

WAC 173-183-240 Preassessment screening. (1) The primary duty of the RDA committee during the preassessment screening is to determine whether detailed damage assessment studies should be conducted under RCW 90.48.367, or alternatively, whether the compensation schedule authorized under RCW 90.48.366 and 90.48.367 will be used to assess damages.

(2) The RDA committee shall consider information collected during reconnaissance and cleanup as well as other relevant background information pertaining to threatened public resources or resource use for the preassessment screening.

(3) The RDA committee shall consider the following factors when determining the type of damage assessment to be conducted:

(a) Whether evidence from reconnaissance investigations suggests that injury has occurred or is likely to occur to publicly owned resources;

(b) The potential loss in services provided by public resources injured or likely to be injured and the expected value of the potential loss;

(c) Whether a restoration project to return lost services is technically feasible;

(d) The accuracy of damage quantification methods that could be used and the anticipated cost-effectiveness of applying each method;

(e) The extent to which likely injury to public resources can be verified with available quantification methods; and

(f) Whether the injury, once quantified, can be translated into monetary values with sufficient precision or accuracy.

(4) The department shall apply the compensation schedule to determine the amount of damages if the RDA committee determines that:

(a) Restoration or enhancement of the injured resources is not technically feasible;

(b) Damages are not quantifiable at a reasonable cost; and

(c) The restoration and enhancement projects or studies proposed by the potentially liable party are insufficient to adequately compensate the people of the state for public resource damages.

(5) The RDA committee is encouraged to work cooperatively with the potentially liable party, to the greatest extent possible, to increase the efficiency of the damage assessment process, and shall provide for the ongoing involvement of the potentially liable party.

[Statutory Authority: Chapter 90.48 RCW. WSR 92-10-005 (Order 91-13), § 173-183-240, filed 4/23/92, effective 5/24/92.]