PROPOSED RULE MAKING

CR-102 (June 2012)
(Implements RCW 34.05.320)
Do **NOT** use for expedited rule making

Agency: Department of Natural Resources

☒ **Preproposal Statement of Inquiry was filed as WSR** 15-22-030 **; 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).**

☒ **Original Notice**
☐ **Supplemental Notice to WSR** _____
☐ **Continuance of WSR** _____

Title of rule and other identifying information: (Describe Subject) Committee on Geographic Names and Geographic Names Policies and Procedures

Hearing location(s):
Room #172
Natural Resources Building
1111 Washington Street SE
Olympia, WA 98501

Date: Thursday, May 19, 2016 Time: 10:00am – 2:00pm

Date of intended adoption: May 30, 2016
(Note: This is **NOT** the **effective** date)

Submit written comments to:
Name: Caleb Maki – Executive Secretary
Address: PO Box47030
Olympia, WA 98501
e-mail bogn@dnr.wa.gov
fax (360)902-1778 by (date) May 26, 2016

Assistance for persons with disabilities: Contact
Caleb Maki by May 12, 2016
TTY ( ) _____ or (360) 902-1280

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The proposed policies and procedures clarify how the Committee on Geographic Names determines what proposed names from the public are sent to the Board on Geographic Names with the Committee's approval.

Reasons supporting proposal: Existing statutes do not fully describe the process for proposing, processing, and deciding upon geographic name proposals. The Legislature directed the Committee on Geographic Names to "establish rules for the conduct of its affairs and to carry out the duties of this section." RCW 43.30.293. Rules would clarify the process for proposing and processing geographic names and the standards considered for determining the eligibility of proposed names and for guiding the Committee's decision on proposals.

Statutory authority for adoption: RCW 43.30.293

Statute being implemented:

Is rule necessary because of a:

Federal Law?	☐ Yes	☒ No
Federal Court Decision?	☐ Yes	☒ No
State Court Decision?	☐ Yes	☒ No

If yes, CITATION:

DATE 3/9/16

NAME (type or print) Kyle Blum

SIGNATURE Kyle Blum

TITLE Deputy Supervisor

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: March 14, 2016
TIME: 8:54 AM

WSR 16-07-043

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization) Department of Natural Resources

☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting.....	Caleb Maki	1111 Washington St, Olympia, WA 98501	(360) 902-1280
Implementation....	Caleb Maki	1111 Washington St, Olympia, WA 98501	(360) 902-1280
Enforcement.....	David Bergvall	1111 Washington St, Olympia, WA 98501	(360) 902-2123

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

☐ Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

A copy of the statement may be obtained by contacting:
Name:
Address:

phone ( ) _____
fax ( )_____
e-mail _____

☒ No. Explain why no statement was prepared.

This rule change will have no fiscal impact.

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 ( )_____
e-mail _____

☒ No: Please explain:

This rule does not meet the definition of a significant rule. (RCW 34.05.328(5)(b)(ii).).

Chapter 332-160 WAC
COMMITTEE ON GEOGRAPHIC NAMES AND GEOGRAPHIC NAMES POLICIES AND PROCEDURES

NEW SECTION

WAC 332-160-010 Purpose and importance of geographic names. Geographic names help identify and distinguish geographic features, places, or areas. The board of geographic names with assistance from the committee on geographic names is the Washington state agency that officially approves names for geographic features in Washington state.

The designation of a name is often an important issue for a community or a proponent. Due to the official and lasting nature of geographic names, designation should only occur after careful consideration of available information relating to the policies in these rules. Continuity in the use of geographic names is important for clarity in verbal and written communications and emergency situations; consequently, changes in existing names should not be made without a compelling reason.

NEW SECTION

WAC 332-160-020 Definitions. "Board on geographic names" refers to the board that is created by the Washington legislature to, in part, establish the procedure to retain existing geographic names and to either name or rename geographic features within the state of Washington consistent with RCW 43.30.291 through 43.30.295. The board of natural resources serves as the board of geographic names.

"Commemorative name" refers to a name or proposed name of a geographic feature, which incorporates a person's name in his or her honor.

"Committee on geographic names" refers to the committee created by the board on geographic names to help the board carry out its duties and to provide broader public and tribal participation in naming features. The committee's duties are more fully described in RCW 43.30.292 through 43.30.293.

"Diacritical marks" are symbols added to letters or names to indicate a special phonetic value or to distinguish words that are otherwise spelled the same way.

"Geographic features" include lakes, mountains, streams, places, towns and other similar features located within the state. For purposes of RCW 43.30.291, geographic features do not include human-made features or administrative areas such as parks, game reserves, and dams, but do include human-made lakes.

"Name change" means formally changing the proper name of a place, feature, or area in Washington state.

"Wilderness areas" refers to federally owned areas that are designated as wilderness areas under the Wilderness Act of 1964 (Public Law 88-577, 78 Stat. 890).

NEW SECTION

WAC 332-160-030 Proposal requirements and consideration process. How are complete proposals submitted and generally reviewed? The board on geographic names is responsible for establishing official Washington state geographic names. A geographic name becomes official after the board approves a recommendation made by the committee on geographic names. The committee on geographic names considers name proposals that are submitted to it rather than acting on its own motion.

(1) Timing and form of geographic name proposals:

(a) Proponents may submit geographic name proposals to the committee on geographic names at any time throughout the year. The committee has two regularly scheduled committee meetings each year. To be considered at an upcoming regular committee meeting, the proposal must be received at least thirty days prior to that meeting.

(b) Proposals should be submitted on the Committee on Geographic Names' Proposal Form and be electronically submitted to bogn@dnr.wa.gov or mailed to:

Washington State Committee on Geographic Names
P.O. Box 47030
Olympia, WA 98504

(c) Proposals should be consistent with the form and substance expressed in this chapter and may be returned or ultimately denied for being inconsistent. The committee may accept for consideration proposals on a United States Board of Geographic Names Form when the proposal is forwarded by the U.S. board.

(2) Adequacy of proposal information: The burden to gather and submit information regarding a proposal is on the proponent. Proponents are encouraged to contact the landowner or agency that the geographic feature is located on.

(a) The committee may, in its discretion, request proponents to submit more information and defer further committee action pending receipt.

(b) The committee and staff may, at their discretion, independently pursue information related to any proposal.

(3) Committee denial or recommendation to approve: The committee may deny a proposal at any meeting, or recommend its approval after the proposal has been considered at two or more meetings and the committee has conducted careful deliberation of all available information. The factors to be considered by the committee are described elsewhere in this chapter, especially WAC 332-160-040 and 332-160-050. If the committee decides to recommend approval to the board, all proposal materials and the committee's recommendation to approve will be forwarded onto the Washington state board on geographic names.

(4) Board on geographic names review and decision: The board of natural resources will indicate (agenda/other notice) when it will consider geographic name proposals in its capacity as the board on geographic names. The board will consider the information forwarded by the committee on geographic names and may entertain additional statements on specific proposals consistent with the board of natural resources business rules. After deliberation on a proposal, the board on geographic names may approve a proposal or refer a proposal back to the committee on geographic names for further consideration. Upon referring a proposal back to the committee, the board may include instructions for the committee to seek additional information or to re-

consider its recommendation to approve in light of other information/issues/proposals. The board on geographic names' approval of a proposal is final and is not subject to administrative review. Proposals to name a geographic feature that has been named by the board on geographic names will only be considered by either the committee or the board under the circumstances described in WAC ***.

NEW SECTION

WAC 332-160-040 Factors to consider for all name proposals. What factors will the committee and board on geographic names consider when reviewing geographic name proposals? There can be no set formula applied to determine whether a specific proposal should be approved or denied; however, there are certain factors that should be considered. This section describes considerations of the board and committee on geographic names as well as how these factors influence the naming decision.

(1) Proposals containing the following characteristics are generally favored:

(a) Dominant local usage - Names that are in dominant local usage and are strongly supported by local residents will be favored. Proponents should submit appropriate evidence of local usage and resident support for their proposal.

(b) Historical significance - Names that are significant to the early history of Washington state, such as names of prominent Native Americans or pioneers, or pertinent foreign origin will be favored. Proponents should provide appropriate evidence of the historical significance of the proposed name as well as its relationship to the geographic feature.

(c) Use of the Roman alphabet - Proposed geographic names must be written in the Roman alphabet as normally used for writing the English language. Diacritical marks, however, may be added to names as specified below. Proposed names should be as short as possible and easily pronounced. The pronunciation should be apparent from the spelling.

(2) Proposals containing the following factors will be disfavored:

(a) Derogatory names - The committee on geographic names will deny any proposal that it deems to be derogatory toward any racial, ethnic, gender, or religious group.

(b) Diacritical marks - The use of diacritical marks in proposed names is disfavored because they are almost never used in English and because they are not easily reproducible on maps, signs, or other documents. On the other hand, diacritical marks may be especially important if their omission would result in a significant change in the meaning of the name in the parent language. A spelling that includes diacritical marks might be approved if, in the judgment of the committee, there is substantial evidence of active local use, such as official records, maps, and signs, in the area where the feature is located, or overriding significance.

(c) Duplicate names - The use of duplicate names for similar types of geographic features within a county or in close proximity to each other should be minimized or avoided unless overridden by other considerations such as dominant local usage.

(d) Commercial names - Proposals containing clear commercial overtones are strongly disfavored, including names proposed to improve advertising of a site for an individual, group, or organization.

(e) Hyphens and apostrophes - Hyphens and apostrophes are not easily reproducible on signs, maps, and other documents and thus are disfavored. These symbols should only be retained when necessary for the meaning of a name. Apostrophes suggesting possession or association are not to be used within the body of a proper geographic name (Longs Pond: Not Long's Pond). One example of an exception might be where an apostrophe is necessary to preserve correct spelling of family names (e.g., O'Brian Creek), but the committee will consider each proposal on a case-by-case basis.

(f) Long names - If the length of a name makes it difficult or cumbersome to use in written or spoken form, the proposed name will be disfavored and will not be approved unless there are overriding considerations. Full commemorative names may be approved by the committee and board where more than just the surname is necessary to make it unambiguous who the referent is. And, when naming a branch of a stream (or segment of any other geographic feature), reference to the name of the main geographic feature along with the branch name might be necessary for clarity.

(g) Wilderness names - A goal of federal wilderness area administration is to minimize the impacts and traces of people, including the naming of features. Within wilderness areas, proposals will not be approved unless an overriding need exists, such as for purposes of safety or area administration. Proponents of an unnamed feature in a wilderness area must attempt to coordinate their proposal with the federal agency responsible for the administration of the area. The application for a name change should include the result of this effort, including any documentation supporting a federal agency finding of overriding need.

(3) Commemorative names: Proposals assigning the name or nickname of a deceased person to geographic features will be considered by the committee on geographic names and will be neither favored nor disfavored as a general class. These proposals will be assessed in consideration of all other naming factors. Additionally, commemorative name proposals must be consistent with the following standards:

(a) The person being commemorated must be deceased for at least five years before a proposal will be considered;

(b) The person being honored should have had either some direct or long-term association with the feature or have made a significant contribution to the area in which it is located unless the commemorated person had an outstanding and significant national or international reputation;

(i) Examples of "direct or long-term association" or "significant contribution" include early or long-term settlers of more than twenty years, donor of land to the state or federal government, or a person who played a large part in protecting the land for the public benefit;

(ii) A person's ownership of or death on land where a feature is located will normally not be sufficient on its own to satisfy the "direct or long-term association" criterion.

(c) Proposed commemorative names that may be construed to commemorate a living person are disfavored;

(d) Proposals to commemorate living or deceased pets are disfavored; and

(e) As part of a commemorative name proposal, proponents should submit evidence of local support for the name, provide evidence of

historical significance when applicable, and design their proposal to address the other decision factors in this rule.

(4) Names located on tribal reservations: The committee will not review name proposals where a geographic feature is located entirely on a tribal reservation, instead deferring to the tribal government.

(5) Generic terms: When a proposed geographic name includes both a specific and generic element, the generic term (creek, ridge, lake, etc.) should be appropriate to the feature and should normally be consistent with generic terms already used and understood in the area in which the feature is located.

NEW SECTION

WAC 332-160-050 Name changes. When is the change of an existing geographic name appropriate? Stability in the use of geographic names is important to reduce confusion and to minimize costs associated with changing names; thus, changes in existing geographic names should only occur where a proponent provides substantial evidence of a compelling reason for the change. Proposals to change names that have recently (less than five years) been adopted by the board on geographic names will very rarely be considered by the committee on geographic names. Generally, the following three classes of proposals may justify the change of an existing official name:

(1) Proposals made to bring existing official names into agreement with dominant local usage;

(2) Proposals made to eliminate existing name problems, as in the case of derogatory names, name duplication creating confusion within a county, and officially recognized names that were based on incorrect information; or

(3) Proposals made at the request of persons or organizations for commemorative purposes.

Committee decisions to change a name or to adopt any specific name will consider all relevant factors regarding name proposals as well as other committee policies, documented usage, population density, and state, tribal and local government needs.

NEW SECTION

WAC 332-160-060 Multiple proposals for the same geographic feature. How will the committee process multiple proposals for the same geographic feature? When the committee has received multiple proposals relating to the same geographic feature, the committee may, in its discretion, delay deliberation on a proposal so as to make simultaneous deliberations and one recommendation. Once the committee recommends approval of a proposal, the committee will not consider other proposals for the same geographic feature unless the board refers the proposal back to the committee for further consideration. The board may, in its discretion, either approve a proposal or refer the proposal to the committee for one recommendation in consideration of all proposals for a geographic feature.

NEW SECTION

WAC 332-160-070 Reconsideration of proposals. When may a denied proposal be resubmitted to the committee on geographic names? The Washington state committee on geographic names will not reconsider a denied proposal unless one of the following applies:

(1) Significant new information supporting the proposal under these policies is presented to the committee.

(2) The proposal is referred back to the committee by the board with a recommendation to review.

NEW SECTION

WAC 332-160-080 Committee membership. Who serves on the committee on geographic names? The Washington state committee on geographic names is comprised of a seven member committee.

(1) Membership: In compliance with RCW 43.30.292, the Washington state committee on geographic names shall consist of:

(a) The Washington state commissioner of public lands or representative. The commissioner or the commissioner's representative shall serve as chair of the committee.

(b) The Washington state librarian or the librarian's designee.

(c) The director of the Washington state department of archaeology and historic preservation or the director's designee.

(d) A representative of the Washington state tribes, to be appointed by the commissioner from nominations made by Washington's recognized tribal governments.

(e) Three members from the public to be appointed by the commissioner.

(2) Delegation: No member may delegate their position to another, except as authorized by RCW 43.30.292 to provide a representative or designee, or as otherwise authorized by law.

NEW SECTION

WAC 332-160-090 Committee member terms. How long do committee on geographic names members serve? Committee members shall serve on the committee until a successor is appointed.

(1) The tribal representative serves a three-year term.

(2) Initial appointments of the public members appointed shall be as follows:

(a) One member for a one-year term.

(b) One member for a two-year term.

(c) One member for a three-year term. Thereafter, each public member shall be appointed for a three-year term.

NEW SECTION

WAC 332-160-100 Meeting format. How are committee meetings conducted? Active participation by the public and committee members is important for a successful meeting.

(1) General: In compliance with RCW 43.30.293, all Washington state committee on geographic names meetings are to be open to the public.

(2) Meeting schedule: The Washington state committee on geographic names shall meet at least twice a year. Special meetings can be called by the chair of the committee, or by a majority of the committee members.

(3) Quorum: A quorum exists so long as at least four committee members are present. The existence of a quorum is not affected by the recusal or abstention of a member so long as they remain present at the meeting.

(4) Majority vote: Committee decisions will be decided by a majority vote of those members who vote. Proxies are not permissible.

(5) Meeting format:

(a) Call to order - The meeting is called to order by the chair of the committee.

(b) Adoption of past minutes - The minutes from the last committee meetings are put to a vote to adopt them, with any corrections from the committee members.

(c) Names for final consideration - The committee will hear proposals that are up for final consideration (or have been deferred for final consideration at a past meeting). These proposals have been accepted for final consideration at a past committee meeting, and have gone through the comment solicitation phase. The committee can send the proposal to the board on geographic names with the committee's recommendation to approve, it can deny the proposal, or defer the proposal if the committee members feel they need more information from the proponent or from individuals or organizations that have commented on the proposal.

(d) Names for initial consideration - The committee will hear proposals that are up for initial consideration (or have been deferred for initial consideration at a past meeting). These proposals have not appeared before the committee. The committee may accept the proposal for final consideration, deny the proposal, or defer the proposal if the committee members feel they need more information from the proponent.

(e) Order - The chair of the committee may, in his or her discretion, use *Robert's Rules of Order* to help maintain orderly conduct at meetings.

(f) Committee business - If there are any business items pending, the committee will hear them at this time.

(g) Adjourn meeting - If all business and items on the agenda have been heard, the chair of the committee will adjourn the meeting.

NEW SECTION

WAC 332-160-110 Public comment for geographic name proposals. How does one comment on proposals? If a proposal is accepted for final

consideration at a meeting, the committee will solicit opinions from local and tribal governments and other organizations or individuals who may have an interest in the proposed name. Because of the difficulty in contacting everyone who may be familiar with a particular geographic feature, the committee relies upon comments submitted by the public.

There are two preferred ways to comment on a geographic name proposal, and comments can be submitted at any time in the proposal process, up to ten days prior to a meeting:

(1) People who want to comment on a proposal prior to a meeting can do so by sending electronic comments to the committee at bogn@dnr.wa.gov or send written comments to:

Washington State Committee on Geographic Names
P.O. Box 47030
Olympia, WA 98504

(2) Individuals may comment on their proposal(s) of interest during a committee meeting. Committee staff will individually announce a geographic name proposal and identified speakers. Each speaker will have two minutes to testify plus additional time allowed by the committee chair to answer committee member questions. The committee chair may announce more or less time for speakers at the beginning of the meeting to accommodate the agenda.