

**WSR 21-16-005**

**NOTICE OF APPEAL**

**OFFICE OF THE GOVERNOR**

[Filed July 22, 2021, 12:30 p.m.]

**NOTICE OF APPEAL**

RCW 34.05.330(3)

Pursuant to RCW 34.05.330(3), you are hereby notified for publication in the Washington State Register that:

On July 22, 2021, the Governor's Office received an appeal from Jeannie Fissinger, relating to the Department of Social and Health Services denial of a petition to repeal or amend WAC 388-97-1160 (*Relating to dietary personnel*).

DATE: July 22, 2021

Taylor Wonhoff  
Deputy General Counsel  
to the Governor

WSR 21-16-007

NOTICE OF PUBLIC MEETINGS  
RECREATION AND CONSERVATION  
OFFICE

(Salmon Recovery Funding Board)  
[Filed July 22, 2021, 12:59 p.m.]

The salmon recovery funding board is changing the **time** and **location** of the regular quarterly meeting scheduled for September 22-23, 2021:

**FROM:** September 22 and 23, 2021, from 9:00 a.m. to 5:00 p.m., Room 172, Natural Resources Building, 1111 Washington Street S.E., Olympia, WA.

**to:** September 22, 2021, from 9:00 a.m. to **4:30 p.m.**, and September 23, 2021, from 9:00 a.m. to **12:30 p.m.**, Room 172, Natural Resources Building, 1111 Washington Street S.E., Olympia, WA, **and online via Zoom**, call-in and registration info can be found on the recreation and conservation office's (RCO) web page Meetings - RCO (wa.gov).

For further information, please contact Wyatt Lundquist, Wyatt.lundquist@rco.wa.gov or check RCO's web page at Meetings - RCO (wa.gov).

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

WSR 21-16-008

ATTORNEY GENERAL'S OFFICE

[Filed July 22, 2021, 1:11 p.m.]

NOTICE OF REQUEST FOR ATTORNEY GENERAL'S OPINION  
WASHINGTON ATTORNEY GENERAL

The Washington attorney general routinely publishes notice of an opportunity to comment for opinion requests that we receive from the heads of state agencies, state legislators, and county prosecuting attorneys if we anticipate publishing a formal opinion in response to the request. We do so in order to provide members of the public with a chance to provide any legal analysis that they would like us to consider as we develop our opinion. In preparing any comments, please be aware that our opinion will provide our considered legal analysis of the question presented, and therefore comments that address the interpretation of the law are more helpful than comments that express an opinion as to what the law should be.

You may provide your comments to the attorney general's office by email to [OpinionComments@atg.wa.gov](mailto:OpinionComments@atg.wa.gov) or by writing to the Office of the Attorney General, Solicitor General Division, Attention Opinions Chief, P.O. Box 40100, Olympia, WA 98504-0100. We will consider any comments we receive before we complete our opinion. Although there is no deadline for submitting comments, comments are the most helpful if received within thirty days of this notice. Comments focused solely on what the law should be are less helpful than comments that interpret current law. You may also request a copy of the opinion request in which you are interested and information about the attorney general's opinion process.

If you are interested in receiving notice of new formal opinion requests via email, you may visit the attorney general's website at <http://www.atg.wa.gov/ago%E2%80%9090opinions> for more information on how to join our AGO Opinions List.

The attorney general's office seeks public input on the following opinion request(s):

**Opinion Docket No. 21-07-03**  
**Request by Senator Jeff Holy, District 6**

**QUESTION:**

Does RCW 35.63.161 prevent a local government from ordering the removal or phased elimination of an existing manufactured housing community for nonconforming use when the basis for the local government's nonconforming use determination is the protection of a military installation from incompatible development, as mandated by the Growth Management Act, RCW 36.70A.530(3)?

**WSR 21-16-009**  
**INTERPRETIVE AND POLICY STATEMENT**  
**DEPARTMENT OF ECOLOGY**  
[Filed July 22, 2021, 2:07 p.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 table below 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](mailto: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>.

New Statements:

Title of Interpretive/ Policy Statement	Web Link (if applicable)
Compliance Assurance Manual	<a href="https://apps.ecology.wa.gov/publications/summarypages/2101001.html">https://apps.ecology.wa.gov/publications/summarypages/2101001.html</a>

WSR 21-16-010  
INTERPRETIVE STATEMENT  
LIQUOR AND CANNABIS  
BOARD

[Filed July 22, 2021, 2:52 p.m.]

NOTICE OF ADOPTION OF AN INTERPRETIVE STATEMENT

Title of Interpretive Statement: Allowable Practices for a Holder of a Marijuana Processor License - Interpretive Statement Number IS-21-02.

Issuing Entity: Washington state liquor and cannabis board.

Subject Matter: Clarifies allowable practices for holders of a marijuana processor license.

Effective Date: July 22, 2021.

Contact Person: Katherine Hoffman, policy and rules manager, 360-664-1622.

WSR 21-16-011

**NOTICE OF PUBLIC MEETINGS**

**CENTER FOR DEAF AND  
HARD OF HEARING YOUTH**

[Filed July 22, 2021, 3:46 p.m.]

The Washington Center for Deaf and Hard of Hearing Youth board of trustees will be having a virtual special board meeting that will be open to the public on July 27, 2021, from 9:30 - 11:30 [a.m.].

**WSR 21-16-012**  
**POLICY STATEMENT**  
**UNIVERSITY OF WASHINGTON**  
[Filed July 22, 2021, 4:45 p.m.]

The University of Washington has recently created or revised the following bylaws, orders, policy statements, scholastic regulations, and faculty code:

- "State of Washington Paid Family and Medical Leave Program," new July 21, 2021 (APS 45.6).
- "Senate Committee on Planning and Budgeting," revised June 29, 2021 (FCG, Chapter 22, Section 22-91).
- "Amendment of the Faculty Code," revised June 29, 2021 (FCG, Chapter 29).
- "Faculty Councils (The Standing Committees of the University Faculty) and Their Duties," revised June 29, 2021 (FCG, Chapter 42, S-A 155).
- "Faculty Councils (The Standing Committees of the University Faculty) and Their Duties," revised June 29, 2021 (FCG, Chapter 42, S-A 156).
- "Change of Registration," revised June 7, 2021 (SGP, Chapter 102, Section 5).
- "The Grading System," revised June 7, 2021 (SGP, Chapter 110, Sec).
- "General Requirements," revised June 7, 2021 (SGP, Chapter 112, Section 1).
- "Satisfactory Progress," revised June 7, 2021 (SGP, Chapter 116).
- "Organization of the University Faculty," revised April 22, 2021 (FCG, Chapter 21).
- "Appointment and Promotion of Faculty Members," revised April 22, 2021 (FCG, Chapter 24).
- "Tenure of the Faculty," revised April 22, 2021 (FCG, Chapter 25).
- "Amendment of the Faculty Code," revised April 22, 2021 (FCG, Chapter 29).
- "Delegation of Authority," revised February 11, 2021 (BRG, Standing Orders, Chapter 1).
- "Grades, Honors, and Scholarship," revised January 29, 2021 (SGP, Chapter 110).
- "Withdrawals," revised January 29, 2021 (SGP, Chapter 113).
- "Courses," revised January 29, 2021 (SGP, Chapter 115).
- "Procedure for Promotions," revised January 13, 2021 (FCG, Chapter 24, Section 24-54)

For more information regarding University of Washington policy please visit the following site [washington.edu/admin/rules/policies/](http://washington.edu/admin/rules/policies/).

For more information regarding these materials contact Barbara Lechtanski, Director of University Policy and Rules Office, University of Washington, Box 351210, Seattle, WA 98195-1210, or by email at [rules@uw.edu](mailto:rules@uw.edu).

**WSR 21-16-018**  
**RULES COORDINATOR**  
**CLARK COLLEGE**

[Filed July 23, 2021, 12:10 p.m.]

Pursuant to RCW 34.05.312, the rules coordinator for Clark College is Galina Burley, 1933 Fort Vancouver Way, Vancouver, WA 98663, phone 360-992-2123, email GBurley@clark.edu.

G. Burley, MPA  
Executive Vice President  
of Operations



## WSR 21-16-025

## AGENDA

## DEPARTMENT OF

## SOCIAL AND HEALTH SERVICES

[Filed July 23, 2021, 3:18 p.m.]

Following is the department of social and health services (DSHS) semi-annual rule-making agenda for July 1 - December 31, 2021. This agenda will be published in the Washington State Register as required in RCW 34.05.314 and distributed to interested parties. It is also available online at <https://www.dshs.wa.gov/office-of-the-secretary/dshs-semi-annual-rule-making-agenda>.

This report represents DSHS rules under development at this time. There may be additional rule-making activity as DSHS responds to legislative actions, to comply with federal mandates, or to meet unforeseen circumstances.

Semi-Annual Rule-Making Agenda  
July 1 - December 31, 2021

Administration/ Division	WAC Sections	Purpose for Rule Making	CR-101 Filings	CR-102 and CR-105 Filings	CR-103E Filings
<b>Aging and Disability Services Administration</b>					
<b>Home and Community Services Division</b>					
	Chapters 388-71, 388-106, 388-113, 388-114 WAC; and creating a new chapter in Title 388 WAC	The department is planning to create a new chapter in Title 388 WAC and amend sections in chapters 388-71, 388-106, 388-113, and 388-114 WAC, and other related rules as may be required.	WSR 20-08-093 Filed 3/30/2020	WSR 21-10-094 Filed 5/4/2021	
	388-71-0975	Amending "Who is required to obtain certification as a home care aide, and when?" to clarify how to interpret the long-term care worker qualifications and requirements in rule that have specific time periods for compliance when there has been a period of time in which the underlying requirements were suspended and waived in whole or part by emergency proclamation by the Governor.	WSR 21-01-121 Filed 12/15/2020		WSR 21-01-018 Filed 12/3/2020
	New section in chapter 388-106 WAC	The department is planning to add a new section in chapter 388-106 WAC for long-term services and supports presumptive eligibility, and may amend other related rules as may be required.	WSR 21-09-071 Filed 4/20/2021		
	388-106-0250	The department is planning to amend "What is the roads to community living demonstration project and who is eligible?" and other related rules as may be required.	WSR 21-09-080 Filed 4/20/2021	WSR 21-14-082 Filed 7/6/2021	
	388-106-0275	The department is planning to amend "Are there limits to the community transition services I may receive?" and other related rules as may be required.	WSR 21-11-022 Filed 5/11/2021		
	388-112A-1240	The department is planning to amend this rule and add a new section in chapter 388-112A WAC, Residential long-term care services training. The department may amend other related rules as required.	WSR 21-11-023 Filed 5/11/2021	WSR 21-14-098 Filed 7/7/2021	
<b>Management Services Division</b>					
	388-96-107	The department is amending WAC 388-96-107 Requests for extensions.			WSR 21-07-106 Filed 3/22/2021
<b>Residential Care Services Division</b>					

Administration/ Division	WAC Sections	Purpose for Rule Making	CR-101 Filings	CR-102 and CR-105 Filings	CR-103E Filings
	Chapter 388-78A WAC	The department is considering adding new sections and repealing and amending existing sections in "Assisted living facility licensing rules" to consolidate the rules related to background checks, negative actions, and character, competence, and suitability determinations between home and community services, residential services, and developmental disabilities administration (DDA).	WSR 18-17-159 Filed 8/21/2018		
	Chapter 388-97 WAC	The department is considering adding new sections and repealing and amending existing sections in "Nursing homes" and other related rules as maybe required.	WSR 18-17-175 Filed 8/22/2018		
	Chapter 388-76 WAC	The department is considering adding new sections and repealing and amending existing sections in "Adult family home minimum licensing requirements."	WSR 18-17-177 Filed 8/22/2018		
	Chapter 388-107 WAC	The department is considering adding new sections and repealing and amending existing sections in "Licensing requirements for enhanced services facilities."	WSR 18-17-178 Filed 8/22/2018		
	Chapter 388-97 WAC; 388-97-1090	The department is planning to add new sections and amend existing sections in "Nursing homes," including "Direct care hours" and other related rules as may be required.	WSR 19-12-109 Filed 6/5/2019		
	Chapter 388-97 WAC	The department is proposing to add new sections, repeal existing sections, and amend sections in "Nursing homes" related to tuberculosis screening.	WSR 19-18-051 Filed 8/30/2019		
	Chapter 388-107 WAC	The department is planning to add new sections, repeal existing sections, and amend sections in "Licensing requirements for enhanced services facilities" related to tuberculosis screening.	WSR 19-18-059 Filed 9/3/2019		
	Chapter 388-76 WAC	The department is planning to add new sections, repeal existing sections, and amend sections in "Adult family home minimum licensing requirements" related to tuberculosis screening.	WSR 19-18-061 Filed 9/3/2019		
	Chapter 388-78A WAC	The department is planning to add new sections, repeal existing sections, and amend sections in "Assisted living facility licensing rules" related to tuberculosis screening.	WSR 19-18-062 Filed 9/3/2019		
	388-97-0001, 388-97-1090	DSHS, aging and long-term support administration, is considering amending definitions; direct care hours; and other related rules as may be required to implement EHB 1564 (chapter 301, Laws of 2019).	WSR 21-10-084 Filed 5/3/2021 WSR 20-08-101 Filed 3/30/2020		
	Chapter 388-76 WAC	The department is considering amending to incorporate ESHB 1023, 2020 regular session, into the rules.	WSR 20-08-110 Filed 3/31/2020		
	388-107-0460, 388-76-10265, 388-76-10285, 388-76-10290, 388-78A-2480, 388-78A-2484, 388-78A-2485, 388-101D-0650, 388-101D-0660, 388-107-0460, 388-107-0490	The department is temporarily repealing or amending these WAC to assure [ensure] long-term care programs are not significantly impeded during the hiring process due to inability to access the tuberculosis (TB) testing required as a part of the hiring process.	WSR 20-16-069 Filed 7/29/2020		WSR 21-15-113 Filed 7/21/2021 WSR 21-07-109 Filed 3/23/2021 WSR 20-24-060 Filed 11/24/2020 WSR 20-16-102 Filed 7/31/2020 WSR 20-09-009 Filed 4/2/2020

Administration/ Division	WAC Sections	Purpose for Rule Making	CR-101 Filings	CR-102 and CR-105 Filings	CR-103E Filings
	388-97-0120, 388-97-1000, 388-97-1020, 388-97-1915, 388-97-1975; and repealing 388-97-0920	The department is amending these to [ensure] assure nursing homes are not significantly impeded from admitting and caring for residents during the COVID-19 outbreak.	WSR 21-11-062 Filed 5/14/2020 WSR 20-17-005 Filed 8/5/2020		WSR 21-11-018 Filed 5/10/2021 WSR 21-08-055 Filed 4/5/2021 WSR 21-01-035 Filed 12/7/2020 WSR 20-17-048 Filed 8/11/2020 WSR 20-09-074 Filed 4/13/2020
	388-78A-2524, 388-78A-2525, 388-78A-2526	The department is temporarily amending WAC to assure [ensure] assisted living facilities are not significantly impeded during the hiring process due to an administrator's inability to obtain a certificate of completion of a recognized administrator training as referenced in WAC 388-78A-2521.	WSR 20-17-085 Filed 8/13/2020		WSR 21-09-046 Filed 4/15/2021 WSR 21-01-129 Filed 12/16/2020 WSR 20-18-001 Filed 8/20/2020 WSR 20-10-005 Filed 4/23/2020
	388-97-1260	The department is amending WAC to assure [ensure] nursing homes are not significantly impeded from admitting and caring for residents during the COVID-19 outbreak. These amendments will align state nursing home rules with federal rules that were suspended or amended to help facilitate care during the COVID-19 pandemic.	WSR 20-17-133 Filed 8/18/2020		WSR 21-09-061 Filed 4/19/2021 WSR 21-01-192 Filed 12/22/2020 WSR 20-18-022 Filed 8/26/2020 WSR 20-10-034 Filed 4/28/2020
	Chapter 388-107 WAC	The department is considering amending chapter 388-107 WAC and other related rules as may be required to implement SHB 2448 (chapter 278, Laws of 2020).	WSR 20-10-091 Filed 5/5/2020		
	388-97-0300	The department is amending WAC to assure [ensure] nursing homes are not significantly impeded from [no further information provided].	WSR 20-19-009 Filed 9/3/2020		WSR 21-10-073 Filed 5/3/2021 WSR 21-02-074 Filed 1/5/2021 WSR 20-19-040 Filed 9/10/2020 WSR 20-11-043 Filed 5/15/2020
	388-97-1740, 388-97-1760, 388-97-2400	The department is amending rules in chapter 388-97 WAC to assure [ensure] nursing homes are not significantly impeded from admitting and caring for residents during the COVID-19 outbreak.	WSR 20-21-034 Filed 10/12/2020		WSR 21-13-069 Filed 6/14/2021 WSR 21-05-059 Filed 2/16/2021 WSR 20-21-086 Filed 10/21/2020 WSR 20-14-026 Filed 6/23/2020
	388-101-3130	The department is amending WAC to assure [ensure] certified community residential services and supports service providers are not significantly impeded from providing services and support to clients during the COVID-19 pandemic.	WSR 20-24-092 Filed 11/25/2020		WSR 21-08-036 Filed 4/1/2021 WSR 21-01-010 Filed 12/3/2020 WSR 20-17-012 Filed 8/6/2020
	388-101-3020	The department is considering amending "compliance" and other related rules as may be required.	WSR 20-23-054 Filed 11/13/2020		
	388-97-1380, 388-97-1580	The department is amending WAC to assure [ensure] nursing homes are not obstructed from offering the COVID-19 vaccine to residents and staff because of clinical interference from required TB testing.	WSR 21-11-061 Filed 5/14/2021		WSR 21-11-069 Filed 5/17/2021 WSR 21-04-020 Filed 1/25/2021
	New section in chapter 388-97 WAC	The department is considering adding a new section in chapter 388-97 WAC, Nursing homes, and amending other related rules as may be necessary to implement ESHB 1120 (chapter 203, Laws of 2021).	WSR 21-14-046 Filed 7/1/2021		

Administration/ Division	WAC Sections	Purpose for Rule Making	CR-101 Filings	CR-102 and CR-105 Filings	CR-103E Filings
	388-97-1080, 388-97-1090	The department is considering amending nursing services, direct care hours, and other related rules as may be necessary to implement ESHB 1120 (chapter 203, Laws of 2021).	WSR 21-14-049 Filed 7/1/2021		
	388-97-1660	The department is considering amending staff and equipment, and other related rules as may be necessary to implement ESHB 1120 (chapter 203, Laws of 2021).	WSR 21-14-051 Filed 7/1/2021		
<b>Behavioral Health Administration</b>					
	Chapter 388-878 WAC	The department is planning to amend the chapter to develop rules for the conditions of participation in the outpatient competency restoration program, within the framework of the forensic mental health care system.	WSR 21-08-091 Filed 4/7/2021 WSR 20-08-116 Filed 3/31/2020	WSR 21-12-090 Filed 6/1/2021	
<b>Developmental Disabilities Administration</b>					
	388-845-2019	The department is adopting on an emergency basis to make temporary modifications to DDA's home and community-based services waivers to control the spread of the COVID-19 virus and to meet immediate health and safety needs.	WSR 20-15-010 Filed 7/2/2020		WSR 21-12-049 Filed 5/26/2021 WSR 21-06-036 Filed 2/24/2021 WSR 20-22-035 Filed 10/27/2020 WSR 20-14-101 Filed 6/30/2020 WSR 20-08-056 Filed 3/25/2020
	Chapter 388-828 WAC	The department is planning to amend this chapter and other related rules as may be required to implement the consumer-directed employment program and align with changes being made to modernize the comprehensive assessment reporting evaluation system.	WSR 20-08-058 Filed 3/25/2020	WSR 21-12-048 Filed 5/26/2021	
	388-829R-170, 388-829R-230, 388-829-0005, 388-829-0045	The department is planning to amend these and other related rules as may be required.	WSR 20-14-099 Filed 6/30/2020		
	Chapter 388-829Z WAC	The department is planning to create emergency transitional respite, and create or amend other related rules as may be required.	WSR 20-16-138 Filed 8/3/2020		
	388-845-0001	DDA is enacting these changes to align chapter 388-845 WAC with home and community-based services waiver amendments approved by the Centers for Medicare and Medicaid Services.	WSR 20-20-100 Filed 10/5/2020	WSR 21-12-031 Filed 5/24/2021	WSR 21-13-040 Filed 6/10/2021 WSR 21-06-028 Filed 2/23/2021 WSR 20-22-032 Filed 10/26/2020 WSR 20-20-068 Filed 10/1/2020
	New chapter 388-847 WAC	The department is considering creating a new chapter and amending other related rules as may be required.	WSR 21-01-111 Filed 12/14/2020		
	388-101D-0200	Service provider refusal to serve a client and other related rules as may be required regarding suspending and terminating a client's residential services.	WSR 21-03-042 Filed 1/14/2021		
	388-101D-0500	WAC 388-101D-0500 and other related rules as may be required.	WSR 21-09-085 Filed 4/21/2021	WSR 21-13-082 Filed 6/16/2021	
	388-829C-131	Companion homes and other related rules as may be required.	WSR 21-10-093 Filed 5/4/2021		
<b>Economic Services Administration</b>					
<b>Community Services Division</b>					
	388-412-0046	The department is proposing to amend "What is the purpose of DSHS cash and food assistance benefits and how can I use my benefits?" and other related rules as appropriate.	WSR 21-14-116 Filed 7/7/2021		

Administration/ Division	WAC Sections	Purpose for Rule Making	CR-101 Filings	CR-102 and CR-105 Filings	CR-103E Filings
	388-450-0100	The department is proposing to amend allocating income-definitions.		WSR 21-15-060 Filed 7/15/2021	
	388-436-0040, 388-436-0050, 388-436-0055	The department is amending "Excluded income and resources for CEAP," "Determining financial need and benefit amount for CEAP," and "What is the disaster cash assistance program (DCAP)?" These amendments are necessary to expand consolidated emergency assistance and related disaster cash assistance program during the statewide public health crisis created by the COVID-19 virus (commonly referred to as the "coronavirus").	WSR 20-16-129 Filed 8/3/2020	WSR 21-12-087 Filed 6/1/2021	WSR 21-09-062 Filed 4/19/2021 WSR 20-19-072 Filed 9/14/2020 WSR 20-17-069 Filed 8/13/2020 WSR 20-09-102 Filed 4/16/2020
	388-444-0015, 388-444-0025	The community services division is planning to amend "How can the basic food employment and training program help me find work?"; "What expenses will the department pay to help me participate in BF E&T?"; and other related rules as may be required.	WSR 20-09-134 Filed 4/21/2020	WSR 21-09-075 Filed 4/20/2021	
	388-458-0011	The department is planning to amend "DSHS sends you a denial letter when you can't get benefits" and other related rules as may be required.	WSR 20-12-089 Filed 6/2/2020	WSR 21-12-076 Filed 5/28/2021	
	388-482-0005	The department is planning to amend "How does being a student of higher education affect my eligibility for Washington basic food program?" and other related rules as may be required.	WSR 20-12-095 Filed 6/2/2020	WSR 21-11-046 Filed 5/13/2021 WSR 20-23-050 Filed 11/12/2020	WSR 21-12-005 Filed 5/19/2021 WSR 21-04-110 Filed 2/1/2021
	388-454-0006	The department is planning to amend "The department makes background checks on adults who are acting in place of a parent without court-ordered custody" and other related rules as may be required.	WSR 20-13-047 Filed 6/11/2020	WSR 21-11-068 Filed 5/17/2021 WSR 21-08-072 Filed 4/6/2021 WSR 20-20-086 Filed 10/5/2020	
	388-437-0015, 388-476-0005	The department is adopting new WAC and amending "Social Security number requirements" to align rule language more closely with federal regulation governing the supplemental nutrition assistance program (SNAP).	WSR 21-03-009 Filed 1/8/2021 WSR 20-22-079 Filed 11/3/2020	WSR 21-10-055 Filed 4/29/2021	WSR 21-11-005 Filed 5/7/2021 WSR 21-03-014 Filed 1/8/2021 WSR 20-16-084 Filed 7/30/2020
	388-437-0020	The department is adopting "Availability of pandemic EBT benefits" to describe the eligibility of children under age five, place a deadline on receipt of all pandemic EBT (P-EBT) applications, and place a deadline on the receipt of P-EBT benefits.			WSR 20-19-088 Filed 9/16/2020 WSR 20-19-059 Filed 9/11/2020
	388-412-0025	The department is planning to amend "How do I receive my benefits?" and other related rules as may be required.	WSR 21-07-128 Filed 3/23/2021 WSR 20-22-077 Filed 11/3/2020		
	388-439-0005, 388-439-0010, 388-439-0015, 388-439-0020, 388-439-0025	The department is adopting "What is the pandemic EBT program?"; "Eligibility of pandemic EBT benefits for the 2020-2021 school year"; and "General information about pandemic EBT benefits"; "Eligibility for pandemic EBT benefits for children under age six"; and "Eligibility for pandemic EBT benefits during the 2021 summer period."			WSR 21-16-017 Filed 7/23/2021 WSR 21-08-010 Filed 3/26/2021
	388-437-0002	The department is adopting "What is the minimum emergency food assistance allotment an assistance unit may receive?" to expand adjustments to food assistance benefit issuances implemented under the Families First Coronavirus Response Act (H.R. 6201, Section 2302) and updated guidance from Food and Nutrition Services issued on April 1, 2021.			WSR 21-09-036 Filed 4/13/2021

Administration/ Division	WAC Sections	Purpose for Rule Making	CR-101 Filings	CR-102 and CR-105 Filings	CR-103E Filings
	388-437-0005	The department is amending "Changes to food assistance in response to the COVID-19 pandemic" to define that households that receive a zero benefit are not eligible for emergency adjustments to food assistance benefit issuances implemented under the Families First Coronavirus Response Act (H.R. 6201, Section 2302).			WSR 21-10-048 Filed 4/28/2021
	388-424-0001, 388-400-0010, 388-424-0030, 388-424-0010, 388-424-0015, 388-424-0009; and chapter 388-490 WAC	The department is planning to amend "Citizenship and alien status—Definitions"; "Who is eligible for state family assistance?"; "How does my alien status impact my eligibility for state-funded benefits under the food assistance program?"; "Citizenship and alien status—Eligibility for TANF"; "Immigrant eligibility restrictions for the state family assistance, ABD cash and PWA programs"; "Citizenship and alien status—Social Security number (SSN) requirements"; and other related rules as appropriate. The department is also planning to adopt a new section to "Verification."	WSR 21-11-067 Filed 5/14/2021		
	388-480-0001	The department is proposing to amend "Does being on strike impact my eligibility for the Washington basic food program?"			
	388-478-0020, 388-478-0027, 388-478-0035, 388-436-0050	The department is planning to amend "Payment standards for TANF, SFA and RCA"; "What is the payment standard for pregnant women assistance (PWA)"; "What are the maximum earned income limits for TANF, SFA, PWA and RCA?"; "Determining financial need and benefit amount for CEAP", and other related rules as appropriate.	WSR 21-13-014 Filed 6/7/2021		WSR 21-13-114 Filed 6/21/2021
	388-432-0005	The department is planning to amend "Can I get help from DSHS for a family emergency without receiving monthly cash assistance?" and other related rules as appropriate.	WSR 21-13-016 Filed 6/8/2021		WSR 21-14-032 Filed 6/29/2021
	388-412-0015	The Consolidated Appropriations Act of 2021, P.L. 116-260, enacted December 27, 2020, increased the minimum allotment for SNAP (basic food) from \$16.00 to \$19.00. The American Rescue Plan Act of 2021, P.L. 117-2, enacted March 11, 2021, made this change effective through September 30, 2021.			WSR 21-13-021 Filed 6/8/2021
	388-310-0800	The department is amending WorkFirst—Support services, to expand access of support services during the time of and recovery from the COVID-19 pandemic.	WSR 21-13-124 Filed 6/21/2021		WSR 21-13-031 Filed 6/10/2021
	388-444-0010	The department is proposing to amend "Who is exempt from work registration while receiving basic food?" and other related rules as may be required.	WSR 21-13-107 Filed 6/18/2021		
	388-484-0006	The department is proposing to amend TANF/SFA time limit extensions, and other related rules as may be required.	WSR 21-13-126 Filed 6/22/2021		WSR 21-14-031 Filed 6/29/2021
	388-449-0200	The department is planning to amend "Am I eligible for cash assistance for aged, blind, or disabled (ABD) while waiting for supplemental security income (SSI)?" WAC 388-449-0001 What are the disability requirements for the aged, blind, or disabled (ABD) program?; and other related rules as appropriate.	WSR 21-13-157 Filed 6/22/2021		

Administration/ Division	WAC Sections	Purpose for Rule Making	CR-101 Filings	CR-102 and CR-105 Filings	CR-103E Filings
	388-474-0020	The department is planning to amend "What can an aged, blind or disabled (ABD) cash assistance client expect when supplemental security income (SSI) benefits begin?" and other related rules as appropriate.	WSR 21-13-158 Filed 6/22/2021		
<b>Division of Child Support</b>					
	Chapter 388-14A WAC	The department is planning to amend sections in this chapter dealing with the establishment of administrative child support orders including WAC 388-14A-3115 The notice and finding of financial responsibility is used to set child support when paternity is not at issue, 388-14A-3140 What can happen at a hearing on a support establishment notice?, and other related rules as may be required.	WSR 18-07-077 Filed 3/19/2018		
	Chapter 388-14A WAC	The division of child support (DCS) is planning to amend, adopt, or repeal sections in this chapter to: (1) Implement ESSB 6037 (chapter 6, Laws of 2018) and the technical corrections made to ESSB 6037 by SSB 5333 (chapter 46, Laws of 2019); and (2) update terminology and clarify and streamline the rules and procedures regarding parentage from the Uniform Parentage Act (adopted as chapter 26.26A RCW) to conform with current state and federal laws.	WSR 20-07-090 Filed 3/17/2020		
	388-14A-2210	The department is creating WAC 388-14A-2210 to clarify that temporary procedures employed by USPS are acceptable for purposes of certified mail service.	WSR 20-09-148 Filed 4/22/2020		WSR 21-09-003 Filed 4/7/2021 WSR 21-01-040 Filed 12/8/2020 WSR 20-17-060 Filed 8/12/2020 WSR 20-09-081 Filed 4/14/2020
	388-14A-3205	The department is planning to amend this chapter and other related rules as may be required involving DCS income calculation.	WSR 20-14-021 Filed 6/22/2020		WSR 20-22-046 Filed 10/28/2020 WSR 20-14-018 Filed 6/22/2020
	Chapter 388-14A WAC	The department is amending this chapter to implement SHB 2302 (chapter 227, Laws of 2020) regarding incarceration abatement.	WSR 21-05-061 Filed 2/16/2021		WSR 21-13-094 Filed 6/18/2021 WSR 21-06-023 Filed 2/22/2021 WSR 21-05-011 Filed 2/4/2021
<b>Executive</b>					
<b>Division of Vocational Rehabilitation</b>					
	388-891A-0220	What is the client assistance program?		WSR 21-14-036 Filed 6/29/2021	

Katherine Vasquez  
Rules Coordinator

**WSR 21-16-031**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF HEALTH**  
(Podiatric Medical Board)  
[Filed July 26, 2021, 10:01 a.m.]

In accordance with the Open Public Meetings Act (chapter 42.30 RCW) and the Administrative Procedure Act (chapter 34.05 RCW), the following is the schedule of regular meetings for the department of health (DOH), podiatric medical board, for the year 2022. The podiatric medical board 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 GovDelivery and the DOH website (see below). Every attempt is made to ensure that the agenda is up-to-date. However, the podiatric medical board reserves the right to change or amend agendas at the meeting.

Date	Time	Locations
January 20, 2022	9:00 a.m.	Location TBD
April 21, 2022	9:00 a.m.	Location TBD
July 14, 2022	9:00 a.m.	Location TBD
October 20, 2022	9:00 a.m.	Location TBD

If you need further information, please contact Susan Gragg, Program Manager, DOH, Podiatric Medical Board, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4941, fax 360-236-2901, email [podiatric@doh.wa.gov](mailto:podiatric@doh.wa.gov), web [www.doh.wa.gov](http://www.doh.wa.gov).

Please be advised the podiatric medical board 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 board, including personal information, may ultimately be subject to disclosure as a public record.



**WSR 21-16-032**  
**NOTICE OF PUBLIC MEETINGS**  
**PUBLIC EMPLOYMENT**  
**RELATIONS COMMISSION**

[Filed July 26, 2021, 10:09 a.m.]

The date(s) in **bold** have changed in the following schedule of regular meetings of the public employment relations commission in 2021, all to be tentatively held via Zoom with location and format subject to change:

<b>Date</b>	<b>Time</b>
January 2021	No meeting
February 9, 2021	10:00 a.m.
March 16, 2021	10:00 a.m.
April 13, 2021	10:00 a.m.
May 11, 2021	10:00 a.m.
June 8, 2021	10:00 a.m.
July 13, 2021	10:00 a.m.
<b>August 11, 2021</b>	10:00 a.m.
September 14, 2021	10:00 a.m.
October 12, 2021	10:00 a.m.
November 9, 2021	10:00 a.m.
December 2021	No meeting

If you need further information contact Vanessa Smith at [vanessa.smith@perc.wa.gov](mailto:vanessa.smith@perc.wa.gov) or 360-570-7332.

**WSR 21-16-033**

**POLICY STATEMENT**

**DEPARTMENT OF HEALTH**

[Filed July 26, 2021, 11:45 a.m.]

**NOTICE OF ADOPTION OF A POLICY STATEMENT**

Title of Policy Statement: Provisional Requirements for Substance Use Disorder Professional Apprenticeship Programs. Policy Number: SUDP-21-01.

Issuing Entity: The department of health (DOH).

Subject Matter: DOH requirements and process for provisional approval of substance use disorder professional apprenticeship programs under EHB 1311.

Effective Date: July 25, 2021.

Contact Person: U. James Chaney, Executive Director, ulysses.chaney@doh.wa.gov, 360-236-2831.

## WSR 21-16-036

## AGENDA

## DEPARTMENT OF

## CHILDREN, YOUTH, AND FAMILIES

[Filed July 26, 2021, 3:13 p.m.]

Following is the department of children, youth, and families (DCYF) semi-annual rule-making agenda for July 1 through December 31, 2021. This agenda will be published in the Washington State Register as required in RCW 34.05.314 and distributed to interested parties. It is also available on the DCYF rule-making internet page.

This agenda represents DCYF rule making that is anticipated or under development at this time. There may be additional rule-making activities needed to implement legislative actions, comply with federal mandates, or meet unforeseen circumstances.

Semi-Annual Rule-Making Agenda  
January 1 - June 30, 2021

WAC Sections	Subject Matter	CR-101 Filings	CR-102 or CR-105 Filings	CR-103E Filings
Chapter 110-01	<b>Public Disclosure:</b> Anticipated amendments will better align rules with current public disclosure procedures.			
Chapters 110-04 and 110-06	<b>Background Checks:</b> Amending rules to revise criminal convictions that may disqualify an individual from being licensed, contracted, certified, or authorized to have unsupervised access to children, or trigger further review to determine the applicant's character, suitability, and competence to have unsupervised access to children. Rule making will also implement chapter 9.97 RCW to explain when certificates of restoration of opportunity (CROP) will be included in criminal history record reports, qualifying letters, or other assessments during a background check, and when CROP will not be considered during a background check.	WSR 19-20-096 Filed 10/1/19		
Chapter 110-15	<b>Working Connections and Seasonal Child Care:</b> Updating 110-15 WAC to include the collective bargaining agreements entered into with represented child care providers: Specifically, establishing monthly rate authorizations and increasing base rates for family home child cares, increasing base rates and implementing field trip reimbursements for family, friend, and neighbor license-exempt providers, and adjusting the time period in which family home child cares must produce requested records and correct payments.	WSR 21-15-028 Filed 7/12/21		WSR 21-14-039 Filed 6/30/21
110-15-0005, 110-15-0075, and 110-15-0190	<b>Working Connections and Seasonal Child Care:</b> Amendments are planned to implement chapter 330, Laws of 2020, which grants eligibility to certain teen parents enrolled in high school or an equivalency program.	Anticipated		

WAC Sections	Subject Matter	CR-101 Filings	CR-102 or CR-105 Filings	CR-103E Filings
110-15-0045	<b>Working Connections Child Care:</b> Amending WAC 110-15-0045 to implement chapter 199, Laws of 2021, which relieves certain student participants from the work component.	WSR 15-21-028 Filed 7/12/21		
110-15-4500 through 110-15-4580	<b>Working Connections and Seasonal Child Care:</b> Amending rules to better explain when and for whom the department provides child care, the child care rates that may be paid, and the tax responsibility for those payments.		WSR 21-11-115 Filed 5/19/21	
110-15-0280	<b>Working Connections and Seasonal Child Care:</b> Amending WAC to align with DCYF's administrative hearing rules chapter 110-03 WAC.			WSR 21-15-075 Filed 7/16/21
Chapters 110-16 and 110-06	<b>Licensing—License—Exempt Child Care:</b> Amendments to ensure license-exempt family, friends, and neighbors child care providers fully comply with child care and development fund background checks, as well as, health and safety requirements.	WSR 20-14-004 Filed 6/17/20	WSR 21-12-007 Filed 5/19/21	WSR 21-15-022 Filed 7/12/21
Chapters 110-145, 110-147, and 110-148	<b>Licensing:</b> Amending Title 110 WAC to better address the needs of and promote culturally relevant service delivery to LGBTQ+ identifying children and youth served by the department.	WSR 20-10-082 Filed 5/4/20		
110-145-1425, 110-145-1430, 110-145-1440, 110-145-1445, 110-145-1450, 110-145-1460, 110-145-1475, 110-145-1490, and 110-145-1725	<b>Licensing—Group Care:</b> At the request of stakeholders, DCYF is reviewing education and professional development required for certain staff positions within licensed programs.	WSR 21-01-032 Filed 12/7/20		
Chapter 110-147	<b>Licensing Requirements for Child Placing Agency and Adoption Services:</b> Planned amendments will require use of an electronic management system currently in development.		Anticipated	
Title 110 WAC	<b>Licensing—Early Learning/Child Care:</b> New rules are anticipated to implement chapter 304, Laws of 2021, which authorizes the department to issue child-specific foster care licenses and license outdoor nature-based child cares, places a time-specific moratorium on the department's collection of child care licensing fees, requires background check applications to be uploaded to the department's online workforce registry (MERIT), and modifies the department's internal child care review process.	WSR 21-12-013 Filed 5/120/21 [5/20/21]		
Chapter 110-300	<b>Licensing—Early Learning/Child Care:</b> DCYF is considering amendments intended to better clarify emergency exit requirements and update immunization requirements necessary to align chapter 110-300 WAC with the department of health's rules.	WSR 21-15-060 Filed 2/16/21		

WAC Sections	Subject Matter	CR-101 Filings	CR-102 or CR-105 Filings	CR-103E Filings
Title 110 WAC	<b>Juvenile Rehabilitation:</b> DCYF expects to develop rules to implement E2SHB 1186 (2021), which created a community transition services program for youth and young adults in juvenile rehabilitation residential facilities.	WSR 21-13-019 Filed 6/21/21		
Title 110 WAC	<b>Relative Guardianship Assistance:</b> Establishing new rules for eligibility, application, and program standards consistent with 42 U.S.C. 673 to ensure relative guardianship subsidy payments comply with guidelines for expenditure of federal grant monies. Rules will clarify the application process, program standards, and the process for adjudicating denied applications.	WSR 20-15-092 Filed 7/15/2020		
Title 110 WAC	<b>COVID-19:</b> The department anticipates emergency rule making in response to COVID-19 developments and to implement related governor's proclamations.			
Title 110 WAC	Technical corrections are necessary following the establishment DCYF following the mergers of department of social and health services children's and juvenile rehabilitation administrations and the department of early learning.		Anticipated	

Brenda Villarreal  
Rules Coordinator

**WSR 21-16-040**  
**NOTICE OF PUBLIC MEETINGS**  
**COMMUNITY COLLEGES**  
**OF SPOKANE**

[Filed July 27, 2021, 9:25 a.m.]

**2022 MEETING SCHEDULE**

Notice is hereby given, pursuant to RCW 42.30.075, that the board of trustees of Washington state community college District 17 (Community Colleges of Spokane) shall hold regular meetings on the following dates (typically the third Tuesday of the month):

September 14, 2021	Lodge
October 19, 2021	To be held at the Pullman campus
November 16, 2021	Zoom
December 14, 2021	Lodge with Zoom option
January 18, 2022	Zoom WORK SESSION
February 15, 2022	Lodge with Zoom option
March 15, 2022	Zoom
April 19, 2022	Lodge WORK SESSION
May 17, 2022	To be held at rural site in northern counties
June 21, 2022	Lodge
July 19, 2022	Lodge
August 16, 2022	No meeting
September 20, 2022	Lodge
October 18, 2022	To be held at the Colville campus
November 15, 2022	Zoom
December 20, 2022	Zoom

\* In-person meetings will be held at 8:30 a.m. in the Lodge Building, 3305 West Whistalks Way, Spokane, WA. Virtual meetings will be held via Zoom. The October 19, 2021, meeting will be held at the Spokane Falls Community College Pullman campus at 9:00 a.m. located at 185 Veterans Way, Pullman, WA 99164. The October 18, 2022, meeting will be held at the SCC Colville campus at 9:00 a.m. at 985 South Elm Street, Colville, WA 99114.

\* The board of trustees has the right to change in-person meetings to Zoom for weather related changes.

**WSR 21-16-041**

**AGENDA**

**NOXIOUS WEED  
CONTROL BOARD**

[Filed July 27, 2021, 11:10 a.m.]

Following is the state noxious weed control board's semi-annual rules development agenda for the period of July 1 through December 31, 2021. This document is being sent in compliance with RCW 34.05.314.

The board may undertake additional rule-making activity as conditions warrant. If you have any questions, please contact Mary Fee at 360-902-2053 or mfee@agr.wa.gov.

**Semi-Annual Rules Agenda  
July 1 - December 31, 2021**

P.O. Box 42560  
Olympia, WA 98504-2560

<b>WAC Number</b>	<b>Rule Title</b>	<b>Agency Contact</b>	<b>CR-101</b>	<b>Tentative Timeline CR-102</b>	<b>CR-103</b>	<b>Subject of Rule Making</b>
16-750	State noxious weed list and schedule of monetary penalties	Mary Fee Executive Secretary Phone 360-902-2053	May	September	November	Possible changes to the noxious weed lists and state weed board by-laws.

Mary Fee  
Executive Secretary

## WSR 21-16-042

## NOTICE OF PUBLIC MEETINGS

## DEPARTMENT OF HEALTH

(Dispensing Optician Examining Committee)

[Filed July 27, 2021, 1:05 p.m.]

In accordance with the Open Public Meetings Act (chapter 42.30 RCW) and the Administrative Procedure Act (chapter 34.05 RCW), the following is the schedule of regular meetings for the department of health (DOH), dispensing optician examining committee for the year 2021. The 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 GovDelivery and DOH website (see below). Every attempt is made to ensure that the agenda is up-to-date. However, the committee reserves the right to change or amend agendas at the meeting.

<b>Date</b>	<b>Time</b>	<b>Location</b>
October 26, 2021	9:00 a.m.	Webinar only
December 14, 2021	9:00 a.m.	Webinar only

If you need further information, please contact Debra Mendoza, Program Manager, DOH, Dispensing Optician Program, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4841, fax 360-236-2901, email [debra.mendoza@doh.wa.gov](mailto:debra.mendoza@doh.wa.gov), web [www.doh.wa.gov](http://www.doh.wa.gov).

Please be advised the dispensing optician examining committee is required to comply with the Public 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 21-16-043

## DEPARTMENT OF ECOLOGY

[Filed July 27, 2021, 3:19 p.m.]

## PUBLIC NOTICE

**Announcing the Reissuance of the Upland Finfish Hatching and Rearing General Permit**

The Washington state department of ecology (ecology) is reissuing the upland finfish hatching and rearing national pollutant discharge elimination system (NPDES) and state waste discharge general permit (permit) on August 17, 2021. The permit becomes effective on October 1, 2021, and expires on September 30, 2026.

**Purpose of the Permit:** The permit addresses various legal requirements and responsibilities, and regulates the discharge of pollutants to protect water quality in Washington state. The permit provides coverage for and authorizes upland finfish hatching and rearing operation discharges with limits of pollutants from raising or spawning fish. These include uneaten feed, fish fecal matter, and medications and disease control chemicals. The permit is a combined NPDES and state waste discharge permit that limits the discharge of pollutants to surface waters under the authority of the Federal Water Pollution Control Act (33 U.S.C. 1251) and limits the discharge of pollutants to surface and groundwater under the authority of the State Water Pollution Control Act (90.48 RCW).

**Public Notice Process and Comments:** Ecology accepted public comments on the draft permit and fact sheet from April 7, 2021, *through* May 26, 2021. Ecology held informational public workshops and hearings during this time via online statewide webinars on May 11, 2021, and May 12, 2021. Ecology received written public comments and emails. The comments and ecology's responses are included as Appendix C of the fact sheet.

**Copies of the Permit:** The final permit, fact sheet with the response to comments in Appendix C, and full original comments are available online at <https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Upland-fin-fish-permit>. You may request hard copies from Matthew Tietjen at 360-407-6401.

**Applying for Coverage under the Permit:** Any hatchery facility covered under the existing permit that reapplied for permit coverage last fall, will be covered under the new permit. New or unpermitted hatchery 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). The application is available online at <https://secureaccess.wa.gov>. You can find application assistance online at <https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Upland-fin-fish-permit#reapply>.

**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](mailto: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.

**Your Right to Appeal:** You have a right to appeal the final general permit and general permit coverage for a specific facility to the

pollution control hearings board. The appeal process is governed by chapters 43.21B RCW and 371-08 WAC.

- Appeals of the general permit issuance must be filed **within thirty days of issuance** of the general permit. See the *Appeal of the General Permit Focus Sheet* for more information at <https://fortress.wa.gov/ecy/publications/documents/1710009.pdf>.
- Appeals of general permit coverage for a specific facility must be filed **within thirty days of the effective date of coverage**. See the *Appeal of a General Permit Coverage Focus Sheet* for more information at <https://fortress.wa.gov/ecy/publications/documents/1710007.pdf>.

If you have questions, please contact Laurie Niewolny at [laurie.niewolny@ecy.wa.gov](mailto:laurie.niewolny@ecy.wa.gov) or 360-584-8852.

WSR 21-16-045

AGENDA

UNIVERSITY OF WASHINGTON

[Filed July 27, 2021, 5:07 p.m.]

**Semi-Annual Agenda for Rules Under Development  
(Per RCW 34.05.314)  
July 2021**

Rule-making activity not now anticipated may be added if conditions warrant between semi-annual agendas.

1. Rule making is anticipated for chapter 478-140 WAC, Rules and regulations for the University of Washington governing student education records during the second half of 2021.

For more information concerning the above rule, please contact Barbara Lechtanski, Director of University Policy and Rules Office, Washington State Rules Coordinator for UW, University of Washington, Box 351210, Seattle, WA 98195-1210, phone 206-543-9219, email rules@uw.edu, web washington.edu/rules.

## WSR 21-16-049

## AGENDA

## WESTERN WASHINGTON UNIVERSITY

[Filed July 28, 2021, 10:42 a.m.]

**Semi-Annual Agenda for Rules Under Development**

Pursuant to RCW 34.05.314, the following is Western Washington University's semi-annual agenda for WAC rules under development for the term of July 1 through December 30, 2021:

**1. Chapter 516-26 WAC, Student records.** University review of chapter 516-26 WAC, Student records, with possible amendments, including but not limited to WAC 516-26-040 Right to copy education records, 516-26-090(2) Directory information, and housekeeping changes. Preproposal CR-101 was filed December 12, 2017 (WSR 18-01-044) and CR-102 anticipated to be filed in 2021.

**2. WAC 516-52-001 Smoking on campus.** Amendments to WAC 516-52-001 Smoking on campus, to comply with a state initiative that prohibits smoking in public places and workplaces and to address electronic cigarettes and other smoking devices. Preproposal CR-101 was filed February 10, 2010 (WSR 10-05-049) and CR-102 anticipated to be filed in 2021.

**3. WAC 516-52-010 Control of dogs and other service animals.** Amendments to WAC 516-52-010 Control of dogs and other service animals, to address animals and pets on campus, as well as service animals and exceptions. Preproposal CR-101 was filed April 6, 2017 (WSR 17-09-005) and CR-102 anticipated to be filed in 2021.

**4. Chapter 516-21 WAC, Student conduct code.** Amendments to comply with new federal Title IX guidance. Preproposal CR-101 was filed October 9, 2020 (WSR 20-21-014) and CR-102 anticipated to be filed in 2021.

Additional rule-making activity not on the agenda may occur as conditions warrant. For more information concerning the semi-annual agenda, please contact Jennifer Sloan, Rules Coordinator, Western Washington University, 516 High Street, Bellingham, WA 98225-9015, phone 360-650-3117, email Jennifer.Sloan@wwu.edu.

Jennifer L. Sloan  
Rules Coordinator

**WSR 21-16-060**  
**NOTICE OF PUBLIC MEETINGS**  
**STATE INDEPENDENT**  
**LIVING COUNCIL**

[Filed July 29, 2021, 12:53 p.m.]

The 2022 quarterly meeting schedule for the Washington state independent living council (WASILC) will be as follows:

1. Thursday, January 20 and Friday, January 21, 2022: This meeting will be held in Olympia, Washington. A time for public comment will be available. All are welcome to attend.

2. Thursday, April 14 and Friday, April 15, 2022: This meeting will be held in Seattle, Washington. A time for public comment will be available. All are welcome to attend.

3. Thursday, July 14 and Friday, July 15, 2022: This meeting will be held in Ellensburg, Washington. A time for public comment will be available. All are welcome to attend.

4. Thursday, October 27 and Friday, October 28, 2022: This meeting will be held in Marysville, Washington. A time for public comment will be available. All are welcome to attend.

Please contact WASILC staff 800-624-4105 or email [WASILC@dshs.wa.gov](mailto:WASILC@dshs.wa.gov) for further meeting details. All meetings are fully accessible. ASL interpreters and CART will be available. For other accommodation needs, please contact WASILC staff.

## WSR 21-16-064

## AGENDA

## EMPLOYMENT SECURITY DEPARTMENT

[Filed July 29, 2021, 5:49 p.m.]

**Semi-Annual Rule-Making Agenda  
July 2021 - January 2022**

The employment security department (ESD) prepares a semi-annual rule-making agenda in January and July each year to inform the public of expected upcoming rule changes. Pursuant to RCW 34.05.314, the agenda is published in the Washington State Register.

ESD encourages the public to be involved in the rule-making processes by attending public hearings and submitting comments on rules. To stay informed of our progress and be notified of any changes, please sign up for email notifications <https://public.govdelivery.com/accounts/WAESD/subscriber/new>. Additional rule-making information is available on the agency website at <https://esd.wa.gov/newsroom/rulemaking>.

Subject Matter or Division	WAC Chapter or Sections	Purpose and Scope of Rule Making	Preproposal Notice Filings (CR-101)	Proposed Rule and Public Hearing Filings (CR-102 or CR-105 Expedited)	Permanent Rule Filing (CR-103)
Unemployment insurance benefits	192-320-070, 192-320-075, 192-320-080, 192-320-081, 192-320-082, 192-320-083, 192-320-084, 192-170-010	Updating cross references following passage of SHB 2613 (2020) and adoption of WSR 20-11-022 and 20-10-056.	Not applicable	CR-105 filed July 31, 2020	Filed May 28, 2021, in WSR 21-12-068
Unemployment insurance benefits	192-180	Adding additional flexibility for how individuals claiming unemployment insurance benefits can meet job search requirements.	Filed September 4, 2020, in WSR 20-19-020	Filed May 19, 2021, in WSR 21-11-101	Filed June 29, 2021, in WSR 21-14-035
Unemployment insurance benefits	192-240-025	Updates the requirements for extended unemployment benefits for claimants when offered suitable work.	Not applicable	CR-105 filed May 18, 2021, in WSR 21-11-079	Filed July 23, 2021, in WSR 21-16-024
Unemployment insurance benefits	192-170-010, 192-170-020, 192-170-050, 192-170-070, 192-170-090, 192-200-005, 192-140-200	Modifying unemployment eligibility requirements for individuals caring for children and vulnerable adults.	Filed March 18, 2021, in WSR 21-07-084	Filed May 7, 2021, in WSR 21-11-004	Filed July 26, 2021, in WSR 21-16-034
Unemployment insurance benefits	192-310-010, 192-310-030, 192-310-050	Requiring employers to include the standard occupational classification code or job title of each worker in their quarterly tax reports (SHB 2308 - 2021).	Filed May 12, 2021, in WSR 21-11-031	To be determined	To be determined
Unemployment insurance benefits	192-240-025	Updates unemployment insurance qualifications for health care workers (ESSB 5190 - 2021).	Filed May 13, 2021, in WSR 21-11-052	To be determined	To be determined
Unemployment insurance benefits	To be determined	Updates work search requirements with new flexibility provided to the department in SHB 1493 (2021).	Filed May 28, 2021, in WSR 21-12-067	To be determined	To be determined
Unemployment insurance benefits	To be determined	Reviewing phase 1, phase 2, and phase 3 emergency rules adopted as part of the state's COVID-19 pandemic response for permanent [permanent] adoption.	Filed June 10, 2020, in WSR 20-13-041; September 24, 2020, in WSR 20-20-005; March 10, 2021, in WSR 21-07-035	To be determined	To be determined

Subject Matter or Division	WAC Chapter or Sections	Purpose and Scope of Rule Making	Preproposal Notice Filings (CR-101)	Proposed Rule and Public Hearing Filings (CR-102 or CR-105 Expedited)	Permanent Rule Filing (CR-103)
Unemployment insurance benefits	192-150-112	Aligns WAC 192-150-112 with new definitions of domestic violence contained in E2SHB 1320 (2021).	Expected August 2021	To be determined	To be determined
Unemployment insurance benefits	To be determined	Reviewing phase 4 emergency rules adopted as part of the state's COVID-19 pandemic response.	Expected August 2021	To be determined	To be determined
Paid family and medical leave	192-500-190, 192-510-010, 192-510-031, 192-510-040, 192-510-065, 192-510-080, 192-530-060, 192-530-070, 192-560-020, 192-610-051, 192-700-005, 192-700-010, 192-800-010, 192-800-020, 192-800-125, 192-810-030	Expedited rule making to remove statute subsection references to ensure the accuracy of referenced sections of Title 50A RCW.	Not applicable	CR-105 filed October 23, 2020	Filed January 29, 2021
Paid family and medical leave	192-510-050, 192-560-010, 192-610-090, 192-620-020, 192-620-035, 192-700-006, 192-700-007, 192-800-045, 192-800-155	Adding the definition of "illegal act" for purposes of benefit disqualification, clarifying employment restoration requirements and hours worked to align with federal requirements, withdrawals and redeterminations for appeals, closed hearings, and other technical and clarifying changes.	Filed August 5, 2020, in WSR 20-16-151	Filed January 6, 2021, in WSR 21-02-088; Supplemental CR-102 filed March 3, 2021, in WSR 21-06-111	Filed May 7, 2021, in WSR 21-11-009
Paid family and medical leave	192-620-035, 192-610-040	Updates regarding proration and backdating to provide clarification and operational flexibility.	Filed May 17, 2021, in WSR 21-11-077	Filed July 7, 2021, in WSR 21-14-093	Expected August 11, 2021
Paid family and medical leave	192-500-200, 192-510-095, 192-530-100, 192-560-011, 192-610-035, 192-610-100	Implementing 2021 legislation, HB [E2SHB] 1073 and SB [ESSB] 5097 regarding pandemic leave assistance and the expanded definition of family member.	Filed April 28, 2021, in WSR 21-10-047	Filed June 22, 2021, in WSR 21-13-161	Expected July 30, 2021
Long-term services and supports	192-905-005, 192-905-010, 192-905-015, 192-905-020	The first phase of rule making implemented Title 50B RCW regarding exemptions, and includes rules regarding eligibility, application process, notification to employers, employee responsibilities, and refunds.	Filed June 30, 2020, in WSR 20-14-086	Filed March 3, 2021, in WSR 21-06-110	Filed May 7, 2021, in WSR 21-11-013
Long-term services and supports	192-900-005, 192-900-010, 192-900-015, 192-900-020, 192-900-025, 192-900-030, 192-900-035, 192-910-005, 192-910-010, 192-910-015, 192-910-020, 192-915-005, 192-915-010, 192-915-015, 192-920-005, 192-925-005, 192-925-010, 192-925-015	The second phase of rule making to implement Title 50B RCW addresses definitions, premium collection, reporting and payments, CBA exemption, election of coverage by self-employed individuals, appeals, and other subjects as needed.	Filed October 16, 2020, in WSR 20-21-072	Filed June 2, 2021, in WSR 21-12-104	Expected August 2021

Subject Matter or Division	WAC Chapter or Sections	Purpose and Scope of Rule Making	Preproposal Notice Filings (CR-101)	Proposed Rule and Public Hearing Filings (CR-102 or CR-105 Expedited)	Permanent Rule Filing (CR-103)
Long-term services and supports	WAC chapters to be determined	The third phase of rule making to implement Title 50B RCW will address audit functions, state actuary/ESD functions, determinations on "qualified individual" status, and other subjects as needed.	Filed April 9, 2021	Expected November 2021	Expected January 2022

ESD is responsible for initiating rule making to implement new state laws, meet federal requirements, and to meet unforeseen circumstances. Because of this variability, this agenda is prepared for information purposes only and any dates noted herein are planning estimates that are subject to change. Additional rule making can occur in addition to what is listed on the agenda.

This agenda does not constitute a rule or rule-making action. Any errors or omissions in this agenda do not affect the actual rules or rule-making notices filed with the office of the code reviser and published in the Washington State Register.

The rule-making process can appear complex. ESD has outlined the process on its website to help constituents understand and become involved <https://www.esd.wa.gov/newsroom/rulemaking-process>. If you have additional questions, please contact the Agency Rules Coordinator, Scott E. Michael, 360-890-3448, email [rules@esd.wa.gov](mailto:rules@esd.wa.gov).



WSR 21-16-067

AGENDA

LIQUOR AND CANNABIS BOARD

[Filed July 30, 2021, 10:59 a.m.]

Pursuant to RCW 34.05.314, this report describes current and anticipated rule development activities for the liquor and cannabis board (LCB). If you have any questions regarding this report or LCB rule development activities, please contact Katherine Hoffman, LCB policy and rules manager, at 360-664-1622, or katherine.hoffman@lcb.wa.gov.

This agenda is for informational purposes, and the noted dates of anticipated rule-making actions are estimates. Any errors in the agenda do not affect the rules and rule-making notices filed with the office of the code reviser and published in the Washington State Register. There may be additional LCB rule development activities that cannot be forecasted as the agency initiates rule making to implement new state laws, meet federal requirements, or meet unforeseen circumstances. The "Key" below explains terms and acronyms.

**KEY**

**CR:** "Code reviser" on the notice forms created by the office of the code reviser for use by all state agencies.

**CR-101:** Preproposal statement of inquiry filed under RCW 34.05.310.

**CR-102:** Proposed rule making notice filed under RCW 34.05.320 or 34.05.340.

**CR-103:** Rule-making order permanently adopting a rule, and filed under RCW 34.05.360 and 34.05.380.

**RCW:** Revised Code of Washington.

**WAC:** Washington Administrative Code.

**WSR:** Washington State Register official filing reference number given by the office of the code reviser when a notice is filed.

**Liquor Related Rule Development Agenda  
July - December 31, 2021**

RCW/ SESSION LAW	RULE TITLE	CR-101	CR-101 WSR#	CR-102	CR-102 WSR#	CR-103	CONTACT	PHONE
66.08.030, 66.24.140, 66.24.145	Chapter 314-28 WAC, Distillers. LCB is considering revisions to chapter 314-28 WAC to add alternating proprietorship requirements for distilleries and craft distilleries.	11/13/2019	19-23-044	N/A Anticipate Withdrawal	N/A	N/A	Audrey Vasek	360-664-1758

RCW/ SESSION LAW	RULE TITLE	CR-101	CR-101 WSR#	CR-102	CR-102 WSR#	CR-103	CONTACT	PHONE
E2SHB 1480 (chapter 48, Laws of 2021)	E2SHB 1480 (chapter 48, Laws of 2021), relating to extending certain privileges granted to liquor licensees to mitigate the impact of the coronavirus pandemic, took effect on April 14, 2021. Rules are needed to implement E2SHB 1480, which allows specifically listed privileges for certain liquor licensees to continue until June 30, 2023.	5/12/2021	21-11-035	9/29/2021 (Anticipated)		11/24/2021 (Anticipated)	Audrey Vasek	360-664-1758

**Cannabis Related Rule Development Agenda  
July 1, 2021 - December 31, 2021**

RCW/ SESSION LAW	RULE TITLE	CR-101	CR-101 WSR#	CR-102	CR-102 WSR#	CR-103	CONTACT	PHONE
69.50.342, 69.50.345	WAC 314-55-075 Marijuana [Cannabis] producer license—Privileges, requirements and fees.	12/18/2019	20-01-171	4/28/2021	21-10-040	7/7/2021 WSR 21-14-113	Kathy Hoffman	360-664-1662
69.50.345, 69.50.342	WAC 314-55-101 Quality assurance sampling protocols, 314-55-102 Quality assurance testing (effective until February 28, 2021); new WAC 314-55-1021 Quality assurance and quality control (effective March 1, 2021, until August 31, 2021; new WAC 314-55-1022 Quality assurance and quality control (effective September 1, 2021); and WAC 314-55-1025 Proficiency testing.	8/8/2018	18-17-041	Anticipated		Anticipated	Jeff Kildahl	360-664-1781
69.50.342, 69.50.345	WAC 314-55-077 Marijuana processor license—Privileges, requirements and fees, 314-55-079 Marijuana retailer license—Privileges, requirements and fees.	3/31/2021	21-08-035	5/26/2021	21-12-052	7/21/2021 WSR 21-15-124	Jeff Kildahl	360-664-1781
69.50.331, 69.50.342	WAC 314-55-040 What criminal history might prevent a marijuana [cannabis] license applicant from receiving or keeping a marijuana [cannabis] license?	2/17/2021	21-05-074	7/7/2021	21-14-111	9/1/2021 (Anticipated)	Jeff Kildahl	360-664-1781

RCW/ SESSION LAW	RULE TITLE	CR-101	CR-101 WSR#	CR-102	CR-102 WSR#	CR-103	CONTACT	PHONE
69.50.342 (1)(m), 69.50.345	WAC 314-55-XXX Marijuana additives, solvents, ingredients, or compounds. LCB is considering establishing a new rule section that would allow LCB to evaluate additives, solvents, ingredients or compounds used in the production and processing of marijuana products other than delta-9 tetrahydrocannabino l (THC), as well as CBD, hemp, or both converted to delta-8 THC, delta-9 THC, or any other marijuana compound that is not currently identified or defined in RCW, WAC, or both, to determine whether such substances pose a risk to public health or youth access.	7/7/2021	21-14-117	9/29/2021 (Anticipated)		10/20/2021 (Anticipated)	Katherine Hoffman	360-664-1622

**General Rule Development Agenda  
July 1, 2021 - December 31, 2021**

RCW/ SESSION LAW	RULE TITLE	CR-101	CR-101 WSR#	CR-102	CR-102 WSR#	CR-103	CONTACT	PHONE
66.08.030, 66.08.150, 66.44.010, 69.50.342, 69.50.345, 70.155.150, 70.345.020	LCB is considering rule making to create summary license suspension and petition for stay provisions that would allow for enforcement of governor's proclamations. These permanent rules would supersede and replace emergency rules WAC 314-12-250 and 314-12-275, which established summary license suspension and petition for stay provisions for the enforcement of governor's proclamations issued as a result of the novel coronavirus (COVID-19) outbreak, filed as WSR 21-07-077 on March 17, 2021, and any successive emergency rules that supersede and replace WSR 21-07-077. As part of this rule making, LCB is considering potentially amending or repealing existing summary license suspension and petition for stay provisions, and any related provisions, in Title 314 WAC and consolidating these provisions into new rule sections applicable to all licensees.	4/14/2021	21-09-041	N/A Anticipate Withdrawal	N/A	N/A	Audrey Vasek	360-664-1758

## WSR 21-16-070

## AGENDA

## DEPARTMENT OF REVENUE

[Filed July 30, 2021, 12:18 p.m.]

**Semi-Annual Rule-Making Agenda  
July 1 – December 31, 2021**

Following is the department of revenue's (department) semi-annual rule-making agenda for publication in the Washington State Register. This list identifies rules the department is currently working on and rules the department anticipates working on during the next six months.

The department's rule-making agenda is also available on its website. The information on the site is continually updated as the department files rule-making notices, or otherwise adds or deletes rules that it anticipates some action over the next six months, including rules added or deleted as a result of resource allocation, legislation, court decisions, or changes in rule-making priorities.

<b>Rule Number and Title</b>	<b>Rule Drafter</b>	<b>Preproposal (CR-101)</b>	<b>Proposal (CR-102 or CR-105)</b>	<b>Adoption (CR-103)</b>	<b>Reason for Anticipated Changes</b>
WAC 458-16-266 Homeownership development	Leslie Mullin	CR-101 Filed: 1/8/2019 WSR 19-03-043  Public Meeting: 12/6/2018, at 10:00 a.m.  Anticipate second CR-101 in 4th quarter of 2021.	Anticipate CR-102 in the 1st quarter of 2022.	Anticipate adoption in the 2nd quarter of 2022.	Recognize 2018 legislation
WAC 458-14-127 Reconvened boards—Authority	Leslie Mullin	<b>CR-101 Filed:</b> 12/6/2017 WSR 17-24-126 <b>Public Meeting:</b> 1/10/2018, at 10:00 a.m.  Anticipate second CR-101 in 3rd quarter of 2021.	<b>CR-102 Filed:</b> 4/3/2018 WSR 18-08-077 <b>Public Hearing:</b> 5/10/2018, at 10:00 a.m.  Anticipate filing second CR-102 and conducting additional public hearing in the 1st quarter of 2022.	Anticipate adoption in the 1st quarter of 2022.	General updates and to recognize legislation
WAC 458-19-085 Refunds—Procedures—Applicable limits	Leslie Mullin	Anticipate CR-101 in the 3rd quarter of 2021.	Anticipate CR-102 in the 4th quarter of 2021.	Anticipate adoption in the 1st quarter of 2022.	General updates and to recognize legislation
WAC 458-19-550 State levy—Apportionment between cities	Leslie Mullin	Anticipate CR-101 in the 4th quarter of 2021.	Anticipate CR-102 in the 1st quarter of 2022.	Anticipate adoption in the 2nd quarter of 2022.	Recognize legislation
WAC 458-20-136 Manufacturing, processing for hire, fabricating	Matthew Largent	Anticipate CR-101 and public meeting in the 4th quarter of 2021.	Anticipate CR-102 and public hearing in the 1st quarter of 2022.	Anticipate adoption in the 2nd quarter of 2022.	General updates
WAC 458-20-13601 Manufacturers and processors for hire—Sales and use tax exemptions for machinery and equipment	Matthew Largent	<b>CR-101 Filed:</b> 4/4/2017 WSR 17-08-077 <b>Public Meeting:</b> 4/19/2017, at 10:00 a.m.  Anticipate second CR-101 filing and additional public meeting in the 4th quarter of 2021.	<b>CR-102 Filed:</b> 5/19/2017 WSR 17-11-090 <b>Public Hearing:</b> 6/29/2017, at 10:00 a.m.  Anticipate second CR-102 filing and additional public hearing in the 1st quarter of 2022.	Anticipate adoption in the 2nd quarter of 2022.	General updates

Rule Number and Title	Rule Drafter	Preproposal (CR-101)	Proposal (CR-102 or CR-105)	Adoption (CR-103)	Reason for Anticipated Changes
WAC 458-20-1550 Digital products	Katie Koontz	CR-101 Filed: 2/6/2018 WSR 18-04-093  Public Meeting: 3/22/2018, at 1:00 p.m.  Anticipate second CR-101 filing and additional public hearing in the 3rd quarter of 2021.	Anticipate CR-102 and public hearing in the 1st quarter of 2022.	Anticipate adoption in the 1st quarter of 2022.	General updates
WAC 458-20-18301 Athletic and fitness facilities	Leslie Mullin	Anticipate CR-101 and public meeting in 1st quarter of 2022.	Anticipate CR-102 and public hearing in the 2nd quarter of 2022.	Anticipate adoption in the 3rd quarter of 2022.	New rule to recognize legislation
WAC 458-20-19402 Single factor receipts apportionment—Generally	Patrick Murphy	<b>CR-101 Filed:</b> 7/31/2017 WSR 17-16-113  <b>Public Meeting:</b> 9/11/2017, at 1:00 p.m.  Anticipate second CR-101 filing and additional public meeting in the 4th quarter of 2021.	Anticipate CR-102 and public hearing in the 1st quarter of 2022.	Anticipate adoption in the 2nd quarter of 2022.	General updates
WAC 458-20-193 Interstate sales of tangible personal property	Brenton Madison	<b>CR-101 Filed:</b> 10/2/2018 WSR 18-20-095  Anticipate second CR-101 filing and additional public meeting in the 3rd quarter of 2021.	Anticipate CR-102 and public hearing in the 4th quarter of 2021.	Emergency Filed: 9/26/2018 WSR 18-20-045  2nd Emergency Adoption: 1/31/2019 WSR 19-04-001  3rd Emergency Adoption: 5/22/2019 WSR 19-12-004  4th Emergency Adoption: WSR 19-19-079  5th Emergency Adoption: WSR 20-04-015  6th Emergency Adoption: WSR 20-12-009  7th Emergency Adoption: WSR 21-06-026  Anticipate adoption in 1st quarter of 2022.	Recognize <i>Wayfair</i> decision and legislation

Rule Number and Title	Rule Drafter	Preproposal (CR-101)	Proposal (CR-102 or CR-105)	Adoption (CR-103)	Reason for Anticipated Changes
WAC 458-20-221 Collection of use tax by retailers and selling agents	Brenton Madison	<b>CR-101 Filed:</b> 10/2/2018 WSR 18-20-098  Anticipate second CR-101 filing and additional public meeting in the 3rd quarter of 2021.	Anticipate CR-102 and public hearing in the 4th quarter of 2021.	Emergency Filed: 9/26/2018 WSR 18-20-045  2nd Emergency Adoption: 1/31/2019 WSR 19-04-001  3rd Emergency Adoption: 5/22/2019 WSR 19-12-004  4th Emergency Adoption: 9/17/2019 WSR 19-19-079  5th Emergency Adoption: 1/24/2020 WSR 20-04-015  6th Emergency Adoption: WSR 20-12-009  7th Emergency Adoption: WSR 21-06-026  Anticipate adoption in 1st quarter of 2022.	Recognize <i>Wayfair</i> decision of 2018 and 2019 legislation
WAC 458-20-141 Duplicating activities and mailing bureaus	Leslie Mullin	<b>CR-101 Filed:</b> 3/18/2020 WSR 20-07-113  <b>Public Meeting:</b> 4/15/2020, at 11:00 a.m.	<b>CR-102 Filed:</b> 5/1/2020 WSR 20-10-068  <b>Public Hearing:</b> 6/10/2020, at 10:00 a.m.  Anticipate second CR-102 filing and additional public hearing in the 4th quarter of 2021.	Anticipate CR-103 in 1st quarter of 2022.	General updates
WAC 458-20-263 Exemptions from retail sales and use taxes for qualifying electric generating systems using renewable energy sources	Brenton Madison	Anticipate CR-101 and public meeting in the 3rd quarter of 2021.	Anticipate CR-102 and public hearing in the 1st quarter of 2022.	Anticipate adoption in the 2nd quarter of 2022.	Recognize 2019 legislation
WAC 458-20-233 Tax liability of medical and hospital service bureaus and associations and similar health care organizations	Darius Massoudi	Anticipate CR-101 and public meeting in the 3rd quarter of 2021.	Anticipate CR-102 and Public Hearing in the 1st quarter of 2022.	Anticipate adoption in the 2nd quarter of 2022	Recognize 2019 legislation
WAC 458-20-27901 New exemptions on sales/leases of alternative fuel passenger vehicles	Leslie Mullin	Anticipate CR-101 and public meeting in the 3rd quarter of 2021.	Anticipate CR-102 and public hearing in the 4th quarter of 2021.	Anticipate adoption in the 1st quarter of 2022.	Recognize 2019 legislation
WAC 458-XX-XXX New tax on vapor products	Atif Aziz	Anticipate CR-101 and public meeting in the 4th quarter of 2021.	Anticipate CR-102 and public hearing in the 2nd quarter of 2022.	Anticipate adoption in the 3rd quarter of 2022.	Recognize 2019 legislation
WAC 458-61A-XXX Exemption for sale of self-help housing	Rex Munger	Anticipate CR-101 and public meeting in the 3rd quarter of 2021.	Anticipate CR-102 in the 4th quarter of 2021.	Anticipate adoption in [the] 1st quarter of 2022.	Recognize 2019 legislation
WAC 458-20-17902 Brokered natural gas—Use tax	Jennifer Arnold	Anticipate CR-101 and public meeting in the 3rd quarter of 2021.	Anticipate CR-102 and public hearing in the 4th quarter of 2021.	Anticipate adoption in the 1st quarter of 2022.	General updates
WAC 458-20-17001 Government contracting—Construction, installations, or improvements to government real property	Patrick Watkins	Anticipate CR-101 and public meeting in the 2nd quarter of 2021.	Anticipate CR-102 and public hearing in the 3rd quarter of 2021.	Anticipate adoption in the 4th quarter of 2021.	General updates

Rule Number and Title	Rule Drafter	Preproposal (CR-101)	Proposal (CR-102 or CR-105)	Adoption (CR-103)	Reason for Anticipated Changes
WAC 458-20-171 Building, repairing or improving streets, roads, etc., which are owned by a municipal corporation or political subdivision of the state or by the United States and which are used primarily for foot or vehicular traffic	Darius Massoudi	Anticipate CR-101 and public meeting in the 3rd quarter of 2021.	Anticipate CR-102 and public hearing in the 4th quarter of 2021.	Anticipate adoption in the 1st quarter of 2022.	General updates
WAC 458-20-178 Use tax	Brenton Madison	Anticipate CR-101 and public meeting in the 4th quarter of 2021.	Anticipate CR-102 and public hearing in the 1st quarter of 2022.	Anticipate adoption in the 2nd quarter of 2022.	General update
WAC 458-20-196 Bad debts	Jennifer Arnold	Anticipate CR-101 and public meeting in the 4th quarter of 2021.	Anticipate CR-102 and public meeting in the 1st quarter of 2022.	Anticipate adoption in the 2nd quarter of 2022.	General update
WAC 458-20-XXX New rule on advanced computing businesses	Leslie Mullin	CR-101 Filed: 2/17/2021 WSR 21-05-068  Public Meeting: 3/10/2021, at 10:00 a.m.	CR-102 Filed: 7/28/2021 WSR 21-16-050  Public Hearing: 9/8/2021, at 10:00 a.m.	Anticipate adoption in the 3rd quarter of 2021.	Recognize 2020 legislation
WAC 458-16-080 Improvements to single family dwellings—Definitions—Exemption—Limitation—Appeal rights	Leslie Mullin	Anticipate CR-101 and public meeting in the 3rd quarter of 2021.	Anticipate CR-102 and public hearing in the 4th quarter of 2021.	Anticipate adoption in the 1st quarter of 2022.	Recognize 2020 legislation
WAC 458-18-210 Sales of tangible personal property for farming—Sales of agricultural products by farmers	Leslie Mullin	N/A - Anticipate CR-105.	N/A	Anticipate adoption in [the] 4th quarter of 2019.	Recognize 2019 legislation
WAC 458-61A-211 Mere change in identity or form—Family corporations and partnerships	Rex Munger	Anticipate CR-101 and public meeting in the 4th quarter of 2021.	Anticipate CR-102 in the 1st quarter of 2022.	Anticipate adoption in [the] 4th quarter of 2021.	General Updates
WAC 458-20-169 Nonprofit organizations	Leslie Mullin	N/A	N/A	Anticipate adoption in [the] 4th quarter of 2021.	Recognize 2021 legislation
WAC 458-20-166 Hotels, motels, boarding houses, rooming houses, resorts, hostels, trailer camps, short-term rentals and similar lodging businesses	Rex Munger	N/A	N/A	Anticipate adoption in [the] 4th quarter of 2021.	Recognize 2021 legislation
WAC 458-20-179 Public utility tax	Brenton Madison	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation
WAC 458-20-238 Sales of watercraft to nonresidents—Use of watercraft in Washington by nonresidents	Melinda Mandell	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation
WAC 458-20-134 Commercial or industrial use	Leslie Mullin	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation
WAC 458-29A-600 Leasehold excise tax—Collection and administration	Leslie Mullin	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation
WAC 458-20-261 Commute trip reduction incentives	Darius Massoudi	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation
WAC 458-20-195 Taxes, deductibility	Melinda Mandell	N/A	N/A	Anticipate adoption in the 2nd quarter of 2022.	Recognize 2021 legislation
WAC 458-20-262 Retail sales and use tax exemptions for agricultural employee housing	Rex Munger	N/A	N/A	Anticipate adoption in the 2nd quarter of 2022.	Recognize 2021 legislation
WAC 458-20-119 Sales by caterers and food service contractors	Leslie Mullin	N/A	N/A	Anticipate adoption in the 3rd quarter of 2022.	Recognize 2021 legislation
WAC 458-20-124 Restaurants, cocktail bars, taverns and similar businesses	Leslie Mullin	N/A	N/A	Anticipate adoption in the 3rd quarter of 2022.	Recognize 2021 legislation



Rule Number and Title	Rule Drafter	Preproposal (CR-101)	Proposal (CR-102 or CR-105)	Adoption (CR-103)	Reason for Anticipated Changes
WAC 458-20-168 Hospitals, nursing homes, assisted living facilities, adult family homes and similar health care facilities	Leslie Mullin	N/A	N/A	Anticipate adoption in the 3rd quarter of 2022.	Recognize 2021 legislation
WAC 458-20-169 Nonprofit organizations	Leslie Mullin	N/A	N/A	Anticipate adoption in the 3rd quarter of 2022.	Recognize 2021 legislation
WAC 458-20-244 Food and food ingredients	Leslie Mullin	N/A	N/A	Anticipate adoption in the 3rd quarter of 2022.	Recognize 2021 legislation
WAC 458-20-249 Artistic or cultural organizations	Leslie Mullin	N/A	N/A	Anticipate adoption in the 3rd quarter of 2022.	Recognize 2021 legislation
WAC 458-61A-211 Mere change in identity or form—Family corporations and partnerships	Leslie Mullin	N/A	N/A	Anticipate adoption in the 3rd quarter of 2022.	Recognize 2021 legislation
WAC 458-20-217 Lien for taxes	Darius Massoudi	N/A	N/A	Anticipate adoption in the 3rd quarter of 2022.	Recognize 2021 legislation
WAC 458-20-100 Informal administrative reviews	Chelsea Brenegan	N/A	N/A	Anticipate adoption in the 3rd quarter of 2022.	Recognize 2021 legislation
WAC 458-19-070 Five dollars and ninety cents statutory aggregate dollar rate limit calculation	Leslie Mullin	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation
WAC 458-19-075 Constitutional one percent limit calculation	Leslie Mullin	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation
WAC 458-19-005 Definitions	Leslie Mullin	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation
WAC 458-19-025 Restoration of regular levy	Leslie Mullin	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation
WAC 458-19-030 Levy limit—Consolidation of districts	Leslie Mullin	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation
WAC 458-19-035 Levy limit—Annexation	Leslie Mullin	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation
WAC 458-07-010 Valuation and revaluation of real property—Introduction	Leslie Mullin	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation
WAC 458-07-015 Revaluation of real property	Leslie Mullin	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation
WAC 458-16A-100 Senior citizen, disabled person, and disabled veteran exemption—Definitions	Leslie Mullin	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation
WAC 458-16A-120 Senior citizen, disabled person, and disabled veteran exemption—Determining combined disposable income	Leslie Mullin	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation
WAC 458-16A-135 Senior citizen, disabled person, and disabled veteran exemption—Application procedures	Leslie Mullin	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation
WAC 458-19-045 Levy limit—Removal of limit (lid lift)	Leslie Mullin	N/A	N/A	Anticipate adoption in the 4th quarter of 2021.	Recognize 2021 legislation
WAC 458-16-080 Improvements to single family dwellings—Definitions—Exemption—Limitation—Appeal rights	Leslie Mullin	N/A	N/A	Anticipate adoption in the 1st quarter of 2022.	Recognize 2021 legislation

### Rules Requiring Periodic Updates

Rule Number and Title	Rule Drafter	Preproposal (CR-101)	Proposal (CR-102 or CR-105)	Adoption (CR-103)	Reason for Anticipated Changes
WAC 458-40-660 Timber excise tax—Stumpage value tables—Stumpage value adjustments	Jennifer Arnold	CR-101 Filed: 1/20/2021 WSR 21-03-091  Public Meeting: 4/20/2021, at 10:00 a.m.	CR-102 Filed: 4/28/2021 WSR 21-10-042  Public Hearing: 6/8/2021, at 11:30 a.m.	Adopted: 6/18/2021 WSR 21-13-100	Semi-annual updates that are effective January 1 and July 1 of each year
WAC 458-40-540 Forest land values	Brenton Madison	Anticipate CR-101 and public meeting in the 2nd quarter of 2021.	Anticipate CR-102 and public meeting in the 3rd quarter of 2021.	Anticipate adoption in the 4th quarter of 2021.	Semi-annual updates that are effective January 1 of each year
WAC 458-18-220 Rates of interest	Leslie Mullin	N/A	CR-105 Filed: 10/19/2020 WSR 20-21-078	Adopted: 12/23/2020 WSR 21-01-210	Must be amended by the 1st of January each year
WAC 458-20-23801 Watercraft excise tax—Watercraft depreciation schedule	Brenton Madison	CR-101 Filed: 5/19/2021 WSR 21-11-093  Public Meeting: 6/21/2021, at 10:00 a.m.	CR-102 Filed: 7/21/2021 WSR 21-15-126  Public Hearing: 8/25/2021, at 10:00 a.m.	Anticipate adoption in the 4th quarter of 2021.	RCW 82.49.040 requires the department of revenue to prepare a depreciation schedule (at minimum annually) for use in the determination of fair market value for watercrafts, which is the basis for measuring the watercraft excise tax. The purpose of this rule-making effort is to adopt a watercraft excise tax depreciation schedule by rule
WAC 458-30-262 Agricultural land valuation—Interest rate—Property tax component	Leslie Mullin	N/A	CR-105 Filed: 10/19/2020 WSR 20-21-078	Adopted: 12/23/2020 WSR 21-01-210	Annual updates
WAC 458-30-590 Rates of inflation—Publication—Interest rate—Calculation	Leslie Mullin	N/A	CR-105 Filed: 10/19/2020 WSR 20-21-078	Adopted: 12/23/2020 WSR 21-01-210	Annual updates

## WSR 21-16-071

## AGENDA

DEPARTMENT OF  
ENTERPRISE SERVICES

[Filed July 30, 2021, 12:32 p.m.]

Following is the department of enterprise services' semi-annual rules development agenda for publication in the Washington State Register. This list identifies rules that we have under active development and rules that the agency anticipates starting some rule-making action on during the next six months.

This agenda also is available on our rule-making website. We update rule-making information on our website as rule making progresses. If we start rule-making activities not listed on this agenda or stop listed rule-making activities, we immediately post that information to our rule-making website and inform interested and known affected parties.

Jack Zeigler is available if you have questions about this agenda, email jack.zeigler@des.wa.gov.

Semi-Annual Rule-Making Agenda  
June 1 through December 31, 2021

WAC Citation	Purpose of Rule Making	Current Activity/ Approximate Filing Date
Chapter 200-110 WAC, Self-insurance requirements as to local governments	Expedite rule making to: <ul style="list-style-type: none"> <li>• Reflect transition of health care benefits for schools to the health care authority.</li> </ul>	While work was paused due to the impacts of the pandemic, work has restarted and key stakeholders reengaged. We anticipate filing a prenotice of inquiry (CR-101) in late summer.
Chapter 200-100 WAC, Self-insurance requirements as to local governments	Amend rule to: <ul style="list-style-type: none"> <li>• Allow the pilotage commission to self-insure through the local government risk pool. This change is restricted to liability coverage only.</li> <li>• Provide improved understanding of the rules relative to reserve levels. This clarification change will not change rule requirements.</li> </ul>	While work was paused due to the impacts of the pandemic, work has restarted. We anticipate filing a prenotice of inquiry (CR-101) in late summer.
Chapter 200-380 WAC, Print management	Amend rule to: <ul style="list-style-type: none"> <li>• Remove the print management strategy report requirement for state agencies.</li> </ul>	We anticipate filing an Expedited rule making CR-105 with the office of the code reviser in August.
Chapter 200-220 WAC, Use of the public areas of the capitol buildings and grounds	Amend rule to: <ul style="list-style-type: none"> <li>• Align rules with current practices.</li> <li>• Make rules easier to understand and apply.</li> <li>• Address changing needs of the Capitol Campus.</li> <li>• Align with new legislation. Effective May 13, 2021, SB 5038 prohibits open carry of certain weapons at the state capitol in Olympia. The law applies to all buildings on campus, state legislative offices, any public legislative hearing or meeting, and west capitol campus grounds.</li> </ul>	We anticipate filing a prenotice of inquiry (CR-101) with the office of the code reviser in mid-summer.

Jack Zeigler  
Rules and Policy Manager

WSR 21-16-073

AGENDA

DEPARTMENT OF CORRECTIONS

[Filed July 30, 2021, 2:30 p.m.]

Following is the department of corrections' semi-annual rule development agenda for publication in the Washington State Register pursuant to RCW 34.05.314.

There may be additional rule-making activity not on the agenda as conditions warrant.

RULE DEVELOPMENT CALENDAR

July 1 - December 31, 2021

WAC Chapter or Section	Purpose
137-25	Serious violations—Total and partial confinement facilities.
137-56	Community residential programs, work/training release.
137-30	Earned release time.

Vadim Chebotar  
Rules Coordinator

## WSR 21-16-074

## AGENDA

## DEPARTMENT OF COMMERCE

[Filed July 30, 2021, 3:01 p.m.]

Following, please find the department of commerce's semi-annual rules development agenda for publication in the Washington State Register, pursuant to RCW 34.05.314. There may be additional rule-making activity not on the agenda as conditions warrant.

Please contact Amber Siefer if you have questions, [amber.siefer@commerce.wa.gov](mailto:amber.siefer@commerce.wa.gov) or 360-522-0101.

Semi-Annual Rule-Making Agenda  
July through December 2021

Division	WAC Citation	Subject Matter/ Purpose of Rule	Current Activity/ Approximate Filing Date
CSHD	365-230-020	Lead-based paint definitions	Commerce is updating rules to align with the Environmental Protection Agency's newly lowered clearance standards for lead-based paint on floors and windows. A CR-101 was filed on March 9, 2021. A CR-102 was filed on July 7, 2021. A public hearing will be held via Zoom on September 9, 2021.
LGD	365-135	Reallocation dates for the bond cap allocation program	Commerce filed an Expedited rule making CR-105 notice on May 19, 2021, with proposed revisions to six references for initial bond cap set-asides from September 1 to July 1. No written objections were received and a CR-103 was filed on July 20, 2021, adopting the rule changes. The changes will take effect August 20, 2021.
LGD	365-196	Growth Management Act mandatory elements for comprehensive plans	Commerce anticipates filing a CR-101 in fall 2021 to update the recommendations and guidance for local governments regarding new housing element requirements for comprehensive plans per E2SHB 1220 (2021).
LGD	365-190	Growth management— Planning by selected counties and cities [cities]  Minimum guidelines to classify agricultural, forest and mineral lands and critical areas	Commerce is updating administrative rules and guidance to conform with legislative changes and new case law and to provide clarification on feedback from local governments. Commerce filed a CR-101 on December 29, 2020, with the intent to finalize rule making in summer 2022. Commerce anticipates filing a CR-102 in April 2022.
LGD	365-195	Growth Management Act best available science	Commerce is updating administrative rules and guidance to conform with legislative changes and new case law and to provide clarification on feedback from local governments. Commerce filed a CR-101 on December 29, 2020, with the intent to finalize rule making in summer 2022. Commerce anticipates filing a CR-102 in April 2022.
LGD	365-196	Growth Management Act procedural criteria for adopting comprehensive plans and development regulations	Commerce is updating administrative rules and guidance to conform with legislative changes and new case law and to provide clarification on feedback from local governments. Commerce filed a CR-101 on December 29, 2020, with the intent to finalize rule making in summer 2022. Commerce anticipates filing a CR-102 in April 2022.
Energy	194-40	Clean Energy Transformation Act issues related to double counting, market purchases of electricity and the interpretation of compliance with RCW 19.405.040 (1)(a)	On May 17, 2021, the utilities and transportation commission and department of commerce issued a notice of opportunity to file written comments under WSR 21-10-088, which included a proposed schedule for rule making that is subject to change. Written comments for questions 5 through 10, were requested by 5 p.m., Monday, June 14, 2021. A June 9, 2021, workshop was canceled to meet a request for postponement by stakeholders. Commerce is required to adopt rules by June 30, 2022, under RCW 19.405.130(3). Commerce anticipates filing a CR-102 in March 2022.

<b>Division</b>	<b>WAC Citation</b>	<b>Subject Matter/ Purpose of Rule</b>	<b>Current Activity/ Approximate Filing Date</b>
Energy	194-40	Clean Energy Transformation Act treatment of energy storage for compliance with RCW 19.405.030 through 19.405.050	Commerce and the utilities and transportation commission held a joint rule-making workshop on June 22, 2021, under WSR 21-10-088. Commerce is required to adopt rules by June 30, 2022, under RCW 19.405.130(3).
Energy	194-40	Clean Energy Transformation Act interpretations of RCW 19.405.040 (1)(a), and other portions of RCW 19.405 that may affect or be affected by the Clean Energy Transformation Act	Commerce and the utilities and transportation commission will hold a joint rule-making workshop on September 27, 2021, under WSR 21-10-088. Commerce is required to adopt rules by June 30, 2022, under RCW 19.405.130(3).

Amber Siefer  
Rules Coordinator

WSR 21-16-075

AGENDA

WASHINGTON STATE LOTTERY

[Filed July 30, 2021, 3:39 p.m.]

Pursuant to RCW 34.05.314, Washington's lottery is submitting its semi-annual agenda for rules under development for publishing in the Washington State Register.

The following report describes that the lottery anticipates no rule making during this reporting period. However, rule making may be deemed necessary to meet legal requirements or unforeseen circumstances.

**Semi-Annual Rule-Making Agenda**

July 1 - December 31, 2021

WAC	Purpose of Rule Making	CR Filing No.	Date Filed
N/A	The lottery anticipates no rule making during this reporting period.	N/A	N/A

**WSR 21-16-077**

**AGENDA**

**DEPARTMENT OF  
NATURAL RESOURCES**

[Filed July 30, 2021, 10:37 p.m.]

Rules Development Agenda  
July to December 2021

<b>WAC CHAPTER OR SECTION</b>	<b>PURPOSE OF RULE BEING DEVELOPED OR AMENDED</b>
332-30-166	Fees need to be adjusted to meet costs associated with management and monitoring of the disposal sites.
332-24-217	HB [SHB] 1423 requires rule making to set a framework for resolving conflicts related to violations of RCW 76.04.205, and will define how files are calculated when a violation occurs.
332-130-020, 332-130-050, 332-130-080	Updates to existing land boundary survey standards to accommodate changes in professional practice.



**WSR 21-16-079**

**NOTICE OF PUBLIC MEETINGS**

**HUMAN RIGHTS COMMISSION**

[Filed August 2, 2021, 9:20 a.m.]

The following times, dates, and locations are for commission meetings for 2021:

Washington state human rights commission, commission meeting, August 26, 2021, at 9:30 a.m., via telephone conference, 711 South Capitol Way, Suite 402, Olympia, WA 98504, Conference Line 360-407-4020, Access Code 8074251.

Washington state human rights commission, commission meeting, September 23, 2021, at 9:30 a.m., via telephone conference, 711 South Capitol Way, Suite 402, Olympia, WA 98504, Conference Line 360-407-4020, Access Code 8074251.

Washington state human rights commission, commission meeting, October 28, 2021, at 9:30 a.m., via telephone conference, 711 South Capitol Way, Suite 402, Olympia, WA 98504, Conference Line 360-407-4020, Access Code 8074251.

Washington state human rights commission, commission meeting, November 2020 [2021], at 9:30 a.m., conference call, date to be determined, 711 South Capitol Way, Suite 402, Olympia, WA 98504.

**WSR 21-16-082**  
**NOTICE OF PUBLIC MEETINGS**  
**COUNTY ROAD**  
**ADMINISTRATION BOARD**

[Filed August 2, 2021, 12:46 p.m.]

- MEETING NOTICE:      October 28, 2021  
County Road Administration Board  
2404 Chandler Court S.W.  
Suite 280  
Olympia, WA 98502  
Zoom attendance available  
1:00 to 5:00 p.m.  
Possible executive session
- PUBLIC HEARING:        October 28, 2021  
County Road Administration Board  
2404 Chandler Court S.W.  
Suite 280  
Olympia, WA 98502  
2:00 p.m.
- MEETING NOTICE:      October 29, 2021  
County Road Administration Board  
2404 Chandler Court S.W.  
Suite 280  
Olympia, WA 98502  
Zoom attendance available  
8:30 a.m. to 12:00 p.m.  
Possible executive session

Individuals requiring reasonable accommodation may request written materials in alternative formats, sign language interpreters, physical accessibility accommodations, or other reasonable accommodation, by contacting Jason Bergquist at 360-753-5989. Hearing and/or speech impaired persons, call 1-800-833-6384.

For questions, please call 360-753-5989.

**WSR 21-16-084**  
**RULES COORDINATOR**  
**DEPARTMENT OF TRANSPORTATION**  
[Filed August 2, 2021, 2:38 p.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the Washington state department of transportation is Danielle Oliver, P.O. Box 47418, Olympia, WA 98504-7418, phone 360-704-6362, fax 360-704-6367, email OliverD@wsdot.wa.gov.

Brandon Dodge  
Administrative Assistant 3  
for Risk Management and  
Legal Services Division

WSR 21-16-085

AGENDA

DEPARTMENT OF HEALTH  
STATE BOARD OF HEALTH

[Filed August 2, 2021, 3:38 p.m.]

**Reviser's note:** The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the [21-17](#) issue of the Register.

## WSR 21-16-087

## AGENDA

## DEPARTMENT OF ECOLOGY

[Filed August 2, 2021, 4:30 p.m.]

**Rule Agenda**  
**July - December 2021**

Admin. Order Number	WAC Chapter	Date of Filing CR-101	Date of Filing CR-102	Date of Filing CR-103	Rule-Making Lead
<b>Open Rule Making</b>					
21-07	Chapter 173-441 WAC, Reporting emissions of greenhouse gases (GHG reporting)	July 7, 2021	Est. October 2021	Est. February 9, 2022	Rachel Assink
21-08	Chapter 173-424 WAC, Clean fuels program rule; and chapter 173-445 WAC, Air quality fees	July 20, 2021	Est. June 2022	Est. November 30, 2022	Debebe Dererie
20-04	Chapter 173-423 WAC, Low emission vehicles; and chapter 173-400 WAC, General regulations for air pollution sources	N/A	June 23, 2021	Est. July 2021	Elena Guilfoil
20-02	Chapter 173-445 WAC, Greenhouse gas assessment for projects	April 21, 2020	TBD	Est. December 29, 2021	Diane Butorac
20-01	Chapter 173-201A WAC, Water quality standards for surface waters of the state of Washington (Chelan use attainability analysis)	October 27, 2020	March 24, 2021	TBD	Marla Koberstein
19-05	Chapter 173-201A WAC, Water quality standards for surface waters of the state of Washington (Salmon spawning habitat)	December 2, 2019	Est. Fall 2021	Est. March 2022	Marla Koberstein
18-09	Chapter 173-340 WAC, Model Toxics Control Act	December 20, 2018	Est. Spring 2022	Est. Winter 2023	Clint Stanovsky
<b>Exploratory Rule Making</b>					
17-03	Chapter 173-340 WAC, Model Toxics Control Act—Cleanup	N/A	N/A	N/A	Clint Stanovsky
xx-xx	Chapter 173-460 WAC, Controls for new sources of toxic air pollutants	On hold	N/A	N/A	Elena Guilfoil
21-06	Chapter 173-446 WAC, Climate Commitment Act program	Est. August 2021	N/A	N/A	Jason Alberich
21-08	Chapter 173-455 WAC, Air quality fee rule—New source review	Est. August 2021	N/A	N/A	Jacob Berkey
21-02	Chapter 173-443 WAC, Hydrofluorocarbons; and chapter 173-455 WAC, Air quality fee rule	Est. August 2021	N/A	N/A	Linda Kildahl
21-05	Chapter 173-446A WAC, Criteria for emissions—Intensive, trade-exposed industries	Est. August 2021	N/A	N/A	Katie Wolt
<b>On Hold Rule Making</b>					
19- 01	Chapter 173-201A WAC, Water quality standards for surface waters of the state of Washington (variances)	June 12, 2019	TBD	TBD	Marla Koberstein
13-04	Chapter 173-491 WAC, Emission standards and controls for sources emitting gasoline gas vapors; chapter 173-400 WAC, General regulations for air pollution sources; and chapter 173-455 WAC, Air quality fee rule	July 2, 2013	On hold	On hold	Elena Guilfoil
15-12	Chapter 173-333 WAC, Chemical action plans (formerly PBT)	October 12, 2015	On hold	On hold	Anne Knapp
15-11	Chapter 173-331 WAC, Vehicle battery recycling program	December 2, 2015	On hold	On hold	Kyle Dorsey
05-03	Chapter 173-525 WAC, Grays Elochoman instream resources protection and water management program WRIA 25	March 2, 2005	April 19, 2010 Continuance filed June 16, 2010 Expired November 1, 2010 On hold	On hold	Dave Christensen

Admin. Order Number	WAC Chapter	Date of Filing CR-101	Date of Filing CR-102	Date of Filing CR-103	Rule-Making Lead
05-04	Chapter 173-526 WAC, Cowlitz instream resources protection and water management program WRIA 26	March 2, 2005	April 19, 2010 Continuance filed June 16, 2010 Expired November 1, 2010 On hold	On hold	Dave Christensen
05-02	Chapter 173-503A WAC, Samish River subbasin instream resources protection program, Lower and Upper Skagit water resources inventory area (WRIAs 3 & 4)	February 15, 2005	On hold indefinitely	On hold indefinitely	Dave Christensen

**WSR 21-16-104**

**DEPARTMENT OF**

**LABOR AND INDUSTRIES**

[Filed August 3, 2021, 4:45 p.m.]

Prevailing Rate of Wage Publication

Pursuant to RCW 39.12.015, 39.12.020, and WAC 296-127-011, on August 2, 2021, the industrial statistician will determine and publish on the internet the statewide prevailing rates of wage. These rates become effective thirty days from publication on September 1, 2021.

For more information on prevailing wage or a copy of the rates, please visit our website at <https://lni.wa.gov/licensing-permits/public-works-projects/prevailing-wage-rates/> or call 360-902-5335.

Tracy West  
Rules Coordinator

**WSR 21-16-107  
INTERPRETIVE AND POLICY STATEMENT  
DEPARTMENT OF ECOLOGY**

[Filed August 4, 2021, 8:29 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 table below 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](mailto: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:

<b>Title of Interpretive/ Policy Statement</b>	<b>Web Link (if applicable)</b>
Spills Program CORE Procedure - CORE 12: Enforcement	Not applicable



**WSR 21-16-113**  
**RULES COORDINATOR**  
**ASPARAGUS COMMISSION**  
[Filed August 4, 2021, 10:30 a.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the Washington asparagus commission is Megan Finkenbinder, Fairs and Commodity Commissions Program Administrator, 1111 Washington Street S.E., Olympia, [WA] 98504, phone 360-902-2043, fax 360-902-2092, email mfinkenbinder@agr.wa.gov.

Alan Schreiber  
Executive Director

**WSR 21-16-114**  
**RULES COORDINATOR**  
**BLUEBERRY COMMISSION**  
[Filed August 4, 2021, 10:32 a.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the Washington blueberry commission is Megan Finkenbinder, Fairs and Commodity Commissions Program Administrator, 1111 Washington Street S.E., Olympia, [WA] 98504, phone 360-902-2043, fax 360-902-2092, email mfinkenbinder@agr.wa.gov.

Alan Schreiber  
Director

**WSR 21-16-115**  
**RULES COORDINATOR**  
**FRUIT COMMISSION**

[Filed August 4, 2021, 10:33 a.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the Washington state fruit commission is Megan Finkenbinder, 1111 Washington Street S.E., Olympia, WA 98504, phone 360-902-2043, fax 360-902-2092, email mfinkenbinder@agr.wa.gov.

B. J. Thurlby  
President

**WSR 21-16-116**  
**RULES COORDINATOR**  
**DAIRY PRODUCTS COMMISSION**  
[Filed August 4, 2021, 10:33 a.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the Washington state dairy products commission is Megan Finkenbinder, 1111 Washington Street S.E., Olympia, WA 98504, phone 360-902-2043, fax 360-902-2092, mfinkenbinder@agr.wa.gov.

Steve Seppi  
Executive Director

**WSR 21-16-117**  
**RULES COORDINATOR**  
**HOP COMMISSION**

[Filed August 4, 2021, 10:34 a.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the Washington hop commission is Megan Finkenbinder, 1111 Washington Street S.E., Olympia, WA 98504, phone 360-902-2043, fax 360-902-2092, email mfinkenbinder@agr.wa.gov.

Jessica Stevens  
Chief Financial Officer

**WSR 21-16-118**

**RULES COORDINATOR**

**COMMISSION ON PESTICIDE REGISTRATION**

[Filed August 4, 2021, 10:36 a.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the Washington state commission on pesticide registration is Megan Finkenbinder, Fairs and Commodity Commissions Program Administrator, 1111 Washington Street S.E., Olympia, [WA] 98504, phone 360-902-2043, fax 360-902-2092, email mfinkenbinder@agr.wa.gov.

Alan Schreiber  
Administrator

**WSR 21-16-119**

**RULES COORDINATOR**

**POTATO COMMISSION**

[Filed August 4, 2021, 10:38 a.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the Washington state potato commission is Megan Finkenbinder, 1111 Washington Street S.E., Olympia, WA 98504, phone 360-902-2043, fax 360-902-2092, email mfinkenbinder@agr.wa.gov.

Chris Voigt  
Executive Director

**WSR 21-16-120**

**RULES COORDINATOR**

**PULSE CROPS COMMISSION**

[Filed August 4, 2021, 10:38 a.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the Washington pulse crops commission is Megan Finkenbinder, 1111 Washington Street S.E., Olympia, WA 98504, phone 360-902-2043, fax 360-902-2092, email [mfinenbinder@agr.wa.gov](mailto:mfinenbinder@agr.wa.gov) [[mfinkenbinder@agr.wa.gov](mailto:mfinenbinder@agr.wa.gov)].

Tim McGreevy  
CEO



**WSR 21-16-121**  
**RULES COORDINATOR**  
**PUGET SOUND**  
**SALMON COMMISSION**

[Filed August 4, 2021, 10:38 a.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the Puget Sound salmon commission is Megan Finkenbinder, 1111 Washington Street S.E., Olympia, WA 98504, 360-902-2043, fax 360-902-2092, email mfinkenbinder@agr.wa.gov.

Megan Johnson  
Executive Director

**WSR 21-16-122**  
**RULES COORDINATOR**  
**RED RASPBERRY COMMISSION**  
[Filed August 4, 2021, 10:38 a.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the Washington red raspberry commission is Megan Finkenbinder, Fairs and Commodity Commissions Program Administrator, 1111 Washington Street S.E., Olympia, 98504, phone 360-902-2043, fax 360-902-2092, mfinkenbinder@agr.wa.gov.

Henry Bierlink  
Executive Director

**WSR 21-16-123**

**RULES COORDINATOR**

**SEED POTATO COMMISSION**

[Filed August 4, 2021, 10:38 a.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the Washington seed potato commission is Megan Finkenbinder, Fairs and Commodity Commissions Program Administrator, 1111 Washington Street S.E., Olympia, [WA] 98504, phone 360-902-2043, fax 360-902-2092, mfinkenbinder@agr.wa.gov.

Henry Bierlink  
Administrator

**WSR 21-16-124**  
**RULES COORDINATOR**  
**GRAIN COMMISSION**

[Filed August 4, 2021, 10:39 a.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the Washington grain commission is Megan Finkenbinder, Commodity Commission Coordinator, 1111 Washington Street S.E., Olympia, WA 98504, phone 360-902-2043, fax 360-902-2092, email mfinkenbinder@agr.wa.gov.

Glen W. Squires  
Chief Executive Officer

**WSR 21-16-125**

**RULES COORDINATOR**

**TREE FRUIT RESEARCH COMMISSION**

[Filed August 4, 2021, 10:40 a.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the Washington tree fruit research commission is Megan Finkenbinder, 1111 Washington Street S.E., Olympia, WA 98504, phone 360-902-2043, fax 360-902-2092, email MFinkenbinder@agr.wa.gov.

Amy L. May  
Administrative Officer

**WSR 21-16-126**  
**RULES COORDINATOR**  
**WINE COMMISSION**

[Filed August 4, 2021, 10:41 a.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the wine commission is Megan Finkenbinder, 1111 Washington Street S.E., Olympia, [WA] 98504, phone 360-902-2043, fax 360-902-2092.

Cayenne Chonette  
Finance and  
Human Resources Director

WSR 21-16-130

AGENDA

WASHINGTON STATE PATROL

[Filed August 4, 2021, 11:11 a.m.]

This report details current and anticipated rule-making activities for the Washington state patrol. This agenda is for the information purposes, and the noted dates of anticipated rule-making actions are estimates. There may be additional rule-making activities not anticipated at this time, such as to implement new state laws, meet federal requirements, or other circumstances.

Please contact Kimberly Mathis at 360-596-4017 or Kimberly.mathis@wsp.wa.gov if you have any questions.

Semi-Annual Rules Development Agenda  
July-December, 2021

Chapter(s)	Rule Subject	Proposed Timeline		
		CR-101	CR-102	CR-103
WAC 204-50-050	Ignition interlock devices	6/20/2018	TBD	TBD
WAC 204-50-070	Ignition interlock devices	6/20/2018	TBD	TBD
446-95	SAK tracking system	8/19/2020	TBD	TBD
212-10	Smoke devices	9/14/2020	7/21/2020	TBD

Kimberly Mathis  
Rules Coordinator