

WSR 07-19-124**PREPROPOSAL STATEMENT OF INQUIRY****DEPARTMENT OF COMMUNITY,****TRADE AND ECONOMIC DEVELOPMENT**

[Filed September 19, 2007, 11:25 a.m.]

Subject of Possible Rule Making: [Chapter 365-195 WAC](#), Procedural criteria for adopting comprehensive plans and development regulations. It also includes [chapter 365-190 WAC](#), Minimum guidelines to classify agricultural, forest and mineral lands and critical areas.

Statutes Authorizing the Agency to Adopt Rules on this Subject: [RCW 36.70A.050](#) and 36.70A.190.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The original WAC guidelines were designed to assist with adoption of a local government's first full Growth Management Act (GMA) plan. Local governments have now completed this task and guidelines more appropriate and relevant to current state GMA planning are needed. Amendments to the GMA have been adopted in almost every legislative session since 1992 and, with some exceptions, have not been incorporated into the WAC. The courts and growth management hearings boards have also interpreted and clarified significant portions of the GMA. The WAC does not reflect these interpretations and is, in some places, inconsistent with them. The department of community, trade and economic development (CTED) is reviewing these sections of the WAC for minor, technical corrections.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department of ecology adopts rules governing SEPA and the Shoreline Management Act. CTED will involve the department of ecology in the rule-making process to ensure that the CTED rules integrate and harmonize with these rules.

CTED will use the interagency work group (IAWG) on growth management for on-going coordination with agencies that work with local governments on growth management issues. The IAWG is a group of state agency representatives that meet regularly to coordinate state agency participation in local government GMA planning. It includes representatives from the department of ecology, the department of transportation, the department of fish and wildlife, CTED, the department of health, the department of natural resources, the department of agriculture and the department of social and health services; other agency representatives attend if needed.

Process for Developing New Rule: CTED will be conduct [conducting] a preliminary scoping phase and seek public input on what rules need to be amended and what issues should be addressed. Listening sessions will be held throughout the state in October 2007. Based on input, CTED plans to conduct a formal public hearing on proposed rule amendments in winter 2007/2008, and adopt changes by spring 2008.

CTED is also proposing a series of more significant, substantive rule changes under a separate CR-101. CTED anticipates formal hearings on these corrections in 2008, and adoption in 2009.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. For more information, contact Dave Andersen, AICP, Plan Review and Technical Assistance Manager, Growth Management Services Unit, (360) 725-3052,

davida@cted.wa.gov.

Send written comments to Dave Andersen, AICP, Growth Management Services, Washington Department of Community, Trade and Economic Development, P.O. Box 42525, Olympia, WA 98504-2525.

CTED has created a list serve for those interested in on-going updates of the process. Contact Dave Andersen at davida@cted.wa.gov to be added to the list serve.

A project web page has also been created at www.cted.wa.gov/growth.

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