

**WSR 21-02-032**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF COMMERCE**

[Filed December 29, 2020, 8:19 a.m.]

Subject of Possible Rule Making: Chapter 365-196 WAC, Procedural criteria for adopting comprehensive plans and development regulations; chapter 365-190 WAC, Minimum guidelines to classify agricultural, forest and mineral lands and critical areas; and chapter 365-195 WAC, Best available science.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 36.70A.050, 36.70A.190.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To bring the rules into conformance with recent legislative changes, new case law, and to clarify existing rules so local governments can better implement the Growth Management Act (GMA). Recent legislative changes include revisions to the periodic update cycle for local governments, the buildable lands program, and siting schools outside of urban growth areas.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Commerce will use the interagency work group (IAWG) for ongoing coordination with agencies that work with local governments on GMA issues. IAWG is a group of state agency representatives that meet regularly to coordinate state agency participation in local government GMA planning. It includes representatives from the departments of ecology, transportation, fish and wildlife, commerce, health, natural resources, agriculture, archaeology and historic preservation, and other state agency representatives. Commerce will host additional breakout meetings with state agencies as needed and will leverage information and discussion from Phase II of the study on Washington's planning framework to inform the scope of necessary changes.

Process for Developing New Rule: Commerce will solicit feedback from local governments throughout the rule-making process. The public is encouraged to provide comments and recommendations on the scope and the draft rules posted on the agency website at <https://www.commerce.wa.gov/about-us/rulemaking/> and distributed to our mailing list. Commerce may facilitate focus groups for additional discussion on particular topics with state agencies and other stakeholders. After the draft amendments are proposed, the public may provide written comments and/or testimony during the public hearing and comment process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting William Simpson, 10 North Post Street, Suite 445, Spokane, WA 99201, phone 509-280-3602, email [william.simpson@commerce.wa.gov](mailto:william.simpson@commerce.wa.gov), website <https://www.commerce.wa.gov/about-us/rulemaking/>; or Dave Andersen, 10 North Post Street, Suite 445, Spokane, WA 99201, phone 509-434-4491, email [dave.andersen@commerce.wa.gov](mailto:dave.andersen@commerce.wa.gov), website <https://www.commerce.wa.gov/about-us/rulemaking/>.

December 29, 2020  
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