CITY OF MERCER ISLAND

DEVELOPMENT SERVICES GROUP

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

PHONE: 206.275.7605 | www.mercergov.org

Inspection Requests: Online: www.MyBuildingPermits.com VM: 206.275.7730



ENVIRONMENTAL CHECKLIST

Date Received: _

File No: _ Fee:

See Development Application for fees

PURPOSE OF CHECKLIST

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

INSTRUCTIONS FOR APPLICANTS

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

USE OF CHECKLIST FOR NONPROJECT PROPOSALS

For nonproject proposals complete this checklist and the supplemental sheet for nonproject actions (Part D). The lead agency may exclude any question for the environmental elements (Part B) which they determine do not contribute meaningfully to the analysis of the proposal.

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

- 1. Name of proposed project, if applicable: 2825 West Mercer Way Preliminary Plat
- 2. Name of applicant: OB Mercer Island Properties, LLC
- 3. Address and phone number of applicant and contact person: PO Box 726, Bellevue, WA 98009, 206.604.7941 Contact: Eric Hansen
- 4. Date checklist prepared: 02/27/19
- 5. Agency requesting checklist: City of Mercer Island
- 6. Proposed timing or schedule (including phasing, if applicable): Construction will begin upon receiving all necessary approvals and permits.
- 7. Do you have any plans for future additions, expansions, or further activity related to or connected with this proposal? If yes, explain:

There are no proposed or planned future additions or expansions at this time.

- 8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal: Survey, prepared by 4 Site Surveying and Consulting; Geotechnical Report, prepared by Earth Solutions NW, LLC; Critical Area Reconnaissance Memorandum, prepared by The Watershed Company; Preliminary Storm Drainage Report, prepared by Blueline; Arborist Report, prepared by Greenforest Incorporated
- Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain: A demo permit was applied for with the city and is pending (SEP17-020)
- Interview
 Demolition Permit; Long Plat/Long Subdivision Preliminary Approval; Long Plat/Long Subdivision

 Final Approval; Construction permits for infrastructure; Single-Family Residence Building Permits.
- 11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.) The applicant proposes to demolish the vacant commercial structures, subdivide the property, install infrastructure including an on-site private tract road

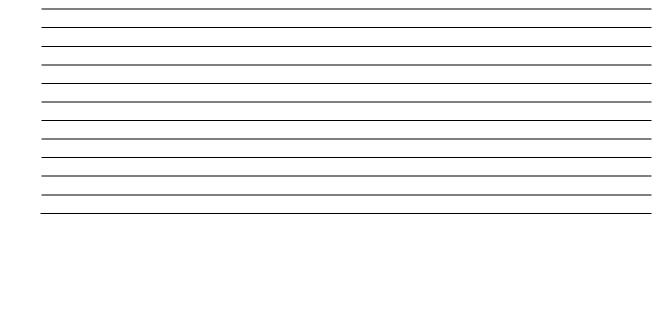
and construct 14 new single-family residences with on-site private tract road and associated infrastructure. Demolition will include the removal of two buildings, approximately 22,000 square feet of gym and school/office space, as well as associated

impervious surfaces, including approximately 90 parking spaces.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. The subject site is located within the City of Mercer Island in Section 11, Township 24N, Range 5E, W.M.

It is comprised of one 2.88-acre parcel (2174502425) with an address of 2825 W Mercer Way, Mercer Island, WA 98040.

The site is bound by SE 28th St to the north, SE 30th St to the south, W Mercer Way to the east, and 62nd Ave SE to the west.



FN	VIRONMENTAL ELEMENTS
Ear	
a.	General description of the site (check one):
Fla ⁻	
110	
h	What is the steepest close on the site (approximate percent close)?
b.	What is the steepest slope on the site (approximate percent slope)? steepest slope on site is 17%.
THE	
	M/hat so and two a of acile are found on the site (for evenue), alow could are all not much
C.	
	If you know the classification of agricultural soils, specify them and note any agricultural la
	of long-term commercial significance and whether the proposal results in removing any o these soils.
Topor	UTIESE SOTIS.
· ·	native soils discovered below the topsoil and fill consisted of silty sand and silt, consistent with the typical makeup of glacial till. See Geot
d.	Are there surface indications or history of unstable soils in the immediate visibility? If so
u.	Are there surface indications or history of unstable soils in the immediate vicinity? If so,
The	describe.
Iner	re are no known indications or history of unstable soils in the immediate vicinity.
e.	Describe the purpose, type, total area, and approximate quantities and total affected area
	any filling, excavation, and grading proposed. Indicate source of fill.
Clea	ring and grading will occur to establish final grades. Approximately 6800 CY of cut and 6000 CY of fill are
antic	sipated for a net export of roughly 800 CY of material.
f.	Could erosion occur as a result of clearing, construction, or use? If so, generally describe.
Limit	ted erosion could occur as a result of the initial construction; however, erosion control measures will be utilized
durir	ng the construction phase to minimize potential erosion impacts. Temporary erosion and sedimentation control
plan	s will be submitted and approved by City of Mercer Island.
g.	About what percent of the site will be covered with impervious surfaces after project
0,	construction (for example, asphalt or buildings)?
Appi	roximately 52% of the site (64,900 SF/125,316 SF) will be impervious after project construction.
· • • • •	
h	Bronocod measures to reduce or control erocion, or other impacts to the earth if any
h.	Proposed measures to reduce or control erosion, or other impacts to the earth, if any:
	nporary erosion and sediment control plan, designed in accordance with City of Mercer Island standards, will be employed during the
demo	olition and construction phases of this project.

2. Air

a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, and industrial wood smoke) during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

Heavy equipment operation and workers vehicles would generate exhaust emission into the local air.

Construction activity onsite could also stir up exposed soils and generate dust. The completed project

would result in a minor increase in the amount of exhaust related pollutants in the local area.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

There are no known offsite sources of emissions or odor that may affect this proposal.

c. Proposed measures to reduce or control emissions or other impacts to air, if any: Watering onsite as necessary during demolition and construction will help control dust and other particulates.

3. Water

- a. Surface:
 - Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

There are no known surface water bodies onsite, Lake Washington is located approximately 850' from the subject site.

ii. Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

There is no proposed work over, in or adjacent to these waters.

 iii. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Not applicable, there is no proposed disturbance within or adjacent to surface waters.

iv. Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

The proposal does not include the discharge of waste materials into surface waters.

v. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. No, the subject site is not located within a floodplain.

vi. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

The proposal does not include the discharge of waste materials into surface waters.

- b. Ground
 - i. Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well? Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

Ground water will not be withdrawn from a drinking well or any other known proposes.

ii. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, [containing the following chemicals...]; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

No waste materials are anticipated to be discharged into the ground from septic tanks or other sources. The subject

site is serviced by public sewer.

c. Water runoff (including stormwater):

i. Describe the source of runoff (including stormwater) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

In the existing condition, runoff from the site drains to two different drainage paths that combine within ½ mile. Both drainage paths ultimately drain to Lake Washington. In the developed condition, the majority of runoff from the site will be collected and conveyed via tight-lined system to the existing public storm system. Flows will be routed such that the tributary area to each drainage path reasonably matches the existing condition area. Refer to the Preliminary TIR prepared by Blueline.

ii. Could waste materials enter ground or surface waters? If so, generally describe. It is not anticipated that waste materials will enter ground or surface water.

d. Proposed measures to reduce or control surface, ground, runoff water, and drainage pattern impacts, if any:

Approved TESC BMP's will be provided in accordance with City of Mercer Island code to reduce and/or control runoff water impacts.

4. Plants

- a. Check types of vegetation found on the site
 - Deciduous tree: Alder, Maple, Aspen, other
 - Evergreen tree: Fir, Cedar, Pine, other
 - Shrubs
 - Grass
 - Pasture
 - □ Crop or grain
 - U Wet soil plants: Cattail, buttercup, bulrush, skunk cabbage, other
 - □ Water plants: Water lily, eelgrass, milfoil, other
 - Other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

To generate the site grade appropriate for the proposed buildings and infrastructure, vegetation within the disturbed area

boundaries of the site will be removed.

c. List threatened or endangered species known to be on or near the site.

There was no visual evidence of threatened or endangered species found to be on or near the site.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

The site does not contain any known noxious weeds or invasive species.

e. List all noxious weeds and invasive species known to be on or near the site. There are blackberry bushes adjacent to both West Mercer Way and 68th Ave SE.

5. Animals

a. State any birds and animals which have been observed on or near the site or are known to be on or near the site. Examples include:

Birds: hawk, heron, eagle, songbirds, other:

Mammals: deer, bear, elk, beaver, other:

Fish: bass, salmon, trout, herring, shellfish, other:

Songbirds.

b. List any threatened or endangered species known to be on or near the site. There are no known threatened or endangered species known to be on or near the site.

c. Is the site part of a migration route? If so, explain. The site is located within the Pacific Flyway Migration Route.

d. Proposed measure to preserve or enhance wildlife, if any: The project may incorporate some native plants in the proposed landscaping and other plants appropriate for the climate.

e. List any invasive animal species known to be on or near the site.

There are no known invasive animal species located on or near the site.

6. Energy and natural resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Electric and/or natural gas will be used to meet the energy needs.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

It is not anticipated that the proposal will affect potential use of solar energy by adjacent properties.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

The building will be constructed to meet or exceed applicable local, state and/or federal building and energy codes to ensure

compliance with energy conservation.

7. Environmental health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.

There are no known environmental health hazards that could occur with this proposal.

i. Describe any known or possible contamination at the site from present or past uses. There is no known contamination located onsite from present or past uses.

ii. Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

There is no known hazardous chemicals or conditions that may affect the project development and design.

iii. Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Fuels associated with automobiles and construction machinery as well as typical household products (cleaners, adhesives, etc) may be present onsite.

iv. Describe special emergency services that might be required.

There are no special emergency services anticipated with this development.

v. Proposed measures to reduce or control environmental health hazards, if any: State regulations regarding safety and the handling of hazardous material would be enforced during the construction process.

b. Noise

i. What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

The dominate sources of noise would be from traffic along West Mercer Way and the noise produced from equipment during the construction phase.

 What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Construction activity onsite would temporarily increase peak onsite noise levels. Construction will follow City of Mercer Island approved hours of operation. The complete project would result in slight increase in ambient noise from the new subdivision.

iii. Proposed measures to reduce or control noise impacts, if any:

Construction activity would be limited to hours as specified by City of Mercer Island, which will mitigate the impacts of construction.

8. Land and shoreline use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The site is currently developed with two commercial buildings, parking spaces and associated impervious surfaces. The adjacent

parcels are developed with single family homes.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

The site is not known to have been used as working farmland or working forest lands.

c. Describe any structures on the site.

There are two structures on the site; a gym and school/office space.

d. Will any structures be demolished? If so, what? All structures will be demolished.

e. What is the current zoning classification of the site? The site is currently zoned R-8.4.

f. What is the current comprehensive plan designation of the site? Single Family

g. If applicable, what is the current shoreline master program designation of the site? The site is not located within the Shoreline.

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify. There are no known environmental sensitive areas onsite.

i. Approximately how many people would reside or work in the completed project? The project proposes the development of 14 single-family residences.

j. Approximately how many people would the completed project displace? There are no dwelling units located onsite, thus no people will be displaced.

k. Proposed measures to avoid or reduce displacement impacts, if any: Not applicable, there are no dwelling units located on the site so no displacement will occur.

I. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The proposed development is to be designed in compliance with the City of Mercer Island's Zoning Code and Comprehensive Plan.

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low income housing.

The project proposes the development of 14 single-family residences, likely to be middle income housing.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low income housing.

No units will be eliminated.

c. Proposed measures to reduce or control housing impacts, if any:

N/A - No housing units have been displaced.

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas? What is the principal exterior material(s) proposed?

The project will comply with Mercer Island City Code Title 19 which allows for maximum height of 30 feet above the average building elevation.

b. What views in the immediate vicinity would be altered or obstructed?

No views in the immediate vicinity shall be altered or obstructed.

c. Proposed measures to reduce or control aesthetics impacts, if any:

The proposed building design, design features and building color will control aesthetic impacts.

11. Light and glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

The completed project will generate limited light and glare as typically associated with a single-family residence.

b. Could light or glare from the finished project be a safety hazard or interfere with views? Safety hazards or view interference are not anticipated.

c. What existing off-site sources of light or glare may affect your proposal? Existing off-site light sources are not presumed to affect this proposal.

d. Proposed measures to reduce or control light and glare impacts, if any: As existing off-site light sources are not presumed to affect this proposal, no measures are proposed.

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity? Secret Park is located approximately 150' north of the subject site.

b. Would the proposed project displace any existing recreational uses? If so, describe. The site currently contains and abandoned building therefore the proposal will not displace any existing recreational uses.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Measures to reduce or control impacts to recreation are not proposed, as no displacement to existing recreational uses will occur.

13. Historic and cultural preservation

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

According to King County IMAP, Building 1 was built in 1990 and Building 2 was originally built in 1912 and possibly remodeled and/or built out in 1962.

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation. This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

There are no known landmarks or cultural evidence located on or next to the site.

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.
 As there are no known landmarks, features, or other evidence of Indian or historic use or occupation and no known material evidence, artifacts, or areas of cultural importance on or near the site, no methods were used to assess potential impacts to cultural or historic resources on or near the site.

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.
 If cultural evidence was encountered during construction or installation of improvements, work would be halted in the area and a state approve archaeologist/historian would be engaged to investigate, evaluate and/or move or curate such resources as appropriate.

14. Transportation

a. Identify public streets and highways serving the site or affected geographic area, and describe proposed access to the existing street system. Show on site plans, if any.

The site is served by West Mercer Way, SE 28th Street, SE 30th Street and 62nd Ave NE. The project proposes access from 62nd Ave NE.

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?
 There is a bus stop located at W Mercer Way and SE 28th St., which service King County Metro Route

892. It is adjacent to the project site.

c. How many additional parking spaces would the completed project or nonproject proposal have? How many would the project or proposal eliminate?

Approximately 90 parking spaces will be eliminated. The project will comply with Mercer Island City Code Title 19 which will result in approximately 42 new parking spaces.

d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

New 8' gravel shoulder on SE 28th St, SE 30th St, and 62nd Ave SE (public). New 5' asphalt path on SE 28th St, SE 30th St, 62nd Ave SE, and W Mercer Way (public, extends ~2' onsite along 62nd Ave SE – will be contained within a public access easement).

e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

The project is not anticipated to use or affect water, rail or air transportation.

f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates?

No new trips would be generated with this development, as the use is changing from commercial to single-family residential. A reduction in vehicular trips is expected. The ITE Trip Generation Manual was used to make this estimate.

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

The proposal will not affect or be affected by the movement of the agricultural and forest productions on the roads or streets in the area.

h. Proposed measures to reduce or control transportation impacts, if any:

The applicant will comply with the City of Mercer Island's Transportation Code and pay any required impact fees.

15. Public services

a. Would the project result in an increased need for public services (for example; fire protection, police protection, health care, schools, other)? If so, generally describe.

Yes, to an expected level. The need for public services such as fire, health, and police protection

will be typical of single-family development of this size.

b. Proposed measures to reduce or control direct impacts on public services, if any.

The applicant will comply with the City of Mercer Island's Zoning Code and pay any required impact fees.

16. Utilities

a. Check utilities currently available at the site:								
Electricity		Natural Gas		Water		Refuse Service		
Telephone	$\overline{\mathbf{v}}$	Sanitary sewer		Septic system	Ń.	Other Cable/Phone		
					•			

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

If septic and water wells are found to be onsite they will be abandoned in accordance with applicable standards.

C. SIGNATURE

Signature:

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the answers to the attached SEPA Checklist are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

DocuSigned by: EVIC HANSEN 2/28/2019

Date Submitted:

SEPA RULES

SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; productions, storage, or release of toxic or hazardous substances; or production of noise?

Proposed measures to avoid or reduce increases are:

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

3. How would the proposal be likely to deplete energy or natural resources?

Proposed measures to protect or conserve energy and natural resources are:

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Proposed measures to protect such resources or to avoid or reduce impacts are:

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Proposed measures to avoid or reduce shoreline and land use impacts are:

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Proposed measures to reduce or respond to such demand(s) are:

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

[Statutory Authority: RCW <u>43.21C.110</u>. WSR 16-13-012 (Order 15-09), § 197-11-960, filed 6/2/16, effective 7/3/16. Statutory Authority: RCW <u>43.21C.110</u> and <u>43.21C.100</u> [43.21C.170]. WSR 14-09-026 (Order 13-01), § 197-11-960, filed 4/9/14, effective 5/10/14. Statutory Authority: RCW <u>43.21C.110</u>. WSR 13-02-065 (Order 12-01), § 197-11-960, filed 12/28/12, effective 1/28/13; WSR 84-05-020 (Order DE 83-39), § 197-11-960, filed 2/10/84, effective 4/4/84.]