



RULE-MAKING ORDER

(RCW 34.05.360)

CR-103 (7/22/01)

Agency: Department of Ecology A.O. #02-12	<input checked="" type="checkbox"/> Permanent Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Expedited Rule Making
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(1) Date of adoption: August 1, 2003

(2) Purpose: The amendments are necessary to make Ecology's State Environmental Policy Act (SEPA) rules consistent with legislation set forth in RCW 43.21C statutorily exempting specific proposed actions from SEPA review.

(3) Citation of existing rules affected by this order:

Repealed:

Amended: WAC 197-11-070, WAC 197-11-250, WAC 197-11-310, WAC 197-11-800, WAC 197-11-820, WAC 197-11-835, WAC 197-11-850, WAC 197-11-855, WAC 197-11-902, WAC 197-11-904, WAC 197-11-908

Suspended:

(4) Statutory authority for adoption: RCW 43.21A.090, RCW 43.21C, RCW 43.21C.035, RCW 43.21C.037, RCW 43.21C.038, RCW 43.21C.0381, RCW 43.21C.0382, RCW 43.21C.0383, RCW 43.21C.110, RCW 43.21C.222

Other Authority:

PERMANENT RULE ONLY (Including Expedited Rule Making)
 Adopted under notice filed as WSR 03-03-082 on January 15, 2002.
 Describe any changes other than editing from proposed to adopted version: None

EMERGENCY RULE ONLY
 Under RCW 34.05.350 the agency for good cause finds:

(a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

(b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?:
 Yes No If Yes, explain:

(6) Effective date of rule: Permanent Rules <input checked="" type="checkbox"/> 31 days after filing <input type="checkbox"/> Other (specify) _____*	Emergency Rules <input type="checkbox"/> Immediately <input type="checkbox"/> Later (specify) _____
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*If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required

Name (Type or Print) Tom Fitzsimmons	
Signature 	
Title Director	Date August 1, 2003

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 STATE OF WASHINGTON

FILED

AUG 1 2003

TIME 4:43 PM
 WSR 03-16-067

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	<u>11</u>	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____