



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017) (Implements RCW 34.05.310)

Do NOT use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: December 29, 2020

TIME: 8:19 AM

WSR 21-02-032

Agency: Washington Department of Commerce

Subject of possible rule making:

Chapter 365-196 WAC, Procedural Criteria for Adopting Comprehensive Plans and Development Regulations;
Chapter 365-190 WAC, Minimum Guidelines to Classify Agricultural, Forest and Mineral Lands and Critical Areas;
Chapter 365-195 WAC, Best Available Science

Statutes authorizing the agency to adopt rules on this subject:

RCW 36.70A.050, RCW 36.70A.190

Reasons why rules on this subject may be needed and what they might accomplish:

To bring the rules into conformance with recent legislative changes, new case law, and to clarify existing rules so local governments can better implement the GMA. Recent legislative changes include revisions to the periodic update cycle for local governments, the Buildable Lands Program, and siting schools outside of Urban Growth Areas.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: [Commerce will use the Inter-Agency Work Group (IAWG) for on-going coordination with agencies that work with local governments on Growth Management Act (GMA) 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 Departments of Ecology, Transportation, Fish and Wildlife, Commerce, Health, Natural Resources, Agriculture, Archaeology and Historic Preservation, and other state agency representatives. Commerce will host additional, breakout meetings with state agencies as needed and will leverage information and discussion from Phase II of the study on Washington's planning framework to inform the scope of necessary changes.]

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Commerce will solicit feedback from local governments throughout the rulemaking process. The public is encouraged to provide comments and recommendations on the scope and the draft rules posted on the agency web site at <https://www.commerce.wa.gov/about-us/rulemaking/> and distributed to our mailing list. Commerce may facilitate focus groups for additional discussion on particular topics with state agencies and other stakeholders. After the draft amendments are proposed, the public may provide written comments and/or testimony during the public hearing and comment process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

	(If necessary)
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Other:	Other:

Additional comments:

Date: December 29, 2020	Signature: 
Name: Dave Pringle	
Title: rules coordinator	