



RULE-MAKING ORDER PERMANENT RULE ONLY

**CR-103P (December 2017)
(Implements RCW 34.05.360)**

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: May 30, 2025

TIME: 9:15 AM

WSR 25-12-064

Agency: Washington State Environmental and Land Use Hearings Office

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: Adds new sections with procedures regarding the board's handling of confidential and exempt information and issuing protective orders; updates language to be gender neutral; adds new section and amends sections related to consolidation of appeals to align with recent changes to RCW 90.58.180; removes the requirement that settlement agreements be submitted to the board upon requesting a dismissal due to settlement; amends a section and adds a new section to give clarity on requirements for filing exhibits.

Citation of rules affected by this order:

New: 461-08-381; 461-08-411; 461-08-476; 461-08-491

Repealed:

Amended: 461-08-340; 461-08-350; 461-08-385; 461-08-410; 461-08-465; 461-08-475

Suspended:

Statutory authority for adoption: RCW 43.21B.170; RCW 90.58.175

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 25-07-077 on March 17, 2025 (date).

Describe any changes other than editing from proposed to adopted version: None

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

Name:

Address:

Phone:

Fax:

TTY:

Email:

Web site:

Other:

**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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____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	<u>1</u>	Amended	_____	Repealed	_____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New	_____	Amended	_____	Repealed	_____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 on the agency's own initiative:

New	4	Amended	6	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	4	Amended	6	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	_____

Date Adopted: May 30, 2025

Name: Jamie Merly

Title: Director of Legal and Administrative Services

Signature:

