

WSR 21-07-001
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed March 3, 2021, 1:39 p.m.]

Notice of Interpretive or Policy Statement

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

Economic Services Administration
Division of Child Support (DCS)

Document Title: DCS Administrative Policy 10.11.1: Mobile Code RE-
SCIND.

Subject: Mobile code.

Effective Date: February 25, 2021.

Document Description: DCS administrative policy has been rescinded. This policy has been incorporated into Information Security Standard 10.11.01 [10.11.1]: Mobile Code Standard.

To receive a copy of the interpretive or policy statements, contact Rachel Shaddox, DCS, P.O. Box 11520, Tacoma, WA 98411-5520, phone 360-664-5073, TDD/TTY 800-833-6384, fax 360-664-5342, email Rachel.Shaddox@dshs.wa.gov, website <http://www.dshs.wa.gov/dcs/>.

WSR 21-07-008

NOTICE OF PUBLIC MEETINGS

PUGET SOUND PARTNERSHIP

(Puget Sound Partnership Leadership Council)

[Filed March 4, 2021, 11:00 a.m.]

A special meeting of the Puget Sound partnership leadership council has been scheduled for 2021:

Date	Time	Location
April 6	1:00 p.m. - 3:00 p.m.	Virtual Zoom meeting

If you need further information contact Anna Petersen, P.O. Box 40900, Olympia, WA 98504, 360-338-2384, anna.petersen@psp.wa.gov, https://www.psp.wa.gov/board_meetings.php.

WSR 21-07-011

PUBLIC RECORDS OFFICER

EASTERN WASHINGTON UNIVERSITY

[Filed March 4, 2021, 12:25 p.m.]

Pursuant to RCW 42.56.580, the public records officer for Eastern Washington University is Nina DeCamp, 211 Tawanka Commons, Cheney, WA 99004, phone 509-359-7496, fax 509-359-2266, prr@ewu.edu.

Annika Scharosch
Associate Vice President for
Civil Rights Compliance
and Enterprise Risk Management

WSR 21-07-022

NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE UNIVERSITY
(Global Health)
[Filed March 8, 2021, 12:20 p.m.]

Following is the first of two public meetings to be held virtually. The board of Washington State University Global Health, formerly Global Animal Health Tanzania, will meet **Wednesday, March 24, 2021, at 8:00 a.m. PST**. Join Zoom meeting from PC, Mac, Linux, iOS, or Android <https://wsu.zoom.us/j/96895815143?pwd=eDBVZE5OZ3ZRNnZ5WVBQNOntRi9sdz09&from=addon>, Meeting ID 968 9581 5143, Passcode 670910.

WSR 21-07-026

NOTICE OF PUBLIC MEETINGS
RECREATION AND CONSERVATION
OFFICE

(Recreation and Conservation Funding Board)

[Filed March 8, 2021, 2:19 p.m.]

The recreation and conservation funding board is changing the **date** and **location** of the regular quarterly meeting scheduled for April 27-28, 2021:

FROM: April 27, 2021, from 9:00 a.m. to 5:00 p.m., and April 28, 2021, from 9:00 a.m. to 5:00 p.m., at Room 172, Natural Resources Building, 1111 Washington Street S.E., Olympia, WA.

to: April 27, 2021, from 9:00 a.m. to 5:00 p.m., **online only,** registration link https://zoom.us/webinar/register/WN_JqkQAGCrRSOwbHLmg3a6oA, phone option 669-900-6833, Webinar ID 967 5491 2108.

For further information, please contact Wyatt Lundquist, Wyatt.lundquist@rco.wa.gov, or check recreation and conservation office's (RCO) web page at <https://rco.wa.gov/boards/recreation-and-conservation-funding-board/meetings/>.

RCO schedules all public meetings at barrier free sites. Persons who need special assistance may contact Leslie Frank, 360-902-0220, or email leslie.frank@rco.wa.gov.

WSR 21-07-028

CLEMENCY AND PARDONS BOARD

[Filed March 8, 2021, 4:52 p.m.]

Final Amended Notice of Quarterly Hearing of the Washington State Clemency and Pardons Board

In the past month, several petitions were continued due to the need to locate victims and family members of victims. There also were petitions withdrawn by petitioners, who were eligible for alternate relief via SB 6164.

The Washington state clemency and pardons board hereby gives an amended notice of its quarterly hearings scheduled for **March 11 and 12, 2021**, via virtual hearing, starting at 9:00 a.m.¹ The following petitions will be considered by the board²:

¹ Please note that all board hearings are recorded by a court reporter, open to the public, and broadcast on the state public affairs network, TVW.

² At the board's discretion, the order of the petitions to be called for hearing is subject to change.

March 11, 2021:

Petitioner:	County of Conviction:	Relief Requested:
Comeslast, Travis	Spokane	Commutation
Barstad, James	Spokane	Commutation

March 12, 2021:

Petitioner:	County of Conviction:	Relief Requested:
Thorng, Sokha	King	Pardon

The Washington state clemency and pardons board will be adopting new policies on the record after the hearing on Friday, March 12, 2021.

WSR 21-07-036
OFFICE OF THE
INSURANCE COMMISSIONER
[Filed March 10, 2021, 9:35 a.m.]

Technical Assistance Advisory (TAA) 2021-01¹

¹ This advisory is an interpretive policy statement released to advise the public of the office of insurance commissioner's current opinions, approaches, and likely courses of action. It is advisory only. RCW 34.05.230(1).

The purpose of this TAA is to summarize current law and to provide guidance for websites that provide reviews of insurance plans, and insurers and insurance producers that pay them.

Background: The insurance commissioner has become aware that websites reviewing insurance plans (review websites) are becoming increasingly common and potentially violate statutes regarding producer licensure and unlicensed producer business. The insurance commissioner has taken two related enforcement actions, one against a review website for unlicensed producer violations, and the other against a licensed insurance producer for accepting business from this review website.²

² See *Trupanion Managers USA, Inc.*, Consent Order Levying a Fine, No. 19-0249 (June 24, 2019), available at: <https://fortress.wa.gov/oic/consumertoolkit/Orders/OrderProfile.aspx?OrderNumber=2UeQLZAGa2nMS2ugLbmsew%253D%253D>; and *Reviews.com, LLC*, Consent Order Levying a Fine and Rescinding Order to Cease and Desist No. 20-0553 and Order Imposing Fine No. 20-0812, No. 20-0771 (Jan. 29, 2021), available at: <https://fortress.wa.gov/oic/consumertoolkit/Orders/OrderProfile.aspx?OrderNumber=ZxH3EhWTUgu6vfse3GgAhQ%253D%253D>.

The insurance commissioner issues this TAA to assist insurers, insurance producers, and review websites in complying with insurance code prohibitions on unlicensed solicitation, accepting business from unlicensed producers and paying commission to unlicensed producers.³

³ See RCW 48.17.060(1), 48.17.490 (1), (2), and 48.17.530 (1)(l).

Unlicensed Solicitation: Review websites violate the insurance code when they are not licensed as producers and solicit Washington state consumers, i.e., urge a consumer to apply for a particular kind of insurance from a particular insurer.⁴ For example, one review website violated the law when it encouraged pet owners of a particular type of dog to buy pet insurance from a particular insurer. Review websites may state that they provide their "objective" opinion and are not urging consumers to buy particular insurance from a particular insurer. However, this is not a defense if the review urges a consumer to buy a particular insurance from a particular insurer. Some review websites are licensed as insurance producers and are therefore not in violation of the insurance code. Review websites do not need to receive compensation from consumers or health insurers in order to be in violation of our insurance code.⁵

⁴ See RCW 48.17.060(1), 48.17.010(14).

⁵ *Id.*

Further, many review websites receive compensation for each consumer that fills out an application. In this sense, these websites have an incentive to encourage consumers to purchase insurance. Those that receive a commission, service fee, or other valuable consideration for unlicensed solicitation are in further violation of the insurance code.⁶ These websites may believe that they are accepting compensation for referrals permitted by law.⁷ However, an unlicensed review website may only receive referral compensation or a referral fee if the following conditions are met:

⁶ See RCW 48.17.490(2).

⁷ See WAC 284-17-825.

(1) The referral compensation or fee does not depend upon whether the referral results in a purchase or sale;

(2) If insurance is purchased, the purchase is not a factor in determining the value of the referral compensation or the amount of the referral fee; and

(3) The recipient of the referral compensation or fee does not make representations to the prospective insured about the terms of or specific need for a policy.⁸

⁸ *Id.*

Most review websites that review insurance plans make representations about the terms of the insurance plans. As a result, most review websites are soliciting insurance business and must be licensed as insurance producers.

Misconduct by Associated Insurers and Insurance Producers: Insurers and insurance producers who pay unlicensed review websites or accept business from them may be in violation of the insurance code.⁹ Under RCW 48.17.490(1), insurance companies and insurance producers shall not pay a commission, service fee, or other valuable consideration to a person for selling, soliciting, or negotiating insurance in this state if that person is required to be licensed under chapters 48.17 or 48.15 RCW and is not so licensed. Furthermore, RCW 48.17.530 (1)(1) prohibits insurance producers from knowingly accepting insurance business from a person who is required to be licensed under this title and is not so license[d].

⁹ See RCW 48.17.490(1) and 48.17.530 (1)(1).

Please direct any questions about this advisory to Ellen Range, insurance enforcement specialist, at EllenR@oic.wa.gov, or at 360-725-7261.

WSR 21-07-037
OFFICE OF THE
INSURANCE COMMISSIONER
[Filed March 10, 2021, 9:35 a.m.]

Technical Assistance Advisory (TAA) 2021-02¹

¹ This advisory is an interpretive policy statement released to advise the public of the office of insurance commissioner's current opinions, approaches, and likely courses of action. It is advisory only. RCW 34.05.230(1).

The purpose of this TAA is to summarize current law and to remind insurers of the rule and application of the Universal Life Reserve Valuation Method.

The insurance commissioner issues this TAA to assist insurers in complying with the Washington Universal Life (UL) regulations found at chapter 284-84 WAC, and specifically the insurance commissioner's Reserve Valuation Method set out in WAC 284-84-030.

This guidance applies to all policies issued in Washington on or after January 1, 1987. It differs slightly from the NAIC UL Model Regulation. The difference results from WAC 283-84-030's inclusion of subsection (6), quoted below, which reflects a drafting note in the NAIC UL Model:

(6) To the extent that the insurer declares guarantees more favorable than those in the policy (contractual guarantees), such declared guarantees shall be applicable to the determination of future guaranteed benefits.

This rule requires that the valuation interest rate be no higher than any contract guaranteed interest rate (including the 0% implicit guarantees in Indexed UL contracts). Variable UL (VUL) is generally exempt. However, accounts or segments within VUL policies that include fixed interest guarantees must not be reserved at interest rates higher than the fixed interest guarantees. If an Indexed UL policy (or an indexed segment of a UL policy) has a zero floor, its implied guarantee of 0% would be the maximum valuation interest rate. This would also apply to the guaranteed interest rate included in any secondary guarantee.

The NAIC UL Model Regulation (Model #585) and Washington UL regulations (chapter 284-84 WAC) are part of Appendix A of the Valuation Manual. However, these regulations are not applicable to the reserve calculation for Principle-Based Reserves Universal Life with Secondary Guarantees policies. VM-20 section 3 supersedes these regulations for policies subject to Principle-Based Reserves (PBR) that meet the definition of "Universal Life with Secondary Guarantees."

Neither cash flow testing requirements nor Valuation Manual provisions conflict with or supersede these UL regulation reserve requirements. The rule remains in effect under chapter 48.74 RCW. There also does not appear to be any provision for ignoring these requirements due to any perceived immateriality of the additional reserves. Therefore, we expect all companies with policies issued in Washington on or after January 1, 1987, to hold reserves according to these requirements by year end 2020.

To the extent that valuations are compliant with the Valuation Manual and PBR, but are regulated by standards that do not refer to NAIC Model #585 (the NAIC UL Model Regulation), they are exempt from the requirements of WAC 284-84-030(6) for policies issued on or after January 1, 2020.

Please direct any questions about this advisory to Steven Drutz, chief financial analyst, at SteveD@oic.wa.gov, or at 360-725-7529.

WSR 21-07-041
NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE UNIVERSITY
 [Filed March 10, 2021, 4:12 p.m.]

Following is the schedule of regular meetings for the Washington State University - Pullman student technology fee committee for academic year 2021-22:

Date	Time	Location
March 5, 2021	2:00-3:00 p.m.	Zoom https://wsu.zoom.us/j/94440070086? pwd=bj10Mm5uRFd2Mlh5RGZkRXlmcG1sUT09
March 8, 2021	4:30-8:00 p.m.	Zoom https://wsu.zoom.us/j/95676322626? pwd=eJ1M01YQ3MxL0t4ZTB4SUhYTjJkUT09
March 9, 2021	4:30-8:00 p.m.	Zoom https://wsu.zoom.us/j/95676322626? pwd=eJ1M01YQ3MxL0t4ZTB4SUhYTjJkUT09
March 11, 2021	4:30-8:00 p.m.	Zoom https://wsu.zoom.us/j/95676322626? pwd=eJ1M01YQ3MxL0t4ZTB4SUhYTjJkUT09

Changes due to COVID-19 State of Emergency and to meet Governor Inslee's order. If you need further information contact Emily Green, Budget Office, Washington State University, P.O. Box 641041, Pullman, WA 99164-1041, 509-335-9681, 509-335-3870, ewgreen@wsu.edu, <https://budget.wsu.edu>.

WSR 21-07-042

HEALTH CARE AUTHORITY

[Filed March 11, 2021, 8:03 a.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 21-0014
April 2021 Fee Schedule Effective Date Updates.

Effective Date: April 1, 2021.

Description: The health care authority (HCA) intends to submit medicaid SPA 21-0014 to update the fee schedule effective dates for several medicaid programs and services. This is a regular, budget neutral update to keep rates and billing codes in alignment with the coding and coverage changes from the Centers for Medicare and Medicaid Services, the state, and other sources. These changes are routine and do not reflect significant changes to policy or payment. SPA 21-0014 addresses the fee schedule effective dates for the following (please note that other fee schedules may be identified for update subsequent to this notice):

- Ambulatory surgery centers
- Outpatient services

SPA 21-0014 is expected to have no effect on the annual aggregate expenditures/payments for the services listed above. These changes are routine and do not reflect significant changes to policy or payment.

HCA is in the process of developing the SPA. HCA would appreciate any input or concerns regarding this SPA. To request a copy of the SPA when it becomes available or submit comments, you may contact the people named following (please note that all comments are subject to public review and disclosure, as are the names of those who comment).

Contact Ann Myers, State Plan Coordinator, P.O. Box 42716, Olympia, WA 98504, TRS 711, email ann.myers@hca.wa.gov.

WSR 21-07-051
NOTICE OF PUBLIC MEETINGS
ANDY HILL CANCER
RESEARCH ENDOWMENT BOARD
 [Filed March 12, 2021, 9:21 a.m.]

2021 Meeting Schedule

There will no longer be a physical location for these regular meetings for the Andy Hill Cancer Research Endowment board. The board meetings will continue to be virtual until the end of this year.

Date	Time	Location
6/9/2021	3:00 - 5:00 p.m.	Zoom https://us02web.zoom.us/j/89681263424 Meeting ID 896 8126 3424 Phone 253-215-8782
6/30/2021	8:30 a.m. - 2:30 p.m.	Zoom https://us02web.zoom.us/j/8681077769 Meeting ID 868 1077 7769 Phone 253-215-8782
9/15/2021	3:00 - 5:00 p.m.	Zoom https://us02web.zoom.us/j/88264018483 Meeting ID 882 6401 8483 Phone 253-215-8782
12/8/2021	3:00 - 5:00 p.m.	Zoom https://us02web.zoom.us/j/84831051035 Meeting ID 848 3105 1035 Phone 253-215-8782

WSR 21-07-052

INTERPRETIVE STATEMENT

DEPARTMENT OF REVENUE

[Filed March 12, 2021, 10:06 a.m.]

INTERPRETIVE STATEMENT ISSUED

The department of revenue has issued the following property tax advisory (PTA):

PTA 20.1.2021 *State-Assessed Utility Company Annual Apportionment Reports*

This PTA applies to all intercounty and interstate utility companies that have property subject to state-assessment under chapter 84.12 RCW, which includes property owned by railroad, airplane, electric light and power, landline and wireless telephone, gas distribution, and pipeline companies. It clarifies what operating property to include in their annual reports to the department for apportionment purposes, as required in WAC 458-50-110.

A copy of this document is available via the internet at Rule and Tax Advisory Adoptions and Repeals.

Atif Aziz
Tax Policy Manager
Rules Coordinator

WSR 21-07-053

INTERPRETIVE STATEMENT

DEPARTMENT OF REVENUE

[Filed March 12, 2021, 10:22 a.m.]

INTERPRETIVE STATEMENT ISSUED

The department of revenue has issued the following excise tax advisory (ETA):

ETA 3085.2021 *Eligibility of Taxes for the Multiple Activities Tax Credit (MATC)*

ETA 3085 provides a nonexclusive list of taxes from other jurisdictions that the department has determined qualify for the multiple activities tax credit (MATC). It also lists taxes the department has determined do not qualify for the MATC. The ETA has been updated with the addition of the Ohio commercial activity tax as a qualifying tax, and the addition of the Oregon corporate activity tax and Texas franchise tax as nonqualifying taxes. Two qualifying taxes and one nonqualifying tax were removed, as they have been repealed for many years.

A copy of this document is available via the internet at Rule and Tax Advisory Adoptions and Repeals.

Atif Aziz
Tax Policy Manager
Rules Coordinator

WSR 21-07-056
RULES COORDINATOR
DEPARTMENT OF LICENSING
[Filed March 15, 2021, 8:34 a.m.]

Pursuant to RCW 34.05.312, effective March 15, 2021, the rules coordinator for the department of licensing will be Ellis Starrett, 1125 Washington Street S.E., Olympia, WA 98504, email EStarrett@dol.wa.gov, phone 360-902-3846.

Damon Monroe will continue as the agency's rules coordinator through March 14, 2021.

Teresa Berntsen
Director

WSR 21-07-070

NOTICE OF PUBLIC MEETINGS

ATTORNEY GENERAL'S OFFICE

[Filed March 16, 2021, 1:41 p.m.]

The Washington state clemency and pardons board hereby gives notice of its public hearing to complete testimony for the following listed petition for pardon, and to discuss policy changes for the clemency process. **The public hearing will take place on Monday, April 12, 2021, via virtual hearing, starting at 9:00 a.m.**¹

¹ Please note that all board hearings are recorded by a court reporter, open to the public, and broadcast on the state public affairs network, TVW.

April 12, 2021:

Petitioner:	County of Conviction:	Relief Requested:
Thorn, Sokha	King	Pardon

The Washington state clemency and pardons board will be reaffirming the adoption of new policies on the record after above hearing is complete.

WSR 21-07-081
NOTICE OF PUBLIC MEETINGS
BUILDING CODE COUNCIL
 [Filed March 17, 2021, 3:06 p.m.]

In accordance with RCW 42.30.075, the following is a proposed schedule of regular meetings of the Washington state building code council for calendar year 2021. All meetings begin at 10 a.m. unless otherwise noted.

If you have questions or need additional information, please contact council staff at 360-407-9255 or via email at sbcc@des.wa.gov.

Date	Meeting	Location	Start Time
January April	Legislative committee conference call meetings	Fridays as necessary Monitor location: Olympia	11 a.m.
Friday January 8	Council meeting	Virtual	10 a.m.
Friday February 19	Council meeting	Virtual	10 a.m.
Thursday March 18	BFP and/or MVE committee	Virtual	10 a.m.
Friday March 19	Council meeting	Virtual	10 a.m.
Thursday April 15	BFP and/or MVE committee	Virtual	10 a.m.
Friday April 16	Council meeting	Virtual	10 a.m.
Friday May 21	Council meeting	Virtual	10 a.m.
Friday [Thursday] June 17	BFP and/or MVE committee	To be determined	10 a.m.
Friday June 18	Council meeting	To be determined	10 a.m.
Thursday September 16	BFP and/or MVE committee	Spokane	10 a.m.
Friday September 17	Council meeting	Spokane	10 a.m.
Friday October 15	Council meeting	To be determined	10 a.m.
Thursday November 18	BFP and/or MVE committee	To be determined	10 a.m.
Friday November 19	Council meeting	To be determined	10 a.m.

WSR 21-07-092
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF HEALTH
 (Orthotics and Prosthetics Advisory Committee)
 [Filed March 19, 2021, 12:43 p.m.]

In accordance with the Open Public Meeting[s] Act (chapter 42.30 RCW) and the Administrative Procedure Act (chapter 34.05 RCW), following is the schedule of regular meetings for the department of health (DOH), orthotics and prosthetics advisory committee for the year 2021. The orthotics and prosthetics advisory committee meetings are open to the public and access for persons with disabilities may be arranged with advance notice; please contact the staff person below for more information.

Agendas for the meetings listed below are made available in advance via listserv and DOH website (see below). Every attempt is made to ensure that the agenda is up-to-date. However, the orthotics and prosthetics advisory committee reserve the right to change or amend agendas at the meeting.

Date	Time	Location
April 16, 2021	1:30 p.m.	Webinar only
October 15, 2021	9:00 a.m.	Department of Health Creekside Two at CenterPoint 20425 72nd Avenue South Room 307 Kent, WA 98032

If you need further information, please contact Kim-Boi Shadduck, Program Manager, DOH, Orthotics and Prosthetics Advisory Committee, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-2912, fax 360-236-2901, email kimboi.shadduck@doh.wa.gov, web www.doh.wa.gov.

Please be advised the orthotics and prosthetics advisory committee is required to comply with the Public Disclosure [Records] Act, chapter 42.56 RCW. This act establishes a strong state mandate in favor of disclosure of public records. As such, the information you submit to the committee, including personal information, may ultimately be subject to disclosure as a public record.

WSR 21-07-104

NOTICE OF PUBLIC MEETINGS

TREE FRUIT RESEARCH COMMISSION

[Filed March 22, 2021, 2:06 p.m.]

The following locations/times for the Washington tree fruit re-
search commission board meetings have been adjusted due to COVID-19.

March 4	3:00-5:00 p.m.	Via teleconference
April 1	[3:00-5:00 p.m.]	Via teleconference

For a meeting link and phone number to attend teleconference ses-
sions, please contact the administrative [administrative] officer, Amy
May, at amy@treefruitreaserach.com.

WSR 21-07-105
NOTICE OF PUBLIC MEETINGS
PUGET SOUND
SALMON COMMISSION

[Filed March 22, 2021, 3:59 p.m.]

2021 Puget Sound Salmon Commission Meeting Schedule Revision

The April 10, 2021, meeting of the Puget Sound salmon commission has changed to a video conferencing format and will be held on April 15, 2021. The meeting will begin at 6:00 p.m. For more information on how to connect to the meeting, please call 509-585-5460 or email mjohnson@agmgt.com.

WSR 21-07-117

NOTICE OF PUBLIC MEETINGS

EDMONDS COLLEGE

[Filed March 23, 2021, 10:57 a.m.]

The Edmonds College board of trustees has changed the start time of the following meeting:

From: Thursday, May 13, **2:30 p.m.**, via Zoom video conference.

To: Thursday, May 13, **3:30 p.m.**, via Zoom video conference.

If you need further information contact Kristen Nyquist, Edmonds College, 20000 68th Avenue West, Lynwood, [WA] 98036, 425-275-8060, kristen.nyquist@edcc.edu.

WSR 21-07-120

NOTICE OF PUBLIC MEETINGS

FRUIT COMMISSION

[Filed March 23, 2021, 12:49 p.m.]

CHANGE OF LOCATION - COMMISSION MEETING

Memorandum—March 23, 2021

Due to the governor's proclamation and social distancing guidelines, the following scheduled meeting has been CHANGED from in-person to:

May 19, 2021 9:00 a.m. Conference call/webinar meeting

The Washington state fruit commission (WSFC) complies with the Americans with Disabilities Act. These meetings are open to all persons without regard to race, color, national origin, gender, religion, age, or disability. Persons who are interested in listening in, or require alternative means of communication (such as Braille, large print, sign language) or language interpretation or special accommodations, should contact WSFC at 509-453-4837 at least four business days before the meeting.

If there are any questions regarding the 2021 meeting schedule, please contact WSFC offices at 509-453-4837.

WSR 21-07-123

DEPARTMENT OF ECOLOGY

[Filed March 23, 2021, 1:24 p.m.]

PUBLIC NOTICE

Announcing the Draft Upland Finfish Hatching and Rearing General Permit and Fact Sheet for Review and Comment

The Washington state department of ecology (ecology) proposes to reissue the **upland finfish hatching and rearing** national pollutant discharge elimination system and state waste discharge general permit (permit). The current permit was issued in April 2016, and expired at the end of March 2021. The revised draft permit and fact sheet, which explains the legal and technical basis for the permit, are available with any associated documents for review and public comment from **April 7, 2021, through May 26, 2021, at 11:59 p.m.** Ecology will host two informational workshops and public hearings on the draft permit.

Purpose of the Permit: The permit provides coverage for upland finfish hatching and rearing operations and limits the discharge of pollutants from raising or spawning fish, which includes uneaten feed, fish fecal matter, and medications and disease control chemicals. Under Federal and state water quality laws (Federal Clean Water Act and State Water Pollution Control Act), a permit is required for the discharge of these wastewaters. State, county, private, and some tribal hatcheries that rear finfish such as salmon and trout and that discharge wastewater to waters of the state must obtain permit authorization for their discharge.

Applying for Coverage under the Permit: Facilities that have already applied for coverage by September 30, 2020, and are covered under the existing permit, are covered under the new permit. New or unpermitted facilities may obtain coverage under the permit by submitting a complete permit application to ecology and satisfying all applicable public notice and State Environmental Policy Act requirements (WAC 173-226-200). Access to the application is available online at <https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Upland-fin-fish-permit>.

Copies of the Draft Permit and Fact Sheet: The draft permit and fact sheet will be available online at <https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Upland-fin-fish-permit> by end of day on Wednesday, April 7, 2021. You may also request copies from water quality reception at 360-407-6600.

Submitting Written Comments: Ecology will accept written comments on the draft permit and fact sheet from **Wednesday, April 7, 2021, through Wednesday, May 26, 2021, at 11:59 p.m.** Ecology prefers online comment submission via the eComment form (link below) on the permit web page. Written comments by mail must be postmarked by **Wednesday, May 26, 2021**. Comments should reference specific permit text when possible.

Online via the eComment form: <https://wq.ecology.commentinput.com/?id=dsPUF> (preferred).

By mail: Send to Laurie Niewolny (See ecology contact).

Ecology Contact: Laurie Niewolny, Washington State Department of Ecology, P.O. Box 47775, Olympia, WA 98504-7775, phone 360-584-8852, email laurie.niewolny@ecy.wa.gov.

Assistance for Persons with Disabilities: To request ADA accommodation for disabilities, call ecology at 360-407-7285 or visit <https://ecology.wa.gov/accessibility>. People with impaired hearing may

call Washington relay service at 711. People with speech disability may call TTY at 877-833-6341.

Public Workshops and Hearings: The purpose of the workshop is to explain the general permit and to answer questions prior to the formal public hearing. The purpose of the hearing is to provide an opportunity for people to give formal oral testimony on the proposed draft permit. Oral testimony will receive the same consideration as written comments.

The public hearing will begin immediately following the public workshop and will conclude when public testimony is complete.

The **uplands finfish hatching and rearing general permit** workshops and hearings will occur at the dates and times shown below:

Tuesday, May 11, 2021, 10:00 a.m., webinar*. Join the webinar at <https://watech.webex.com/watech/onstage/g.php?MTID=ee391e55d64b50bce24fc99ed93262a53>.

Wednesday, May 12, 2021, 6:00 p.m., webinar*. Join the webinar at <https://watech.webex.com/watech/onstage/g.php?MTID=ed2d95aa4942075914ca2da70c7ce4aad>.

*Workshops and hearings offered via webinar allow individuals to view the presentation and provide testimony via computer or mobile device. *Ecology is not currently offering in-person hearings due to COVID-19 safety concerns.*

Issuing the Permit: After ecology receives and considers all public comments, we will make a final decision on permit issuance. Ecology expects to make a decision on the general permit in August 2021.

WSR 21-07-135
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
[Filed March 23, 2021, 4:51 p.m.]

Notice of Interpretive or Policy Statement

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

Developmental Disabilities Administration (DDA)

Document Title: Public Comment Notice for Proposed Developmental Disabilities Administration HCBS Waiver Amendments.

Subject: Basic Plus, core, community protection, children's intensive in-home behavioral support, and individual and family services HCBS waiver amendments are available for thirty days of public comment from April 15 through May 15, 2021.

Effective Date: April 7, 2021.

Document Description: DDA within DSHS, in cooperation with the health care authority, is posting for thirty days of public comment amendments for the Basic Plus, core, community protection, children's intensive in-home behavioral support, and individual and family services waivers. The amendments modify how respite providers are contracted, increase IFS waiver annual budget allocations thirty percent, remove some services, and make technical changes. Amendments are available at <https://www.dshs.wa.gov/dda>.

To receive a copy of the interpretive or policy statements, contact Bob Beckman, DDA, P.O. Box 45310, Olympia, WA 98504-5310, phone 360-407-1555, TTD/TTY 711 or 1-800-833-6388, fax 360-407-0955, email DDAWaiverAmendments@dshs.wa.gov, website <https://www.dshs.wa.gov/dda>.

**WSR 21-07-138
INTERPRETIVE AND POLICY STATEMENT
DEPARTMENT OF ECOLOGY**

[Filed March 24, 2021, 8:11 a.m.]

Notice of Interpretive and Policy Statements

Under chapter 42.56 RCW, ecology maintains an index that includes interpretive and policy statements issued by the agency. Under RCW 34.05.230, we are filing notice in the Washington State Register about these statements.

To obtain copies of these items, please:

- Copy and paste the web address (URL) from the following table into a web browser to view and download; or
- Submit an email records request to ecology's public records officer at PublicRecordsOfficer@ecy.wa.gov following the instructions on the public records requests web page at <https://ecology.wa.gov/About-us/Accountability-transparency/Public-records-requests>.

Updated Statements:

Title of Interpretive/ Policy Statement	Web Link (if applicable)
Spills Program Prevention/Policy Procedure - PREV 1: Inspections.	Not applicable.

WSR 21-07-142

INTERPRETIVE STATEMENT

DEPARTMENT OF REVENUE

[Filed March 24, 2021, 9:17 a.m.]

INTERPRETIVE STATEMENT ISSUED

The department of revenue has issued the following excise tax advisory (ETA):

ETA 3086.2021 *Telephone Answering Services*

This ETA addresses the tax classifications applicable to telephone answering services. ETA 3086 is updated to add statutory citations, remove outdated statutory references, and is reworded for clarity. It has also been updated to address the taxation of automated telephone answering services. A section addressing classification issues prior to July 1, 2008, is removed, as it is no longer needed.

A copy of this document is available via the internet at Rule and Tax Advisory Adoptions and Repeals.

Atif Aziz
Tax Policy Manager
Rules Coordinator