

TRANSMITTAL OF RULES ADOPTED

FROM: DEPARTMENT OF GAME
(Name of Agency)

TO: CODE REVISER
LEGISLATIVE BLDG (Southwest Corner, Ground Floor)
Olympia 98501

The enclosed Permanent rules , being order No. 2
Emergency rules

relating to (Name of rules or description of subject matter)

- WAC 232-12-010 Definition of Terms
- WAC 232-12-015 Classification of Game Fish
- WAC 232-12-040 Classification of Wild Animals
- WAC 232-12-130 Unlawful Firearms for Hunting
- WAC 232-12-135 Muzzle Loading Rifles
- WAC 232-12-150 Hunting from Aircraft, Boats, Automobiles, Etc.,--Unlawful
- WAC 232-12-160 Big Game Supplemental Tag--Tagging Requirements
- WAC 232-12-170 Holding Live Game and Protected Wildlife in Captivity, Unlawful

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice No. 2599 ^① filed with the code reviser on 3/17/70 ^② were regularly adopted as permanent rules of this agency at Olympia, Washington on 4/7/70 and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW. The effective date of such rules shall be _____ ^③

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding that the immediate adoption of these rules is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to the public interest, were regularly adopted as emergency rules of this agency at _____ on _____ and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW.

Dated this 20th day of April 1970.

STATE OF WASHINGTON
FILED
APR 20 1970
CODE REVISER'S OFFICE
KET: 2842 FILE # 7

THE DEPARTMENT OF GAME
(AGENCY)
William Lemke
By _____
Assistant Attorney General
Title

① NOTICE NUMBER AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE NO. OF LAST NOTICE)
② STAMPED DATE AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE DATE OF LAST NOTICE)
③ UNLESS A LATER DATE IS SPECIFIED IN THIS ORDER OR IS PRESCRIBED IN ANOTHER STATUTE, RULES ARE EFFECTIVE 30 DAYS AFTER FILING:
34.04. LEAVE THIS SPACE BLANK EXCEPT IN SUCH SPECIAL CASES.

WAC 232-12-175 Pursuit of Bear Without Taking or Killing
WAC 232-12-230 Falconry Permitted
WAC 232-12-255 Permits for Controlled Hunts
WAC 232-12-310 Size Limits on Traps
WAC 232-12-340 Maximum Number of Fishing Lines and Hooks--
Snagging and Gaffing Fish Unlawful
WAC 232-12-350 Definition of Fly Fishing
WAC 232-12-355 Juvenile Fishing and Catch Limits
WAC 232-12-420 Access Areas--Other Department Lands--
Wildlife Agent to Control Traffic Thereon
WAC 232-12-490 Indian Possession of Game Off Reservation
Legally Possessed on Reservation--Tagging
WAC 232-12-520 Hunting Restrictions
WAC 232-12-530 Transmission Lines--Unlawful Hunting
WAC 232-12-570 Discharge of Litter on Department Lands--Unlawful
WAC 232-12-630 Control of Unattended Decoys
WAC 232-12-290 Trapping in Muskrat Houses Unlawful
WAC 232-12-315 Planting or Releasing Fish in State Waters

State of Washington
DEPARTMENT OF GAME

Administrative Order No. 2
GD Order Register (WAC 1-12-040)

A RESOLUTION Relating to permanent rules of the Department of Game.
BE IT RESOLVED BY THE GAME COMMISSION OF THE DEPARTMENT OF GAME,
STATE OF WASHINGTON:

Section 1. The annexed regulations, to-wit:

WAC 232-12-010	DEFINITION OF TERMS
WAC 232-12-015	CLASSIFICATION OF GAME FISH
WAC 232-12-040	CLASSIFICATION OF WILD ANIMALS
WAC 232-12-130	UNLAWFUL FIREARMS FOR HUNTING
WAC 232-12-135	MUZZLE LOADING RIFLES
WAC 232-12-150	HUNTING FROM AIRCRAFT, BOATS, AUTOMOBILES, ETC.--UNLAWFUL
WAC 232-12-160	BIG GAME SUPPLEMENTAL TAG-- TAGGING REQUIREMENTS
WAC 232-12-170	HOLDING LIVE GAME AND PROTECTED WILDLIFE IN CAPTIVITY, UNLAWFUL
WAC 232-12-175	PURSUIT OF BEAR WITHOUT TAKING OR KILLING
WAC 232-12-230	FALCONRY PERMITTED
WAC 232-12-255	PERMITS FOR CONTROLLED HUNTS
WAC 232-12-310	SIZE LIMITS ON TRAPS
WAC 232-12-340	MAXIMUM NUMBER OF FISHING LINES AND HOOKS--SNAGGING AND GAFFING FISH UNLAWFUL
WAC 232-12-350	DEFINITION OF FLY FISHING
WAC 232-12-355	JUVENILE FISHING AND CATCH LIMITS
WAC 232-12-420	ACCESS AREAS--OTHER DEPARTMENT LANDS-- WILDLIFE AGENT TO CONTROL TRAFFIC THEREON
WAC 232-12-490	INDIAN POSSESSION OF GAME OFF RESERVATION LEGALLY POSSESSED ON RESERVATION--TAGGING
WAC 232-12-520	HUNTING RESTRICTIONS
WAC 232-12-530	TRANSMISSION LINES--UNLAWFUL HUNTING
WAC 232-12-570	DISCHARGE OF LITTER ON DEPARTMENT LANDS--UNLAWFUL
WAC 232-12-630	CONTROL OF UNATTENDED DECOYS

are hereby approved and adopted as permanent rules of the
Department of Game.

Sec. 2. The following regulations, to-wit:

WAC 232-12-290	TRAPPING IN MUSKRAT HOUSES UNLAWFUL
WAC 232-12-315	PLANTING OR RELEASING FISH IN STATE WATERS

are hereby repealed from the permanent rules of the Department
of Game.

Sec. 3. This resolution and annexed regulations, after being first recorded as an administrative order in the Order Register of the Department of Game, shall be forwarded to the Code Reviser for filing pursuant to RCW 34.04 and WAC 1-12-050.

APPROVED AND ADOPTED April 7, 1970.

STATE GAME COMMISSION

Claude Bekins, Chairman
Edson Dow
Arthur S. Coffin
Harold A. Pebbles
James R. Agen
Elmer G. Gerken

John A. Biggs, Director
THE DEPARTMENT OF GAME

AMD

WAC 232-12-010 DEFINITION OF TERMS. Unless the wording or context indicates that a different meaning is intended, the following words, terms and phrases shall, for the purposes of all rules and regulations of the state game commission, be given the meanings hereinafter subjoined to them.

- (1) "Director" means the director of game.
- (2) "Department" means the department of game.
- (3) "Commission" means the state game commission.
- (4) "Wildlife Agent" means any persons referred to in R.C.W. Title 77 as "Game Protectors."
- (5) "Person" means and includes any individual, any corporation, or any group of two or more individuals acting in an individual, representative, or official capacity.
- (6) "Hunt" and its derivatives, "hunting," "hunted," etc., and "trap" and its derivatives, "trapping," "trapped," etc., means any effort to kill, injure, capture, or disturb a wild animal or wild bird.
- (7) "Fish" and its derivatives, "fishing," "fished," etc., means any effort made to kill, injure, disturb, capture, or catch a game fish.
- (8) "Closed season" means all of the time during the entire year excepting the "open season" as specified by rule and regulation of the commission.
- (9) "Open season" means the time specified by rule and regulation of the commission when it shall be lawful to hunt, trap, or fish for any game animals, fur-bearing animals, game birds, or game fish. Each period of time specified as an open season shall include the first and last days thereof.
- (10) "Closed area" means any place in the state described, or designated by rule or regulation of the commission wherein it shall be unlawful to hunt or trap for game animals, fur-bearing animals, or game birds.
- (11) "Closed waters" means any lake, river, stream, body of water, or any part thereof within this state described or designated by rule and regulation of the commission wherein it shall be unlawful to fish for any game fish.
- (12) "Game reserve" means any "closed area" designated by the commission as a game reserve.
- (13) "Game fish reserve" means any "closed waters" designated by the commission as a game fish reserve.
- (14) "Bag limit" means the maximum number of game animals, game birds, fur-bearing animals, or game fish which may be taken, caught, killed, or possessed by any licensee, specified and fixed by rule and regulation of the commission for any particular period of time, or so specified and fixed as to size, sex, or species.

AMD

WAC 232-12-015 CLASSIFICATION OF GAME FISH. Game fish are hereby classified to include any *Salmo gairdneri* commonly known as rainbow and steelhead trout, *Salmo clarkii* commonly known as cutthroat trout, *Salvelinus fontinalis* commonly known as eastern brook trout, *Oncorhynchus nerka* commonly known as kokanee or silver trout, *Salvelinus namaycush* commonly known as lake or mackinaw trout, *Salmo aquabonita* commonly known as golden trout, *Micropterus salmoides* commonly known as largemouth bass, *Micropterus dolomieu* commonly known as smallmouth bass, *Chaenobryttus gulosus* commonly known as warmouth bass, *Prosopium williamsoni* commonly known as mountain white fish, *Perca flavescens* commonly known as yellow perch, *Pomoxis annularis* commonly

known as white crappie, *Pomoxis nigromaculatus* commonly known as black crappie, *Lepomis macrochirus* commonly known as bluegill sunfish, *Lepomis gibbosus* commonly known as pumpkinseed sunfish, *Ictalurus nebulosus* commonly known as brown bullhead catfish, *Ictalurus melas* commonly known as black bullhead catfish, *Ictalurus punctatus* commonly known as channel catfish, *Ictalurus furcatus* commonly known as blue catfish, *Clarias batrachus* commonly known as walking catfish, *Thymallus articus* commonly known as grayling, *Salvelinus malma* commonly known as Dolly Varden, *Salmo trutta* commonly known as brown trout, *Ambloplites rupestris* commonly known as rock bass, *Coregonus clupeaformis* commonly known as lake whitefish, *Stizostedion vitreum vitreum* commonly known as walleye, *Lota lota* commonly known as freshwater ling (burbot).

AMD

WAC 232-12-040 CLASSIFICATION OF WILD ANIMALS. Certain wild animals are hereby classified as game animals, fur-bearing animals, and protected wildlife.

(1) Game animals shall include deer of the genus *Odocoileus*, commonly known as whitetail, blacktail, and mule deer; elk, *Cervus canadensis* including Roosevelt and Rocky Mountain races; moose, *Alces alces*; antelope, *Antilocapra americana*; mountain sheep, *Ovis canadensis*; mountain goat, *Oreamnos americanus*; black bear, *Euarctos americanus*; cougar, *Felis concolor*; bobcat, *Lynx rufus*; raccoon, *Procyon lotor*; cottontail rabbit, *Sylvilagus floridanus*, *nuttallii* and *audubonii*; snowshoe hare or rabbit, *Lepus americanus*; blacktailed jack rabbit, *Lepus californicus*; yellow-bellied marmot or rock chuck, *Marmota flaviventris*; bullfrog, *Rana catesbeiana*; and White Fallow deer, *Dama dama*, in Grant and Douglas counties.

(2) Fur-bearing animals shall include beaver, *Castor canadensis*; muskrat, *Ondatra zibethica*; mink, *Mustela vison*; otter (river), *Lutra canadensis*; marten, *Martes americana*; Canada lynx, *Lynx canadensis*; bobcat, *Lynx rufus*; badger, *Taxidea taxus*; raccoon, *Procyon lotor*; weasel, *Mustela erminea* and *frenata*; and fox including only those found within the National Forest Boundary, *Vulpes fulva*.

(3) Protected wildlife shall include grizzly bear, *Ursus chelan*; caribou, *Rangifer tarandus*; sea otter, *Enhydra lutris*; fur seal, *Callorhinus ursinus*; fisher, *Martes pennanti*; wolverine, *Gulo luscus*; timber wolf, *Canis lupus*; gray squirrel, *Sciurus griseus* and *carolinensis*; douglas squirrel, *Tamiasciurus douglasii*; red squirrel, *Tamiasciurus hudsonicus*; flying squirrel, *Glaucomys sabrinus*; golden-mantled ground squirrel, *Callospermophilus saturatus*; chipmunks, *Eutamias*, all species found wild in Washington; cony or pika, *Ochotona princeps*; whitetailed jackrabbit, *Lepus townsendii*; hoary marmot, *Marmota caligata* and *olympus*; pigmy rabbit, *Sylvilagus idahoensis*; fox squirrel, *Sciurus niger*; and all wild turtles in Western Washington including Pacific Terrapin, *Clemmys marmorata*; Western Painted Turtle, *Chrysemys picta*; and Green Turtle, *Chelonia mydas*.

AMD

WAC 232-12-130 UNLAWFUL FIREARMS FOR HUNTING. (1) No person shall hunt any deer, elk, bear, mountain goat, or mountain sheep with:

(a) Any firearm which fires any of the following loads or cartridges:

Any and all rim fire cartridges

.218 Bee

.25-20

.38-40

.30 U. S. Army carbine (M.l. carbine)

.45 A.C.P.

.22 hornet

.32-20

.44-40

(b) A pistol or revolver, or

(c) Any fully automatic firearm.

(2) No person shall hunt game birds with a shotgun having a capacity for holding more than three cartridges: PROVIDED, An automatic or hand-operated repeating shotgun may be used if the magazine has been cut off or plugged with a plug incapable of removal through the loading end thereof, so that the capacity of said magazine is reduced to two cartridges.

(3) No person shall hunt game animals or game birds in any other manner than with a firearm held in the hand or fired from the shoulder, or with a bow and arrow, or by means of falconry.

(4) No person shall hunt any game animal or game bird with any shotgun larger than 10 gauge.

(5) No person shall hunt deer or bear with any shotgun containing in its chamber or magazine any cartridge loaded with any load other than slugs or buckshot.

(6) No person shall hunt elk with any shotgun whatsoever.

(7) No person shall hunt any game bird except blue grouse, spruce grouse, ruffed grouse, or turkey with a rifle or pistol.

(8) No person shall hunt game animals or game birds with a cross-bow.

NEW

WAC 232-12-135 MUZZLE LOADING RIFLES. (1) It is legal to hunt with a muzzle-loader during any open season in any area that is open to hunting with other firearms. Bag and possession limits are the same as those which apply to other firearm hunters. Bag and possession limits on game species in the muzzle-loader season are not additions to the general bag and possession limits.

(2) "Muzzle-loader" means any firearm with a matchlock, flintlock, percussion cap or similar type ignition system, having a minimum barrel length of at least 20 inches, with the propellant charge black powder and loaded with one single ball or bullet. Minimum caliber to be .40, such measurement to be taken from land to land in the barrel.

(3) No person shall hunt any game animals or birds with any muzzle-loading rifle which does not meet the above definition of "muzzle-loader."

AMD

WAC 232-12-150 HUNTING FROM AIRCRAFT, BOATS, AUTOMOBILES, ETC.--UNLAWFUL. (1) No person shall use any type of aircraft for the purpose of spotting, locating, or reporting the location of game animals, game birds, or game fish.

(2) No person shall shoot at or kill any game birds or game animals from any vehicle, aircraft, or from any boat propelled by motor unless the motor of such boat has been completely shut off and its progress therefrom has ceased.

(3) No person shall use any vehicle, aircraft, or motor-propelled boat for the purpose of pursuing, concentrating, stirring up, rallying, or disturbing any game animals or game birds.

AMD

WAC 232-12-160 BIG GAME SUPPLEMENTAL TAG--TAGGING REQUIREMENTS. (1) It shall be unlawful for any person to hunt any deer, elk, mountain goat, mountain sheep, turkey or bear without first having procured from the director a tag to be known as a supplemental deer, elk, mountain goat, mountain sheep, turkey or bear tag, in addition to any other licenses required to hunt the above-mentioned game animals and birds.

(2) Any person who kills a deer, elk, mountain goat, mountain sheep, turkey or bear shall immediately remove by cutting out the designated notches from his own tag corresponding to the date of the kill. Any person who kills such animal or bird, shall immediately attach his own tag to the carcass of such animal or bird, and retain said tag attached to the carcass while transporting it and until such animal or bird is processed.

(3) A valid tag shall mean a tag issued to the bearer by an authorized agent and one which has not been altered in any manner prior to attaching the tag to the carcass of a legally killed deer, elk, mountain goat, mountain sheep, turkey or bear.

AMD

WAC 232-12-170 HOLDING LIVE GAME AND PROTECTED WILDLIFE IN CAPTIVITY, UNLAWFUL. (1) It shall be unlawful for any person to take from the wild or hold in captivity or to have under his control, any game animals, fur-bearing animals, game birds, game fish or any song birds: PROVIDED, That the director or his designated representative may issue permits allowing persons to take from the wild or hold in captivity cougar, bobcat, or raccoon.

(2) It shall be unlawful to catch or kill or take from the wild or hold in captivity any animals classed as protected wildlife: PROVIDED, That this section shall not prohibit the holding of such animals if they are legally acquired from outside of this state or if they are raised in captivity within this state or are acquired pursuant to permit.

NEW

WAC 232-12-175 PURSUIT OF BEAR WITHOUT TAKING OR KILLING. It shall be lawful to pursue but not to take or kill bear during July in King and Snohomish Counties, outside the boundaries of the National Forest.

AMD

WAC 232-12-230 FALCONRY PERMITTED. The director may issue permits for the taking and possession of any hawk for the purpose of falconry.

NEW

WAC 232-12-255 PERMITS FOR CONTROLLED HUNTS. (1) Holders of a valid hunting license may apply for permits for controlled hunts on or before the closing dates for such permits; the closing dates being established and published annually by the commission.

(2) It shall be unlawful for any person receiving an elk or goat permit to apply for the next two succeeding years. Any person applying for an elk or goat permit during the period when ineligible shall automatically be disqualified for an additional two years.

(3) It shall be unlawful for any person receiving a mountain sheep (Bighorn sheep) permit to apply for the next five succeeding years. Any person applying for a controlled mountain sheep (Bighorn sheep) hunting permit within a period of five consecutive years after having been drawn for such a permit shall automatically be disqualified for two additional years.

AMD

WAC 232-12-310 SIZE LIMITS ON TRAPS. Except as authorized by the director or a wildlife agent, it shall be unlawful for any person to trap for wild animals with steel traps having a jaw spread larger than seven and one-half inches, or with the No. 330 Conibear trap or one larger.

AMD

WAC 232-12-340 MAXIMUM NUMBER OF FISHING LINES AND HOOKS--SNAGGING AND GAFFING FISH UNLAWFUL. It shall be unlawful for any person to snag, spear, trap, shoot, or attempt to snag, spear, trap or shoot any game fish. No person shall fish for game fish in any other manner than with one line or rod held in the hand, or that such line or rod shall be under his dominion and control, and shall not have attached thereto more than two hooks or flies or two spoons, spinners, cherry bobbers, or any other artificial lure having a maximum of two single, double or triple hooks: PROVIDED, That this regulation shall not apply to fresh water ling cod.

AMD

WAC 232-12-350 DEFINITION OF FLY FISHING. (1) In those waters restricted to fly fishing only, legal angling tackle is limited to dry flies, wet flies, bucktail flies, nymphs and streamers.

(2) It is unlawful for any person to fish for or to take game fish in or from waters restricted to fly fishing only by use of any metal, plastic, or wooden lure, plug, spinner, spinner fly, or any fly to which there is attached or tied any weight of any kind.

(3) Fixed spool reels and/or monofilament lines may not be used in fishing in those waters restricted to fly fishing only. Monofilament line may be used as a back-up line if it is attached to not less than twenty-five feet of conventional fly line at the terminal end.

(4) Any type of angling whereby the fly is cast directly from the reel shall be prohibited.

NEW

WAC 232-12-355 JUVENILE FISHING AND CATCH LIMITS.

(1) It shall be unlawful for any person over fourteen

(14) years of age to fish in any water restricted to juvenile fishing only.

(2) The daily bag and possession limit on game fish taken from waters restricted to juvenile fishing shall not exceed four pounds and one fish: PROVIDED, The numbers taken do not exceed eight fish.

AMD

WAC 232-12-420 ACCESS AREAS--OTHER DEPARTMENT LANDS--WILDLIFE AGENT TO CONTROL TRAFFIC THEREON. It shall be unlawful for any person to fail, refuse or neglect to obey any signals or directions of a wildlife agent who is at the time directing traffic upon, or the use of, real property owned, leased, or held by the state for game department purposes, or to fail, refuse, or neglect to obey any notices which have been posted by the department thereon.

AMD

WAC 232-12-490 INDIAN POSSESSION OF GAME OFF RESERVATION LEGALLY POSSESSED ON RESERVATION--TAGGING. An Indian who has lawfully acquired possession of any game animals, game birds, fur-bearing animals, or game fish, from within an Indian reservation may possess the same outside said reservation for his personal use only: PROVIDED, That such game animals, game birds, fur-bearing animals or game fish shall, before leaving the reservation, be tagged or marked for identification by a wildlife agent or departmentally authorized agent.

AMD

WAC 232-12-520 HUNTING RESTRICTIONS. During any open season for elk, it shall be unlawful to hunt any wild animals or wild birds with a rifle or a shotgun with slugs therein, in those areas where elk may reasonably be expected: PROVIDED, That this regulation shall not apply to those persons who have in their possession a valid supplemental elk tag and other permits required by law to hunt elk: PROVIDED, Further that this regulation shall not apply to persons hunting in areas open for the taking of both deer and elk.

AMD

WAC 232-12-530 TRANSMISSION LINES--UNLAWFUL HUNTING. It shall be unlawful for any person to hunt any wild bird while so perched on any telephone or electrical transmission line, the pole, crossarm or insulator thereof.

NEW

WAC 232-12-570 DISCHARGE OF LITTER ON DEPARTMENT LANDS--UNLAWFUL. It shall be unlawful for any person to throw, to drop, or to leave any discarded object, garbage, debris, or any waste upon any of the properties owned, leased, or controlled by the department of game, except into a litter or garbage receptacle or container installed for that purpose on such property.

NEW

WAC 232-12-630 CONTROL OF UNATTENDED DECOYS. It shall be unlawful for any person to leave unattended any duck or goose decoy upon any lands or water owned, leased or

controlled by the Department. Any duck or goose decoy left unattended in excess of one hour shall be considered abandoned and may be removed by any wildlife agent.

REP

WAC 232-12-290 and 232-12-315 are each hereby repealed.