



PROPOSED RULE MAKING

CR-102 (August 2017)
(Implements RCW 34.05.320)
Do **NOT** use for expedited rule making

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OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: August 31, 2018

TIME: 10:07 AM

WSR 18-18-066

Agency: Board of Pilotage Commissioners

- Original Notice
- Supplemental Notice to WSR _____
- Continuance of WSR _____
- Preproposal Statement of Inquiry was filed as WSR _____ ; 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).
- Proposal is exempt under RCW _____).

Title of rule and other identifying information: (describe subject) WAC 363-116-185: Pilotage Rates for the Grays Harbor Pilotage District

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
October 18, 2018	10:00am	2901 Third Avenue, 1 st Floor, Agate Conference Room, Seattle, WA 98121	

Date of intended adoption: October 18, 2018 (Note: This is **NOT** the effective date)

Submit written comments to:

Name: Sheri J. Tonn, Chair
Address: 2901 Third Avenue, Suite 500
Email: BeverJ@wsdot.wa.gov
Fax: 206-515-3906
Other:
By (date) October 11, 2018

Assistance for persons with disabilities:

Contact Jolene Hamel
Phone: 206-515-3904
Fax: 206-515-3906
TTY:
Email:
Other:
By (date) October 15, 2018

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The purpose of the proposal is to establish a 2019 Grays Harbor Pilotage District annual tariff.

The proposal as detailed calls for the following adjustments: *Pension Charge*: a decrease from \$500 to \$450*
* As the administrator of Grays Harbor pension funds for retired Grays Harbor pilots, Puget Sound Pilots provides this calculation.

Reasons supporting proposal: RCW 88.16.035 requires that a tariff be set annually.

Statutory authority for adoption: Chapter 88.16 RCW

Statute being implemented: RCW 88.16.035

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: Current rates for the Grays Harbor Pilotage District expire December 31, 2018. New rates must be set accordingly. All requirements necessary to amend the existing Grays Harbor Pilotage District tariff as set forth in RCW 53.08 have been met. The Board may adopt a rule that varies from the proposed rule upon consideration of presentations and written comments from the public and any other interested party.

Name of proponent: (person or organization) Port of Grays Harbor Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Jaimie C. Bever	2901 Third Avenue, Seattle, WA 98121	206-515-3887
Implementation: Commissioners	Board of Pilotage	2901 Third Avenue, Seattle, WA 98121	206-515-3904
Enforcement: Commissioners	Board of Pilotage	2901 Third Avenue, Seattle, WA 98121	206-515-3904

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

No: Please explain: RCW 34.05.328 does not apply to the adoption of these rules. The Washington State Board of Pilotage Commissioners is not a listed agency in RCW 34.05.328(5)(a)(i).

Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). 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:

- RCW 34.05.310 (4)(b) (Internal government operations)
- RCW 34.05.310 (4)(c) (Incorporation by reference)
- RCW 34.05.310 (4)(d) (Correct or clarify language)
- RCW 34.05.310 (4)(e) (Dictated by statute)
- RCW 34.05.310 (4)(f) (Set or adjust fees)
- 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 .

Explanation of exemptions, if necessary: .

COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES

If 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 analysis showing how costs were calculated. _____
- Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert 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: August 30, 2018	Signature: 
Name: Jaimie C. Bever	
Title: Executive Director	