



EXPEDITED RULE MAKING

CR-105 (December 2017) (Implements RCW 34.05.353)

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STATE OF WASHINGTON
FILED

DATE: November 15, 2023
TIME: 5:15 PM

WSR 23-23-114

Agency: WA State Department of Natural Resources

Title of rule and other identifying information: (describe subject) WAC 332-10-041, Meetings of board of natural resources.

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The scheduled days for the regular meetings of the board of natural resources will be changed to better accommodate non-local members. Rule will also be updated to reflect current technology for hybrid meeting capabilities.

Reasons supporting proposal: Multiple board members need to travel from out of the area to attend board of natural resources meetings. When a holiday occurs on the Monday before a scheduled meeting, the board members are currently having to travel on that holiday. Changes are designed to allow for board meetings to occur on Wednesday if a holiday occurs on a Monday.

New technology has changed how board members are able to attend meetings remotely. Changes are designed to reflect this.

Statutory authority for adoption: RCW 43.30.225

Statute being implemented: RCW 43.30.225

Is rule necessary because of a:

- | | | |
|-------------------------|------------------------------|--|
| Federal Law? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If yes, CITATION:

Name of proponent: (person or organization) WA Department of Natural Resources

- Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	William Wells	Forks, WA	360-640-0181
Implementation:	Tami Kellogg	Olympia, WA	360-902-2122
Enforcement:	Adrienne Smith	Olympia, WA	360-586-3204

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Expedited Adoption - Which of the following criteria was used by the agency to file this notice:

- Relates only to internal governmental operations that are not subject to violation by a person;
- Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule;
- Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect;
- Content is explicitly and specifically dictated by statute;
- Have been the subject of negotiated rule making, pilot rule making, or some other process that involved substantial participation by interested parties before the development of the proposed rule; or
- Is being amended after a review under RCW 34.05.328.

Expedited Repeal - Which of the following criteria was used by the agency to file notice:

- The statute on which the rule is based has been repealed and has not been replaced by another statute providing statutory authority for the rule;
- The statute on which the rule is based has been declared unconstitutional by a court with jurisdiction, there is a final judgment, and no statute has been enacted to replace the unconstitutional statute;
- The rule is no longer necessary because of changed circumstances; or
- Other rules of the agency or of another agency govern the same activity as the rule, making the rule redundant.

Explanation of the reason the agency believes the expedited rule-making process is appropriate pursuant to RCW 34.05.353(4):

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO

Name: Rochelle Goss

Agency: Department of Natural Resources

Address: 1111 Washington Street SE, PO Box 47015, Olympia, WA 98504-7015

Phone: 360-902-2117

Fax:

Email: Rochelle.goss@dnr.wa.gov

Other:

AND RECEIVED BY (date) January 22, 2024

Date: 11/14/2023

Name: Todd Welker

Title: Deputy Supervisor, State Uplands

Signature:

Dale Mix

acting

WAC 332-10-041 Meetings of board of natural resources. (1) Regular meetings of the board of natural resources shall be held on the first Tuesday of every month except August. If a regular meeting falls on a holiday or the day after a holiday, such regular meeting shall be held on the next business day. A schedule of meetings will be published in the Washington State Register in January of each year. Changes to the schedule will be published in the Washington State Register pursuant to RCW 42.30.075. Special meetings may be held pursuant to RCW 42.30.080. Any person may obtain information about locations and meeting times by contacting the Department of Natural Resources, P.O. Box 47001, Olympia, Washington 98504-7001. The public is invited to attend and comment at all meetings.

(2) Members of the board of natural resources may participate by telephone or other means of remote access in any regular or special meeting so long as a ~~((speaker phone is available at the public meeting location. To assure that all discussions comply with RCW 42.30.030,))~~ board discussion can be heard by those attending the public meeting and the members can hear what is stated in the meeting. If more than one board member is participating by telephone or other means of remote access, then each such board member shall ((use a separate telephone line or a separate telephone. If other electronic means of attending meetings from remote locations are available, board members may employ these means so long as board discussion can be heard by those attending the public meeting consistent with the Open Public Meetings Act RCW 42.30)) join the meeting separately, such as by a separate telephone or electronic meeting link. Board members participating by telephone or other ~~((electronic))~~ means of remote access may vote on any matter and shall be considered as part of the quorum.