunrise November 2, 2019]

Effective Date of Rule: One hour before official sunrise November 2, 2019.

Purpose: Amends recreational salmon fishing rules for the Icicle River.

Citation of Rules Affected by this Order: Repealing WAC 220-312-05000T; and amending WAC 220-312-050.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule is needed to open a coho fishery on portions of the Icicle River. A harvestable surplus is available because an estimated four thousand five hundred coho are expected to return to the Wenatchee River basin this year and will be in excess of spawning escapement goals on the Icicle River and hatchery broodstock needs. There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: November 1, 2019.

Kelly Susewind
Director

NEW SECTION

WAC 220-312-05000T Freshwater exceptions to statewide rules—Eastside. Notwithstanding the provisions of WAC 220-312-050, effective one hour before official sunrise November 2 through one hour after official sunset November 30, 2019:

Icicle River:

(a) From the closure signs located 800 feet upstream of the mouth to 500 feet downstream of the Leavenworth National Fish Hatchery Barrier Dam is closed to all species, except open for salmon fishing:

(i) Daily limit 2, minimum length 12 inches. Release all salmon other than hatchery coho, except release all coho marked with a colored floy (anchor) tag (tags located near dorsal fin).

(ii) Fishing with bait is prohibited.

(iii) Night closure.

(b) From the shoreline markers where Cyo Road intersects the Icicle River at the Sleeping Lady Resort to the Icicle Peshastin Irrigation Footbridge (approximately 750 feet upstream of the Snow Lakes trailhead parking area) is closed to all species, except open for salmon fishing:

(i) Daily limit 2, minimum length 12 inches. Release all salmon other than hatchery coho, except release all coho marked with a colored floy (anchor) tag (tags located near dorsal fin).

(ii) Fishing with bait is prohibited.

(iii) Night closure.

REPEALER

The following section of the Washington Administrative Code is repealed effective one hour after official sunset November 30, 2019:

WAC 220-312-05000T Freshwater exceptions to statewide rules—Eastside.

**WSR 19-22-049
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 19-276—Filed November 1, 2019, 3:32 p.m., effective November 4, 2019]

Effective Date of Rule: November 4, 2019.

Purpose: Amend Puget Sound commercial salmon fishing rules.

Citation of Rules Affected by this Order: Amending WAC 220-354-120 and 220-354-160.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This emergency rule is needed to close scheduled openings for commercial purse seine and gillnet fisheries in Puget Sound Management and Catch Reporting Area 12C. Comanagers reached an in-season agreement to close the all citizens fisheries scheduled in 12C based on current run size and allocation information. There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 2, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: November 1, 2019.

Kelly Susewind
Director

NEW SECTION

WAC 220-354-12000R Puget Sound salmon—Purse seine—Open periods. Notwithstanding the provisions of WAC 220-354-120, effective November 5, 2019 until further notice:

| Areas | Open Periods |
|-------|--------------|
| 12C | Closed |

NEW SECTION

WAC 220-354-16000X Puget Sound salmon—Gillnet—Open periods. Notwithstanding the provisions of WAC 220-354-160, effective November 4, 2019 until further notice:

| Areas | Open Periods |
|-------|--------------|
| 12C | Closed |

**WSR 19-22-050
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 19-277—Filed November 1, 2019, 4:59 p.m., effective one hour before official sunrise November 2, 2019]

Effective Date of Rule: One hour before official sunrise November 2, 2019.

Purpose: Amends recreational salmon fishing rules for the Icicle River.

Citation of Rules Affected by this Order: Repealing WAC 220-312-05000T and 220-312-05000U; and amending WAC 220-312-050.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or

general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule is needed to correct an error in a previous filing that did not allow the taking of unmarked coho. A harvestable surplus is available because an estimated four thousand five hundred coho are expected to return to the Wenatchee River basin this year and will be in excess of spawning escapement goals on the Icicle River and hatchery broodstock needs. There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: November 1, 2019.

Amy H. Windrope
for Kelly Susewind
Director

NEW SECTION

WAC 220-312-05000U Freshwater exceptions to statewide rules—Eastside. Notwithstanding the provisions of WAC 220-312-050, effective one hour before official sunrise November 2 through one hour after official sunset November 30, 2019:

Icicle River:

(a) From the closure signs located 800 feet upstream of the mouth to 500 feet downstream of the Leavenworth National Fish Hatchery Barrier Dam is closed to all species, except open for salmon fishing:

(i) Daily limit 2, minimum length 12 inches. Release all salmon other than coho, except release all coho marked with a colored floy (anchor) tag (tags located near dorsal fin).

(ii) Fishing with bait is prohibited.

(iii) Night closure.

(b) From the shoreline markers where Cyo Road intersects the Icicle River at the Sleeping Lady Resort to the Icicle Peshastin Irrigation Footbridge (approximately 750 feet upstream of the Snow Lakes trailhead parking area) is closed to all species, except open for salmon fishing:

(i) Daily limit 2, minimum length 12 inches. Release all salmon other than coho, except release all coho marked with a colored floy (anchor) tag (tags located near dorsal fin).

(ii) Fishing with bait is prohibited.

(iii) Night closure.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-312-05000T Freshwater exceptions to statewide rules—Eastside. (19-272)

The following section of the Washington Administrative Code is repealed effective one hour after official sunset November 30, 2019:

WAC 220-312-05000U Freshwater exceptions to statewide rules—Eastside.

WSR 19-22-053

EMERGENCY RULES

DEPARTMENT OF

FISH AND WILDLIFE

[Order 19-278—Filed November 4, 2019, 12:33 p.m., effective November 4, 2019, 12:33 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: Amend Puget Sound commercial gillnet fishery rules.

Citation of Rules Affected by this Order: Repealing WAC 220-354-16000Y; and amending WAC 220-354-160.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This emergency rule is needed to correct a clerical error that assigned an incorrect gillnet opening time period in Puget Sound Salmon Management and Catch Reporting Areas 12 and 12B beginning November 4, 2019. This rule corrects the opening time periods to 7 a.m. to 7 p.m., and aligns the rule with time periods agreed to with comanagers during the 2019/2020 North of Falcon proceedings. There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: November 4, 2019.

Kelly Susewind
Director

NEW SECTION

WAC 220-354-16000Y Puget Sound salmon—Gill-net—Open periods. Notwithstanding the provisions of WAC 220-354-160, effective immediately through November 20, 2019:

| Areas | Open Periods | Mesh Size |
|-------------|-----------------|--|
| 12 and 12B: | 7 a.m. - 7 p.m. | 11/4, 11/6, 11/12, 11/14, 11/18, 11/20 |
| | | 6 1/4" |

REPEALER

The following section of the Washington Administrative Code is repealed effective November 21, 2019:

WAC 220-354-16000Y Puget Sound salmon—Reef net—Open periods.

**WSR 19-22-056
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 19-273—Filed November 4, 2019, 3:15 p.m., effective November 4, 2019, 3:15 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: Amend recreational salmon rules for the Quillayute River and its tributaries.

Citation of Rules Affected by this Order: Repealing WAC 220-312-02000V; and amending WAC 220-312-020.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This emergency rule is necessary to close fishing in the Quillayute River and its tributaries. Early season abundance indicators confirm the returning Quillayute River wild coho salmon run is below harvestable levels. This conservation measure is necessary to allow more fish to reach the spawning grounds in order to meet wild escapement goal. There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: November 1, 2019.

Kelly Susewind
Director

NEW SECTION

WAC 220-312-02000V Freshwater exceptions to statewide rules—Coast. Notwithstanding the provisions of WAC 220-312-020, effective November 4 through November 22, 2019:

Quillayute River and tributaries: Closed waters.

REPEALER

The following section of the Washington Administrative Code is repealed effective November 23, 2019:

WAC 220-312-02000V Freshwater exceptions to statewide rules—Coast.

**WSR 19-22-057
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 19-279—Filed November 4, 2019, 4:09 p.m., effective November 8, 2019, 6:00 p.m.]

Effective Date of Rule: November 8, 2019, 6:00 p.m.

Purpose: Amend Puget Sound commercial crab rules.

Citation of Rules Affected by this Order: Repealing WAC 220-340-45500X; and amending WAC 220-340-455.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This emergency rule will close Region 1 on November 8, at 6:00 p.m. because the Region 1 state quota will have been reached. With this rule, Region 2E will remain closed. It will continue the Puget Sound commercial crab harvest in Regions 2-West, 3-1, 3-2, and 3-3. Pot limits in Regions 2-West, 3-1, 3-2, and 3-3 will remain at fifty pots per license. These provisions are in conformity with agreed management plans with applicable tribes. These man-

agement plans are entered into as required by court order. The Puget Sound commercial season is structured to meet harvest allocation objectives negotiated with applicable treaty tribes and outlined in the management plans. There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: November 4, 2019.

Kelly Susewind
Director

NEW SECTION

WAC 220-340-45500Y Commercial crab fishery—Seasons and areas—Puget Sound. Notwithstanding the provisions of WAC 220-340-455:

(1) Effective 6:00 p.m., November 8, 2019 until further notice, all of Crab Management Region 1 is closed. This region includes Marine Fish-Shellfish Catch Reporting Areas 20A, 20B, 21A, 21B, 22A and 22B.

(2) Effective immediately until further notice, Crab Management Region 2E is closed. Region 2E includes Marine Fish-Shellfish Catch Reporting Areas 24A, 24B, 24C, 24D and 26A East.

(3) Effective immediately until further notice, it is unlawful for any license holder or alternate operator to fish for crabs for commercial purposes with more than 50 pots per license per buoy tag number in Crab Management 2 West, Region 3-1, Region 3-2, or Region 3-3. These regions include Marine Fish-Shellfish Catch Reporting Areas, 25B, 25D, 25A, 25E, 23D, 23C and 29.

(4) All remaining buoy tags per license must be onboard the designated vessel and available for immediate inspection.

(5) Effective immediately until further notice, the following areas are closed to commercial crab fishing.

(a) That portion of Marine Fish-Shellfish Management and Catch Reporting Area 25A west of the 123°7.0' longitude line projected from the new Dungeness light due south to the shore of Dungeness Bay.

(b) That portion of Marine Fish-Shellfish Management and Catch Reporting Area 23D west of a line from the eastern tip of Ediz Hook to the ITT Rayonier Dock.

REPEALER

The following section of the Washington Administrative code is repealed effective 6:00 p.m. on November 8, 2019:

WAC 220-340-45500X Commercial crab fishery—Seasons and areas—Puget Sound. (19-254)

WSR 19-22-058

EMERGENCY RULES

DEPARTMENT OF

FISH AND WILDLIFE

[Order 19-280—Filed November 4, 2019, 4:14 p.m., effective November 4, 2019, 4:14 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: Amend Puget Sound commercial sea cucumber rules.

Citation of Rules Affected by this Order: Repealing WAC 220-340-73000T.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This emergency rule is necessary to close the commercial sea cucumber season for all areas. Quotas have been reached in all districts. There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: November 4, 2019.

Kelly Susewind
Director

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-340-73000T Commercial sea cucumber fishery. (19-249)

WSR 19-22-072
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 19-274—Filed November 5, 2019, 2:12 p.m., effective November 5, 2019, 2:12 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: Amends recreational razor clam rules.

Citation of Rules Affected by this Order: Repealing WAC 220-330-16000I; and amending WAC 220-330-160.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This emergency rule is needed to open the recreational razor clam season. Survey results show that adequate clams are available for harvest in Razor Clam Areas 1, 3, 4, and 5 for recreational harvest. Washington department of health has certified clams from this beach to be safe for human consumption. There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: November 5, 2019.

Amy H. Windrope
for Kelly Susewind
Director

NEW SECTION

WAC 220-330-16000I Razor clams—Areas and seasons. Notwithstanding the provisions of WAC 220-330-160, it is unlawful to take, dig for or possess razor clams taken for personal use from any beaches in any razor clam area except as provided for in this section:

(1) Effective 12:01 p.m. November 11 2019 through 11:59 p.m. November 17, 2019, razor clam digging is permissible in Razor Clam Area 1. Digging is permissible from 12:01 p.m. to 11:59 p.m. each day only.

(2) Effective 12:01 p.m. November 11 2019 through 11:59 p.m. November 17, 2019, razor clam digging is per-

missible in Razor Clam Area 3. Digging is permissible from 12:01 p.m. to 11:59 p.m. each day only.

(3) Effective 12:01 p.m. November 11, 2019 through 11:59 p.m. November 11, 2019, and 12:01 p.m. November 13, 2019 through 11:59 p.m. November 13, 2019, and 12:01 p.m. November 15, 2019 through 11:59 p.m. November 15, 2019, and 12:01 p.m. November 17, 2019 through 11:59 p.m. November 17, 2019, razor clam digging is permissible in Razor Clam Area 4. Digging is permissible from 12:01 p.m. to 11:59 p.m. each day only.

(4) Effective 12:01 p.m. November 12, 2019 through 11:59 p.m. November 12, 2019, and 12:01 p.m. November 14, 2019 through 11:59 p.m. November 14, 2019, and 12:01 p.m. November 16, 2019 through 11:59 p.m. November 16, 2019, razor clam digging is permissible in Razor Clam Area 5. Digging is permissible from 12:01 p.m. to 11:59 p.m. each day only.

(5) It is unlawful to dig for razor clams at any time in the Long Beach, Twin Harbors and Copalis Beach Clam sanctuaries defined in WAC 220-320-130.

REPEALER

The following section of the Washington Administrative Code is repealed effective November 18, 2019:

WAC 220-330-16000I Razor clams—Areas and seasons.

WSR 19-22-089
EMERGENCY RULES
DEPARTMENT OF AGRICULTURE

[Filed November 6, 2019, 8:33 a.m., effective November 6, 2019, 8:33 a.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: This rule-making order amends chapters 16-250 and 16-252 WAC by specifying the inspection fee to be submitted with the semi-annual animal feed distribution report.

In 2018, the department completely revised the animal feed rules specified in chapter 16-250 WAC, Commercial feed and chapter 16-252 WAC, Commercial feed—Pet food and specialty pet food. In addition to adopting updated federal regulations, the department restructured the chapters to replicate the current Association of American Feed Control Officials' (AAFCO) official publication. The AAFCO official publication are national consensus codes that the commercial feed industry, state feed control agencies, and the United States Food and Drug Administration (FDA) jointly develop to provide guidance and uniformity in the manufacture and distribution of commercial feed, including pet food and specialty pet food.

The animal feed inspection fee in the rule prior to the 2018 revision was twelve cents per ton. This fee had been specified in rule since 2005. Due to an error of omission while restructuring the rule chapters, the amount of the inspection tonnage fee was not included in the adopted rule language.

RCW 15.53.9018(2) provides that the inspection fee shall not be less than four cents nor more than twelve cents

per ton and requires the department set the amount in rule. This order corrects the deletion of the twelve cent inspection fee by adding it back into the rules.

Citation of Rules Affected by this Order: Amending WAC 16-250-178, 16-250-182, 16-252-178, and 16-252-182.

Statutory Authority for Adoption: RCW 15.53.9012, 15.53.9018.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Under the Washington commercial feed law (chapter 15.53 RCW), the department is tasked with adopting rules designed to promote orderly marketing and the well-being of the members of the feed industry as well as the well-being of the purchasers and users of feed and for the general welfare of the people of the state (RCW 15.53.9012). Ultimately, the law and the rules adopted thereunder are designed to protect consumers from contaminated, adulterated, and/or misbranded animal food. They are also necessary to ensure that commercial feed, including pet food and specialty pet food, produced in Washington state may be freely shipped in interstate and international commerce and that they are labeled and branded according to industry standards.

To ensure the quality of feed distributed in the state, the department reviews the registration of feed products to ensure compliance with applicable laws and rules. Staff conduct[s] testing for the presence of harmful pathogens and to ensure nutrient content claims. The department also conducts facility inspections to ensure the manufacturer is following animal feed quality regulations.

Due to an error of omission while adopting updated federal regulations and consensus codes in 2018, the amount of the inspection tonnage fee was not included in the adopted rule language. If the program is not able to collect this fee, the program would be in jeopardy because of a rapidly declining budget. If, because of budgetary reasons, the department is not able to oversee the quality of the feed distributed into the state, the general welfare of animals within the state may be in jeopardy.

The commercial feed law impacts almost every citizen in the state. According to a survey conducted in 2017-2018 by the American Pet Products Association, sixty-eight percent of United States households own a pet. A 2018 survey conducted by the United States Department of Agriculture's National Agricultural Statistics Service demonstrated an inventory of over two million cattle, goats, sheep, and hogs in Washington state. The quality and safety of feed is an important part of the health and welfare of these animals.

An animal disease outbreak can sicken or kill livestock, require animals to be quarantined or euthanized and, in some cases, pose a public health risk. They are also expensive to manage and costly to the livestock industry. A 2003 case of BSE, or bovine spongiform encephalopathy (mad cow disease), in our state closed some foreign markets to Washington beef products until only recently. Prior to market access

closure, the United States was China's largest supplier of imported beef, providing seventy percent of their total consumption.

Mad cow disease is contracted by eating feed contaminated with parts that came from another cow that was sick with BSE. Since 1997, FDA has not allowed most parts from cows and certain other animals to be used to make food that is fed to cows. In 2009, FDA took additional steps to make sure the food in the United States stays safe by prohibiting certain high-risk cow parts from any animal feed, including pet food. The department conducts testing to ensure animal feed is not contaminated with the causal agent for BSE.

The department assists FDA in responding to animal feed contamination cases. In the United States in 2019 alone, there have been eighteen recalls, market withdrawals, and safety alerts affecting animal feed issued by FDA.

Immediate adoption is necessary for the preservation of the general welfare and observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to public interest.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 4, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: November 6, 2019.

Derek I. Sandison
Director

AMENDATORY SECTION (Amending WSR 18-21-191, filed 10/24/18, effective 11/24/18)

WAC 16-250-178 Licensing requirements. (1) Except as provided for in RCW 15.53.9013, any person who manufactures a commercial feed in this state, or who distributes a commercial feed in or into this state; or whose name appears on a commercial feed label as guarantor, must obtain a commercial feed license for each facility that distributes in or into this state.

(2) The license application must be submitted on a form prescribed by the department.

(3) The license application must include:

(a) The name, mailing address, and contact information of the applicant;

(b) The name, mailing address, and contact information of the individual responsible for reporting tonnage;

(c) The name, mailing address, physical address, and contact information of the facility being issued the license;

- (d) Types of business the firm is engaged in (manufacturer, distributor, guarantor);
 - (e) Types of processing;
 - (f) Types of feed distributed;
 - (g) Types of ingredients;
 - (h) Applicant's signature; and
 - (i) Date signed.
- (4) A separate license application form is required for each location or facility.
- (5) A fifty dollar fee must accompany each license application form.
- (6) License application forms can be obtained from the department (~~(online at <https://agr.wa.gov/FoodAnimal/AnimalFeed/Forms.aspx>;~~) by emailing the animal feed program at feedreg@agr.wa.gov, or by phone at 360-902-1942.

AMENDATORY SECTION (Amending WSR 18-21-191, filed 10/24/18, effective 11/24/18)

WAC 16-250-182 Semiannual feed distribution reporting requirements and inspection fees. (1)(a) Each licensee must file a semiannual report on forms provided by the department setting forth the number of tons of commercial feed distributed in or into this state as required by RCW 15.53.9018.

(b) The report must include the amount of feed distributed by type of mixed feed by animal class, feed ingredients, signature of person filing report, and date signed.

(2) An inspection fee of twelve cents per ton on all commercial feed sold for distribution in or into this state during the year must accompany the semiannual report.

(3) The minimum inspection fee, the late fee, and exceptions to payment of the fee are described in RCW 15.53.9018.

(4) Semiannual reporting forms can be obtained (~~(online at <https://agr.wa.gov/FoodAnimal/AnimalFeed/Forms.aspx>;~~) by emailing the animal feed program at feedreg@agr.wa.gov; or by phone at 360-902-1942.

(5) Any reports and associated fees may be submitted to the department by mail to:

Washington State Department of Agriculture
Animal Feed Program
P.O. Box 42591
Olympia, WA 98504-2591

AMENDATORY SECTION (Amending WSR 18-21-191, filed 10/24/18, effective 11/24/18)

WAC 16-252-178 Registration requirements. (1) Any person who distributes a pet food or specialty pet food in or into this state must register the product with the department as required under RCW 15.53.9014.

(2) The registration application must be submitted on a form prescribed by the department.

(3) The registration application must include:

(a) The name, mailing address, physical address, and contact information of the applicant;

(b) The name, mailing address, physical address, and contact information of the guarantor;

(c) The name, mailing address, physical address, and contact information of the manufacturer;

- (d) Type of activities the manufacturer is engaged in:
 - (i) Species of animals the facility manufactures products for the guarantor;
 - (ii) Types of product the facility handles.
 - (e) Package size:
 - (i) Number of products distributed only in packages of ten pounds or more;
 - (ii) Number of products distributed both in packages of less than ten pounds and/or packages of ten pounds or more.
 - (f) Applicant's signature;
 - (g) Date signed;
 - (h) Electronic product label(s); and
 - (i) Registration fees as specified in RCW 15.53.9014(3).
- (4) Registration application forms can be obtained from the department online at (~~<https://agr.wa.gov/FoodAnimal/AnimalFeed/Forms.aspx>;~~) <https://agr.wa.gov/departments/animals-livestock-and-pets/animal-feed/pet-food-registration> by emailing the animal feed program at petfood@agr.wa.gov, or by phone at 360-902-1844.

AMENDATORY SECTION (Amending WSR 18-21-191, filed 10/24/18, effective 11/24/18)

WAC 16-252-182 Semi-annual feed distribution reporting requirements and inspection fees. (1)(a) Each registrant must file a semi-annual report on forms provided by the department setting forth the number of tons of pet food or specialty pet food distributed in or into this state as required by RCW 15.53.9018.

(b) The report must include the amount of pet food or specialty pet food distributed by type of species, applicant's signature, and date signed.

(2) An inspection fee of twelve centers per ton on all pet food or specialty pet food sold for distribution in or into this state during the year must accompany the semi-annual report.

(3) The minimum inspection fee, the late fee, and exceptions to payment of the fee are described in RCW 15.53.9018.

(4) Semi-annual reporting forms can be obtained (~~(online at <https://agr.wa.gov/FoodAnimal/AnimalFeed/Forms.aspx>;~~) by emailing the animal feed program at petfood@agr.wa.gov; or by phone at 360-902-1844.

(5) Any reports and associated fees may be submitted to the department by mail to:

Washington State Department of Agriculture
Animal Feed Program
P.O. Box 42591
Olympia, WA 98504-2591