

WSR 25-01-123

PERMANENT RULES

DEPARTMENT OF TRANSPORTATION

[Filed December 16, 2024, 3:29 p.m., effective January 16, 2025]

Effective Date of Rule: Thirty-one days after filing.

Purpose: The amendment corrects a contextual error when referencing WAC 197-11-800 (17) and (18).

Citation of Rules Affected by this Order: Amending WAC 468-12-800.

Statutory Authority for Adoption: RCW 43.21C.120.

Adopted under notice filed as WSR 24-19-087 on September 17, 2024.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: December 16, 2024.

Sam Wilson

Director

Business Support Services

OTS-5422.1

AMENDATORY SECTION (Amending WSR 84-19-030, filed 9/14/84)

WAC 468-12-800 Categorical exemptions. The following activities of the department are within the categorical exemptions contained in the indicated subsections of WAC 197-11-800:

(1) The repair, maintenance, or minor alteration of existing private or public structures, facilities or equipment, as provided in WAC 197-11-800(3)(~~7~~) including, but not limited to:

(a) Burning of weeds or brush within right of way limits;

(b) Preparation, storage, and application of sand and de-icing chemicals;

(c) Disposal and/or treatment of sewage generated on transportation department property in accordance with state and local regulations;

(d) Right of way mowings;

(e) Snow removal and avalanche control;

(f) Erosion control measures;

(g) Stormwater disposal procedures not involving significant changes in existing drainage patterns and quantities outside of transportation right of way;

- (h) Street, road, rail, and airport cleaning and sweeping;
 - (i) Litter pickup and disposal;
 - (j) Removal and disposal of debris;
 - (k) Application of right of way fertilizer;
 - (l) Planting, thinning, and removal of roadside, railyard, or airport vegetation as required for landscaping and maintenance purposes;
 - (m) Dead animal removal and disposal;
 - (n) Pavement burning;
 - (o) Maintenance and fencing of game crossings;
 - (p) Pit and sundry site reclamation;
 - (q) Waste oil disposal;
 - (r) Maintenance of chemical toilets;
 - (s) Control and disposal of roadway spills;
 - (t) The periodic application of approved pesticides to transportation rights of way to maintain design conditions as provided in WAC 197-11-800(24);
 - (u) All repair, maintenance, or minor alteration of existing transportation pavement, drainage facilities, rails, earthwork, bridges, tunnels, guardrails, railroad protective devices, signs, paths, trails, buildings, toll booths, radio and telephone equipment, air quality equipment, rest area facilities, storage facilities, pit sites, airports, and other physical features and structures within the jurisdiction of the transportation department.
- (2) Adoptions or approvals of utility, transportation, and solid waste disposal rates, as provided in WAC 197-11-800(15)(~~7~~) including, but not limited to, the establishment of or changes in toll rates.
- (3) Information collection and research, as provided by WAC 197-11-800(~~(18)~~~~7~~) (17) including, but not limited to, the development, adoption, and revision of transportation plans and six-year construction programs, and any other studies, plans, and programs which lead to proposals which have not yet been approved, adopted, or funded, and which do not commit the transportation department to proceed with the proposals contained therein.