



RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

Agency:

Environmental Hearings Office/Shoreline Hearings Board

Permanent Rule Only

Effective date of rule:

Permanent Rules

31 days after filing.

Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain:

Purpose:

The purpose of the amendment to WAC 461-08-330 is to incorporate the Legislature's amendment to RCW 90.58.185 into the agency's rules. The amendment, contained in Senate Bill 6165 that was passed in the 2009 regular session, became effective July 25, 2009. It allows the chair of the hearings board to designate cases for review by a short-board panel.

Reasons supporting proposal: The Legislature amended RCW 90.58.185 in the 2009 regular session to allow greater flexibility in utilizing short-board panels as a cost-saving measure.

Citation of existing rules affected by this order:

Repealed:
Amended: WAC 461-08-330
Suspended:

Statutory authority for adoption: RCW 90.58.175; Ch. 34.05

Other authority :

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 09-13-052 on June 12, 2009.

Describe any changes other than editing from proposed to adopted version:

No change

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: _____ phone () _____
Address: _____ fax () _____
e-mail _____

Date adopted: October 13, 2009

CODE REVISER USE ONLY

NAME (TYPE OR PRINT)
Andrea McNamara Doyle

SIGNATURE *Andrea McNamara Doyle*

TITLE
Director of the Environmental Hearings Office
Chair of the Shorelines Hearings Board

**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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____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	<u>1</u>	Repealed	_____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New	_____	Amended	_____	Repealed	_____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>1</u>	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	<u>1</u>	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	_____