



PROPOSED RULE MAKING

CR-102 (July 2022) (Implements RCW 34.05.320) Do NOT use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: November 29, 2022
TIME: 10:49 AM

WSR 22-24-013

Agency: Washington Department of Natural Resources

- Original Notice**
- Supplemental Notice to WSR** _____
- Continuance of WSR** _____

- Preproposal Statement of Inquiry was filed as WSR 22-21-060 ; or**
- Expedited Rule Making--Proposed notice was filed as WSR _____; or**
- Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or**
- Proposal is exempt under RCW _____.**

Title of rule and other identifying information: (describe subject) Filing and Recording Fees for Survey Maps. The proposed rule is an amendment to the existing rule in WAC 332-150-030 setting the recording fee surcharge for survey maps. The Board of Natural Resources is authorized by RCW 58.24.070 to review the current fee and determine if it needs to be adjusted in order to provide appropriate funding support for the Public Land survey Office in the Department of Natural Resources.

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
01/12/2023	3:00 pm	Main Conference Room, DNR Public Land Survey Office Tumwater Compound 801 88th Ave SE Tumwater, WA 98501	Free Visitor Parking. This facility has a secure access protocol for visitors.

Date of intended adoption: March 14, 2023 (Note: This is **NOT** the effective date)

Submit written comments to: Name: Patrick J. Beehler Address: 1111 Washington St. SE, Olympia, WA 98504-7030 Email: Pat.Beehler@DNR.WA.Gov Fax: (360) 902-1778 Other: (360) 902-1181 By (date) 01/13/2023	Assistance for persons with disabilities: Contact _____ Phone: _____ Fax: _____ TTY: _____ Email: _____ Other: _____ By (date) _____
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Purpose of the proposal and its anticipated effects, including any changes in existing rules: To amend WAC 332-150-030 by increasing the recording fee surcharge for any surveys, subdivision plats, short plats or condominium surveys, plats or maps from the current fee of sixty-four dollars (\$64.00) to one-hundred dollars (\$100) per instrument, effective July 1, 2023.

Reasons supporting proposal: Provide additional funding for the Public Land Survey Office of the Department of Natural Resources to help meet the legislative expectations under RCW 58.24 as the statewide source of land surveying information.

Statutory authority for adoption: RCW 58.24.070

Statute being implemented: RCW 58.24.070

Is rule necessary because of a:

- Federal Law? Yes No
- Federal Court Decision? Yes No
- State Court Decision? Yes No

If yes, CITATION:

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

Type of proponent: Private Public Governmental
Name of proponent: (person or organization) DNR Public Land Survey Office (PLSO)

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Patrick J. Beehler	1111 Washington St. SE, Olympia, WA 98504	(360) 902-1181
Implementation:	David Icenhower	801 88 th Ave. SE, Tumwater, WA 98501	(360) 902-1230
Enforcement:	David Icenhower	801 88 th Ave. SE, Tumwater, WA 98501	(360) 902-1181

Is a school district fiscal impact statement required under [RCW 28A.305.135](#)? Yes No
If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:
Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Is a cost-benefit analysis required under [RCW 34.05.328](#)?
 Yes: A preliminary cost-benefit analysis may be obtained by contacting:
Name: Patrick J. Beehler
Address: 1111 Washington St. SE, Olympia, WA 98504
Phone: 360-902-1181
Fax:
TTY:
Email: pat.beehler@dnr.wa.gov
Other:
 No: Please explain:

Regulatory Fairness Act and Small Business Economic Impact Statement
Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

(1) Identification of exemptions:
This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.
Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570\(2\)](#) because it was adopted by a referendum.

- This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(3\)](#). Check all that apply:
- | | |
|---|--|
| <input type="checkbox"/> RCW 34.05.310 (4)(b)
(Internal government operations) | <input type="checkbox"/> RCW 34.05.310 (4)(e)
(Dictated by statute) |
| <input type="checkbox"/> RCW 34.05.310 (4)(c)
(Incorporation by reference) | <input type="checkbox"/> RCW 34.05.310 (4)(f)
(Set or adjust fees) |
| <input type="checkbox"/> RCW 34.05.310 (4)(d)
(Correct or clarify language) | <input type="checkbox"/> RCW 34.05.310 (4)(g)
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit) |
- This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(4\)](#) (does not affect small businesses).
- This rule proposal, or portions of the proposal, is exempt under RCW _____.
- Explanation of how the above exemption(s) applies to the proposed rule:

(2) Scope of exemptions: *Check one.*

- The rule proposal is fully exempt (*skip section 3*). Exemptions identified above apply to all portions of the rule proposal.
- The rule proposal is partially exempt (*complete section 3*). The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):
- The rule proposal is not exempt (*complete section 3*). No exemptions were identified above.

(3) Small business economic impact statement: *Complete this section if any portion is not exempt.*

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs. _____
- Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Date: 11/18/2022

Name: Todd Welker

Title: Acting Deputy Supervisor

Signature:

Todd Welker

AMENDATORY SECTION (Amending WSR 15-13-075, filed 6/12/15, effective 8/1/15)

WAC 332-150-030 Filing and recording fees. Each county auditor shall collect the fee of (~~sixty-four dollars~~) \$100 per instrument in addition to any other fees required by law, as a condition precedent to the filing and recording of any surveys, subdivision plats, short plats or condominium surveys, plats or maps.