

WSR 25-18-019
PROPOSED RULES
COUNTY ROAD
ADMINISTRATION BOARD
[Filed August 21, 2025, 9:20 a.m.]

Original Notice.

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

Title of Rule and Other Identifying Information: Amending WAC 136-60-070 to make changes to the standard of good practice for maintenance of county road logs. Amending chapter 136-70 WAC to make changes to the standard of good practice for pavement management system requirements for county arterial preservation program eligibility. Amending WAC 136-100-050 to an out-of-date for the source of rural land area.

Hearing Location(s): On October 23, 2025, at 9:30 a.m., at 1701 East Yakima Avenue, Yakima, WA 98901. The county road administration board (CRAB) meeting will be held at the Oxford Suites, Yakima. Virtual attendance is available.

Date of Intended Adoption: October 23, 2025.

Submit Written Comments to: Drew Woods, 2404 Chandler Court S.W., Suite 240, Olympia, WA 98504, email Drew.Woods@CRAB.Wa.Gov, by October 10, 2025.

Assistance for Persons with Disabilities: Contact Drew Woods, phone 360-753-5989, TTY 800-883-6384, email Drew.Woods@CRAB.Wa.Gov, by October 10, 2025.

Reasons Supporting Proposal: WAC 136-60-070 is being updated to change the required frequency of traffic counts (from every two years to every four years) on roads with an average daily traffic over 5,000. Chapter 136-70 WAC is being amended to allow counties to use new technology for performing pavement condition assessments. WAC 136-100-050 is being amended to revise the source of the rural land area to the most current United States census.

Statutory Authority for Adoption: RCW 36.78.070.

Statute Being Implemented: RCW 36.78.070 (1) and (6), 36.79.060(1), and 46.68.090 (2) [(h)](i).

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: CRAB, governmental.

Name of Agency Personnel Responsible for Drafting and Enforcement: Drew Woods, 2402 [2404] Chandler Court S.W., Suite 240, Olympia, WA 98504, 360-753-5989; Implementation: Mike Clark or Steve Johnson, 2402 [2404] Chandler Court S.W., Suite 240, Olympia, WA 98504, 360-753-5989.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. Proposed rule relates only to internal governmental operations that are not subject to violation by a nongovernment party.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules relate only to internal governmental operations that are not subject to violation by a nongovernment party; and rules only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect.

Is exempt under chapter 36.78 RCW.

Scope of exemption for rule proposal:
Is fully exempt.

August 20, 2025
Jane Wall
Executive Director

RDS-6603.1

AMENDATORY SECTION (Amending WSR 24-22-084, filed 10/31/24, effective 12/1/24)

WAC 136-60-070 Traffic study update frequency. Any traffic counts used to validate that a segment has an ADT over 5,000 or has more than 4,000,000 tons of freight annually shall be updated by December 31, 2025. After December 31, 2025, traffic counts for ADT over 5,000 validation shall be updated a minimum of every ~~((two))~~ four years and a minimum of every four years for annual freight tonnage more than 4,000,000 tons.

RDS-6605.1

AMENDATORY SECTION (Amending WSR 14-17-035, filed 8/13/14, effective 9/13/14)

WAC 136-70-040 Pavement management system requirements. Each county's PMS shall meet the following minimum standards:

(1) All county jurisdiction paved collectors and arterials, as defined by the most recently approved county road log as described in chapter 136-60 WAC, shall be surveyed for visual pavement distress at least biennially. Distress rating information must be keyed to the county road log by both road number and mileposts.

While not required, counties are encouraged to survey for visual distress on all paved local roads every four years.

(2) All visual distresses (or defects) for both flexible and rigid pavements, both in severity and extent, shall be as defined within the "*Pavement Surface Condition Rating Manual*" (March 1992, produced by the Washington state transportation center in cooperation with the northwest pavement management systems users group and the Washington state department of transportation). ~~((Only those distresses noted as "core program defect" are required to be surveyed.))~~ Measurement may be at the project, segment, or sample unit level. ~~((Measurement for each distress will be by one of the following:~~

~~(a) Selection of the most predominant severity and extent combination; or~~

~~(b) Determination of the extent percent of each level of severity.))~~

Measurement may be by a manual or automated visual condition rating process. The distress information ~~((will))~~ shall be converted to a

pavement condition rating ((in accordance with a standard deduct matrix or continuous deduct value curves as provided by the county road administration board. Alternate deduct matrices may be used by a county for internal management analyses. Alternate distress determination and evaluation methodologies may be used if approved by the county road administration board in accordance with WAC 136-70-050)) or index. The PMS shall provide for the recording and storage of pavement resurfacing, rehabilitation and reconstruction history data, including surfacing and base layer types and thicknesses, and year of application. ((Counties will not be required to determine such information for any work done prior to the county's implementation date.))

(3) The PMS shall include a future pavement condition prediction model that uses the periodic pavement condition distress data to forecast future pavement condition and to determine an estimate of service life.

(4) The PMS shall provide for annual ((downloading)) submittal to the county road administration board of one of the following for all paved collectors and arterials surveyed for pavement condition in the previous twelve months:

(a) The individual pavement distresses;

(b) The resultant pavement condition rating ((based on the standard deduct matrix provided by the county road administration board; or

(c) The resultant pavement condition rating for an approved alternative PMS as described in WAC 136-70-050.

Such downloading)) numerical value and a rating of good, fair, or poor. The good, fair, or poor methodology shall be reviewed and approved by the county road administration board prior to implementation by a county. The annual submittal shall be called the pavement condition data file. It shall be keyed to the county road log, and shall be transmitted in the electronic medium and format specified by the county road administration board, along with the annual road log update required by chapter 136-60 WAC.

AMENDATORY SECTION (Amending WSR 99-01-021, filed 12/7/98, effective 1/7/99)

WAC 136-70-050 ((Alternative)) Demonstration and approval of pavement management system ((requirements)). ((Alternative)) Any PMS distress determination and evaluation methodologies, processes or systems may be used if they yield pavement condition ratings comparable to the process described in WAC 136-70-040((+2)). Counties ((intending to use an alternative process)) must satisfactorily demonstrate to the county road administration board that ((the alternative)) their county's chosen process is based on sound pavement engineering principles and is comparable in quality and scale ((thorough)) through research results, documented conversion equations, statistical sampling, or other methods.

AMENDATORY SECTION (Amending WSR 14-17-035, filed 8/13/14, effective 9/13/14)

WAC 136-70-080 County road administration board assistance. To assist each county to meet its eligibility requirements, the county

road administration board shall a provide PMS software (~~(, applica-~~
~~tion)~~) option and training for that option. Should a county utilize an
alternative PMS software option, the county road administration board
will not offer training in the use of that alternative PMS software.

RDS-6604.1

AMENDATORY SECTION (Amending WSR 11-05-005, filed 2/3/11, effective
3/6/11)

WAC 136-100-050 Apportionment of RATA funds to regions. RCW
36.79.040 sets forth the apportionment formula to be used in distrib-
uting RATA funds to the five regions. Following are the computations
used in the apportionment formula:

(1) Computation of land area ratio. The ratio that the total
county rural land area of each region bears to the total rural land
area of all counties of the state shall be computed from information
provided by the (~~office of financial management as of July 1, 1993,~~
~~and each two years thereafter~~) most current U.S. census.

(2) Computation of road mileage ratio. The ratio that the mileage
of county arterials and collectors in rural areas of each region bears
to the total mileage of county arterials and collectors in all rural
areas of the state shall be computed from information shown in the
county road log maintained by the county road administration board as
of July 1st of each odd-numbered year.

WSR 25-18-022
PROPOSED RULES
DEPARTMENT OF
FINANCIAL INSTITUTIONS
[Filed August 21, 2025, 2:07 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 25-07-018.

Title of Rule and Other Identifying Information: Predatory Loan Prevention Act rule making.

Hearing Location(s): On October 14, 2025, at 10:00 a.m., at the Department of Financial Institutions (DFI), 150 Israel Road S.W., Tumwater, WA 98501. Teams option available. Information will be posted on DFI's rule-making docket web page at <https://dfi.wa.gov/agency-rulemaking>.

Date of Intended Adoption: October 15, 2025.

Submit Written Comments to: Rochelle Henderson, P.O. Box 41200, Olympia, WA 98504-1200, email rochelle.henderson@dfi.wa.gov, beginning August 22, 2025, by October 13, 2025.

Assistance for Persons with Disabilities: Contact Rochelle Henderson, phone 360-701-0581, TTY 1-800-833-6384, email rochelle.henderson@dfi.wa.gov, by October 14, 2025.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: To amend the Consumer Loan Act rules, chapter 208-620 WAC, due to the amendments set forth in the Predatory Loan Prevention Act (SSB 6025). The proposed amendments include a new section setting forth DFI's interpretation of section 2(3) of SSB 6025, and make technical amendments to align, clarify, or conform rule language in accordance with statutory changes that were made in SSB 6025.

Reasons Supporting Proposal: The proposed language clarifies the application of new and amended requirements set forth in SSB 6025 and makes conforming changes to the existing rule language.

Statutory Authority for Adoption: RCW 31.04.025(7), 31.04.165, and 43.320.040.

Statute Being Implemented: Chapter 31.04 RCW.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Jeanju Choi, 150 Israel Road S.W., Tumwater, WA 98501, 360-725-7821.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. DFI is not one of the agencies listed in RCW 34.05.328.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect; and rule content is explicitly and specifically dictated by statute.

Is exempt under RCW 19.85.025(4).

Scope of exemption for rule proposal:

Is fully exempt.

August 21, 2025
Charlie Clark

RDS-6624.1

AMENDATORY SECTION (Amending WSR 22-24-048, filed 11/30/22, effective 12/31/22)

WAC 208-620-010 Definitions. The definitions set forth in this section apply throughout this chapter unless the context clearly requires a different meaning.

(1) "Act" means the Consumer Loan Act, chapter 31.04 RCW.

(2) "Advertise, advertising, and advertising material" means any form of sales or promotional materials used in connection with the business. Advertising material includes, but is not limited to, newspapers, magazines, leaflets, flyers, direct mail, indoor or outdoor signs or displays, point-of-sale literature or educational materials, other printed materials; radio, television, public address system, or other audio broadcasts; internet pages, social media, instant messages, or electronic bulletin boards.

(3) "Annual percentage rate" has the same meaning as defined in Regulation Z, 12 C.F.R. Part 1026, implementing the Truth in Lending Act.

(4) "Application" means the submission of a borrower's financial information in anticipation of a credit decision relating to a residential mortgage loan, which includes the borrower's name, monthly income, Social Security number to obtain a credit report, the property address, an estimate of the value of the property, and the mortgage loan amount sought. An application may be submitted in writing or electronically and includes a written record of an oral application. If the submission does not state or identify a specific property, the submission is an application for a prequalification and not an application for a residential mortgage loan under this part. The subsequent addition of an identified property to the submission converts the submission to an application for a residential mortgage loan.

(5) "Bank Secrecy Act" means the Bank Secrecy Act (BSA), 31 U.S.C. 1051 et seq. and 31 C.F.R. Part 103.

(6) "Bond substitute" means unimpaired capital, surplus and qualified long-term subordinated debt.

(7) "Business day" means Monday through Friday excluding federally recognized bank holidays.

(8) "Commercial context" or "commercial purpose" means actions taken for the purpose of obtaining anything of value for oneself, or for an entity or individual for which the individual acts, rather than exclusively for public, charitable, or family purposes.

(9) "Common ownership" exists if an entity or entities possess an ownership or equity interest of five percent or more in another entity.

(10) "Creditor" has the same meaning as in the Truth in Lending Act, 15 U.S.C. 1602(f) and Regulation Z, 12 C.F.R. Part 1026.

(11) "Depository Institutions Deregulatory and Monetary Control Act" means the Depository Institutions Deregulatory and Monetary Control Act of 1980 (DIDMCA), 12 U.S.C. Sec. 1735f-7a.

(12) "Dwelling" means the same as in Regulation Z implementing the Truth in Lending Act which is a residential structure that contains one to four units, whether or not that structure is attached to real property. The term includes an individual condominium unit, cooperative unit, mobile or manufactured home, and trailer, if it is used as a residence. See 12 C.F.R. Sec. 1026.2.

(13) "Equal Credit Opportunity Act" means the Equal Credit Opportunity Act (ECOA), 15 U.S.C. Sec. 1691 and Regulation B, 12 C.F.R. Part 1002.

(14) "Fair Credit Reporting Act" means the Fair Credit Reporting Act (FCRA), 15 U.S.C. Sec. 1681 et seq.

(15) "Fair Debt Collection Practices Act" means the Fair Debt Collection Practices Act, 15 U.S.C. Sec. 1692, 12 C.F.R. Part 1006.

(16) "Federal Trade Commission Act" means the Federal Trade Commission Act, 15 U.S.C. Sec. 45(a).

(17) "Filing" means filing, recording, releasing or reconveying mortgages, deeds of trust, security agreements or other documents, or transferring certificates of title to vehicles.

(18) "Gramm-Leach-Bliley Act (GLBA)" means the Financial Modernization Act of 1999, 15 U.S.C. Sec. 6801-6809, and the GLBA-mandated Federal Trade Commission (FTC) privacy rules, at 16 C.F.R. Parts 313-314.

(19) "Higher education institution" means a private, nonprofit educational institution, the main campus of which is permanently situated in the state, which is open to residents of the state, which neither restricts entry on racial or religious grounds, which provides programs of education beyond high school leading at least to the baccalaureate degree, and which is accredited by the Northwest Association of Schools and Colleges or by an accrediting association recognized by the council for higher education. RCW 28B.07.020(4).

(20) "Home Mortgage Disclosure Act" means the Home Mortgage Disclosure Act (HMDA), 12 U.S.C. Secs. 2801 through 2810 and 12 C.F.R. Part 1003 (formerly Part 203).

(21) "Immediate family member" means a spouse, child, sibling, parent, grandparent, or grandchild. This includes stepparents, stepchildren, stepsiblings, and adoptive relationships.

(22) "Lender" means any person that extends money to a borrower with the expectation of being repaid.

(23) "License number" means your NMLS unique identifier displayed as prescribed by the director. Some examples of the way you may display your license number are: NMLS ID 12345, NMLS 12345, NMLS #12345, MB-12345, or MLO-12345.

(24) "Licensed location" means a main office or branch office, including an individual loan originator's residence, where the licensee conducts business under the act with Washington residents, persons physically located in Washington, or Washington residential real estate and the licensee has obtained a main or branch license through NMLS for that location.

(25) "Live check" means a loan solicited through the mail in the form of a check, which, when endorsed by the payee, binds the payee to the terms of the loan agreement contained on the check.

(26) "Loan originator" means the same as mortgage loan originator.

(27) "Loan originator's residence" means a loan originator's primary or secondary residence located in the United States.

(28) "Long-term subordinated debt" means for the purposes required in RCW 31.04.045 outstanding promissory notes or other evidence

of debt with initial maturity of at least seven years and remaining maturity of at least two years.

(29) "Material litigation" means proceedings that differ from the ordinary routine litigation incidental to the business. Litigation is ordinary routine litigation if it ordinarily results from the business and does not deviate from the normal business litigation. Litigation involving five percent of the licensee's assets or litigation involving the government would constitute material litigation.

(30) "NMLS" means the Nationwide Multistate Licensing System and Registry, Nationwide Mortgage Licensing System, NMLSR, or such other name or acronym as may be assigned to the multistate system developed by the Conference of State Bank Supervisors and the American Association of Residential Mortgage Regulators and owned and operated by the state regulatory registry, LLC, or any successor or affiliated entity, for the licensing and registration of persons in the mortgage and other financial services industries.

(31) "Out-of-state licensee" means a licensee that does not maintain a physical presence within the state, or a licensee that maintains headquarters or books and records outside Washington.

(32) "Principal amount" means the loan amount advanced to or for the direct benefit of the borrower.

(33) "Principal balance" means the principal amount plus any allowable origination fee.

(34) "RCW" means the *Revised Code of Washington*.

(35) "Real estate brokerage activity" means any activity that involves offering or providing real estate brokerage services to the public, including (a) acting as a real estate agent or real estate broker for a buyer, seller, lessor, or lessee of real property; (b) bringing together parties interested in the sale, purchase, lease, rental, or exchange of real property; (c) negotiating, on behalf of any party, any portion of a contract relating to the sale, purchase, lease, rental, or exchange of real property, other than in connection with providing financing with respect to such a transaction; (d) engaging in any activity for which a person engaged in the activity is required to be registered or licensed as a real estate agent or real estate broker under any applicable law; and (e) offering to engage in any activity, or act in any capacity, described in (a) through (d) of this subsection.

(36) "Real Estate Settlement Procedures Act" means the Real Estate Settlement Procedures Act (RESPA), 12 U.S.C. Secs. 2601 et seq., and Regulation X, 12 C.F.R. Part 1024.

(37) "Records" mean books, accounts, papers, records and files, no matter in what format they are kept, which are used in conducting business under the act.

(38) "Referring a delinquent loan to foreclosure" means taking any step in furtherance of foreclosure. Examples include, but are not limited to: Sending a referral to a foreclosure trustee or attorney inside or outside of the servicing entity requesting they begin the foreclosure process; making a record in written or electronic form that flags, comments, blocks, suspends or in any way indicates in the electronic record of a mortgage loan that foreclosure has begun; any such marking of an electronic record that impairs the record in a way that payments will not be applied or will be routed into a suspense account.

(39) "State" means the state of Washington.

(40) "Student education loan borrower" means:

(a) Any resident of this state who has received or agreed to pay a student education loan; or

(b) Any person who shares responsibility with such resident for repaying the student education loan.

(41) "Student education loan servicing" or "service a student education loan" means:

(a) Receiving any scheduled periodic payments from a student education loan borrower pursuant to the terms of a student education loan;

(b) Applying the payments of principal and interest and such other payments with respect to the amounts received from a student education loan borrower, as may be required pursuant to the terms of a student education loan;

(c) Working with the student education loan borrower to collect data, or collecting data, to make decisions to modify the loan; or

(d) Performing other administrative services with respect to a student education loan including collection activities. "Student education loan servicing" does not include third-party student education loan modification services.

(42) "Subsidiary" means a person that is controlled by another.

(43) "Table funding" means a settlement at which a mortgage loan is funded by a contemporaneous advance of loan funds and an assignment of the loan to the person advancing the funds.

(44) "Telemarketing and Consumer Fraud and Abuse Act" means the Telemarketing and Consumer Fraud and Abuse Act, 15 U.S.C. Sec. 6101 to 6108.

(45) "Telemarketing Sales Rule" means the rules promulgated in 16 C.F.R. Part 310.

(46) "Truth in Lending Act" means the Truth in Lending Act (TILA), 15 U.S.C. Secs. 1601 et seq., and Regulation Z, 12 C.F.R. Part 1026.

AMENDATORY SECTION (Amending WSR 18-24-013, filed 11/27/18, effective 1/1/19)

WAC 208-620-104 Who is exempt from licensing as a consumer loan company? (1) See RCW 31.04.025 (~~((+2))~~) (4)(a), (b), (d), (g) through (i), and (k) through (~~((+m))~~) (n).

(2) Under RCW 31.04.025 (~~((+2))~~) (4)(c), entities conducting transactions under chapter 63.14 RCW (Retail installment sales of goods and services); however, the entity is not exempt if the transactions are an extension of credit to purchase merchandise certificates, coupons, open or closed loop stored value, or any other item issued and redeemable by a retail seller other than the entity extending the credit.

(3) Under RCW 31.04.025 (~~((+2))~~) (4)(e), any person making a loan primarily for business, commercial, or agricultural purposes unless the loan is secured by a lien on the borrower's primary dwelling.

(4) Under RCW 31.04.025 (~~((+2))~~) (4)(f), a person selling property they own, that does not contain a dwelling, when the property serves as security for the financing. The exemption is not available to individuals subject to the federal S.A.F.E. Act or any person in the business of constructing or acting as a contractor for the construction of residential dwellings. See also WAC 208-620-232.

- (5) Under RCW 31.04.025 (~~((+2))~~) (4)(j), a nonprofit housing organization seeking exemption must meet the following standards:
- (a) Has the status of a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code of 1986;
 - (b) Promotes affordable housing or provides home ownership education, or similar services;
 - (c) Conducts its activities in a manner that serves public or charitable purposes, rather than commercial purposes;
 - (d) Receives funding and revenue and charges fees in a manner that does not incentivize it or its employees to act other than in the best interests of its clients;
 - (e) Compensates its employees in a manner that does not incentivize employees to act other than in the best interests of its clients;
 - (f) Provides or identifies for the borrower residential mortgage loans with terms favorable to the borrower and comparable to mortgage loans and housing assistance provided under government housing assistance programs; and
 - (g) Meets other standards as prescribed by the director.
- (6) Under RCW 31.04.025(~~((+3))~~) (5), individuals who make loans or extend credit, secured or unsecured, to immediate family members.
- (7) Under RCW 31.04.025(~~((+3))~~) (5), individuals who extend credit on the sale of their primary dwelling.
- (8) Investors. See WAC 208-620-011(5).
- (9) Note buyers. See WAC 208-620-011(5).
- (10) Under RCW 31.04.420:
- (a) Trade, technical, vocational, or apprentice programs that teach skills related to a specific job, and postsecondary schools that service their own student education loans;
 - (b) Persons servicing five or fewer student education loans;
 - (c) Guarantors of federal student loans that do not also service federal student loans;
 - (d) The United States or any department or agency thereof, to the extent it is servicing student education loans that it originated;
 - (e) Any state, county, city, or any department or agency thereof, but only to the extent it is servicing student education loans that it originated; and
 - (f) Persons providing third-party student education loan modification services. See RCW 31.04.015(38).

AMENDATORY SECTION (Amending WSR 18-24-013, filed 11/27/18, effective 1/1/19)

WAC 208-620-230 Do I need a consumer loan license to lend money, extend credit, service or modify the terms of residential mortgage loans, or service student education loans? (~~((+1))~~) Yes. (~~((If you do))~~) Any person that does not qualify for an exemption under RCW 31.04.025 or 31.04.420(~~((+you))~~) must hold a license to:

- (~~((+a))~~) (1) Be located in Washington and lend money, extend credit, service or modify residential mortgage loans, or service student education loans;
- (~~((+b))~~) (2) Be located outside Washington and lend money or extend credit to a Washington resident(~~((s))~~) or person physically located in Washington, service or modify residential mortgage loans on Washington real estate, or service student education loans for a Washington resident(~~((s))~~) or person physically located in Washington;

~~((e))~~ (3) From any location solicit or advertise by any means to a Washington resident ~~((s))~~ or person physically located in Washington including, but not limited to, mail, brochure, telephone, print, radio, television, internet, or any other electronic means;

~~((d))~~ (4) From any location conduct business under the act with a Washington resident ~~((s))~~ or person physically located in Washington by mail or internet;

~~((e))~~ (5) Hold yourself out as able to conduct any of the activities in ~~((a) through (d))~~ (1) through (4) of this ~~((subsection))~~ section.

~~((2) If you violate subsection (1) of this section, on nonresidential loans, you must refund to the borrower the interest and non-third party fees charged in the transaction. On residential mortgage loans, you must refund to the borrower nonthird party fees charged in the transaction.~~

~~(3) See also WAC 208-620-232 for residential mortgage loans.)~~

AMENDATORY SECTION (Amending WSR 18-16-024, filed 7/24/18, effective 9/1/18)

WAC 208-620-231 Who must have a consumer loan license to service residential mortgage loans secured by Washington residential real estate or obligating a Washington resident ~~((s))~~ or person physically located in Washington? (1) Persons servicing loans they originated.

(2) Persons servicing loans purchased post closing.

(3) Persons servicing loans owned by other persons.

(4) See also WAC 208-620-011(5) and 208-620-104.

AMENDATORY SECTION (Amending WSR 19-21-157, filed 10/22/19, effective 11/24/19)

WAC 208-620-232 Can I make a small number of residential mortgage loans without being licensed at the company level? Yes. Pursuant to RCW 31.04.025 ~~((+3))~~ (5) you may be eligible to make five or fewer residential mortgage loans during a calendar year without holding a company level license. You must apply for and obtain the license waiver for each transaction. If you are eligible for and receive the license waiver, you must comply with certain conditions including the following:

(1) ~~((If you do not))~~ You must provide the borrower with a compliant federal disclosure of the loan terms and conditions and cost of financing ~~((, you must provide the buyer))~~ or with a disclosure prescribed by the director.

(2) You must comply with the state's usury rate limit. See chapter 19.52 RCW.

(3) You must follow Washington law if you pursue a foreclosure.

NEW SECTION

WAC 208-620-236 How does the department interpret RCW 31.04.025 (3)? (1) Any person making a loan as defined in RCW

31.04.015(14) is subject to the act unless an exemption in RCW 31.04.025(4) applies.

(2) For the purposes set forth in RCW 31.04.025(3), any agent, service provider, or person that purports to act in another capacity for another person that is exempt from the act that makes a loan as defined in RCW 31.04.015(14) to a resident of or person physically located in this state that does not exceed the rate permitted in RCW 31.04.105(1) is not subject to the act.

(3) For the purposes set forth in RCW 31.04.025(3), any person, including any agent, service provider, or person that purports to act in another capacity for another person that is exempt from the act and makes a loan as defined in RCW 31.04.015(14) to a resident of or person physically located in this state that exceeds the rate permitted under RCW 31.04.105(1) shall be subject to the predominant economic interest test or totality of the circumstances test as set forth in subsections (5) and (6) of this section to determine whether licensure is required under the act.

(4) If the department determines that either the predominant economic interest test or the totality of the circumstances test is met, the subject agent, service provider, or person that purports to act in another capacity for another person that is exempt is subject to the act and must apply for a license.

(5) A person holds, acquires, or maintains the predominant economic interest in a loan when the person directly or indirectly:

(a) Places their own money at risk at any time during the loan transaction;

(b) Bears the benefits and risks of the loan; or

(c) Advertises, arranges, or facilitates the loan, and:

(i) Holds the right, requirement, or the right of first refusal to purchase the loan or other form of participation in the loan; or

(ii) Purchases, retains, or otherwise obtains more than a 50 percent economic or financial interest in any loan including, but not limited to, a loan program or other loan pooling vehicle.

(6) The totality of the circumstances indicates that a person is the lender when the person directly or indirectly:

(a) Designs, controls, or operates the loan program;

(b) Acts as a lender in at least one other jurisdiction while purporting to act as an agent, service provider, or in another capacity for another person that is exempt from the act;

(c) Indemnifies, insures, or protects a person that is exempt from the act for any costs or risks associated with or related to the loan;

(d) Advertises, markets, holds itself out as, or otherwise identifies itself as the lender or does not clearly and conspicuously disclose in all materials and disclosures that an exempt entity is the lender of the loans; or

(e) Provides money to another person that is exempt from the act for the purpose of funding the loan.

AMENDATORY SECTION (Amending WSR 18-24-013, filed 11/27/18, effective 1/1/19)

WAC 208-620-371 May I employ someone to work with a Washington resident((s)), person physically located in Washington, or Washington property who has been convicted of a gross misdemeanor or felony, or

who has had a financial services-related license revoked or suspended?

No. (1) Pursuant to RCW 31.04.093(6), the director may prohibit any officer, principal, or employee from participating in the affairs of any licensee if that officer, principal, or employee has been convicted of or pled guilty or nolo contendere to:

(a) A gross misdemeanor involving dishonesty or financial misconduct; or

(b) A felony in a domestic, foreign, or military court:

(i) During the seven-year period preceding the date of the proposed employment; or

(ii) At any time preceding the date of the proposed employment, if the felony involved an act of fraud, dishonesty, breach of trust, or money laundering.

(2) For purposes of this section, "participating in the affairs of any licensee" means an officer, principal, or employee or independent contractor who will or does originate loans, supervise employees or independent contractors, or manage the loan production or other activities of the licensee.

(3) Additionally, the director may prohibit participation in the affairs of the licensee by any officer, principal, or employee or independent contractor, or person subject to the act, who has had a license to provide financial services revoked or suspended in this state or any state.

(4) The department considers it to be a deceptive practice in violation of RCW 31.04.027(2) for any licensee to employ an officer, principal, or employee or independent contractor to conduct any of the activities described in subsection (3) of this section without first conducting a background check.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 208-620-556	What fees must I refund to the borrower if I provide services subject to the act but do not have a license?
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WSR 25-18-024
PROPOSED RULES
GAMBLING COMMISSION
[Filed August 21, 2025, 3:38 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 24-11-068.

Title of Rule and Other Identifying Information: Polaris; IT modernization.

WAC 230-03-018 One annual change of bingo premises allowed, this proposed rule change simplifies the application.

New WAC 230-03-028 Online application requirements, the goal is to have all applicants, licensees, and permit holders to apply online. However, in the case of individuals who are unable to do so, this allows for a waiver for good cause. Good cause for preventing submissions online would apply to those who don't have access to the internet or another circumstance that would prevent an individual from submitting online.

WAC 230-05-126 Online filing and payments required with waivers available upon request for good cause, polaris will create a more efficient and streamlined process for filing reports and paying fees online for licensees. This rule change clarifies who must file reports and pay fees online. This will allow for waivers if an individual is unable to do so online. Waivers will be granted for good cause such as if an individual does not have internet access.

WAC 230-05-132 Late filing of quarterly license reports or late payments of quarterly license fees—Penalties, the proposed changes:

- Clarify the due date of the quarterly license fee to be due at the end of the month following instead of 30 days.
- Allow us to extend filing requirements for quarterly reports.
- Allow licensees additional time or the ability to have fees waived for good cause.

Hearing Location(s): On October 16, 2025, at 9:30 a.m., Washington State Liquor and Cannabis Board, 1025 Union Avenue S.E., Olympia, WA 98501. The meeting time and location are tentative. Visit the gambling commission website at www.wsgc.wa.gov approximately seven days prior to the meeting and select "About Us." Then, select "upcoming commission meetings" to confirm the hearing date, location, start time, and agenda items.

Date of Intended Adoption: October 16, 2025.

Submit Written Comments to: Tricia Gullion, 4565 7th Avenue S.E., Lacey, WA 98503, email rules.coordinator@wsgc.wa.gov, web www.wsgc.wa.gov, beginning August 21, 2025, 12:00 a.m., by October 15, 2025, 5:00 p.m.

Assistance for Persons with Disabilities: Contact Tricia Gullion, phone 360-486-3440, email askus@wsgc.wa.gov, web www.wsgc.wa.gov, by October 15, 2025, 5:00 p.m.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The Washington state gambling commission has been working to replace the current legacy IT systems since March 2023 in an effort to modernize technology. These rule changes will likely affect several different WAC chapters including, but not limited, to permitting and licensing rules (chapter 230-03 WAC), fees (chapter 230-05 WAC), rules for all licensees (chapter 230-06 WAC), fund-raising event rules (chapter 230-09 WAC), bingo rules (chapter 230-10 WAC), and hearing rules (chapter 230-17 WAC).

Reasons Supporting Proposal: These rule changes will correspond to the new capabilities of the new IT system and allow for more efficient processes for staff, licensees, and applicants. For example, the new IT systems will allow for electronic submission of documents, electronic notification, and electronic service of documents.

Statutory Authority for Adoption: RCW 9.46.070.

Statute Being Implemented: RCW 9.46.070.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Washington state gambling commission, governmental.

Name of Agency Personnel Responsible for Drafting: Adam Amorine, Legal Manager, 4565 7th Avenue S.E., Lacey, WA 98503, 360-486-3473; Implementation: Jeneva Cotton, Deputy Director, 4565 7th Avenue S.E., Lacey, WA 98503, 360-486-3440; and Enforcement: Tina Griffin, Director, 4565 7th Avenue S.E., Lacey, WA 98503, 360-486-3440.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328.

These rules are modernizing our application system, and no significant costs are associated with it.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(4).

Scope of exemption for rule proposal:

Is fully exempt.

August 20, 2025

Tricia Gullion

Legislative and Rules Manager

RDS-6629.1

AMENDATORY SECTION (Amending WSR 08-03-062, filed 1/14/08, effective 2/14/08)

WAC 230-03-018 One annual change of bingo premises allowed. (1)

Once each license year, a bingo licensee may apply to play bingo at a different location (special property bingo).

(2) The bingo activity is limited to:

(a) Three consecutive days; and

(b) Sixteen consecutive hours each day.

(3) The application must ~~((include the following information and fee,))~~ be submitted at least ~~((fifteen))~~ 15 days before the ~~((first date, which includes:~~

~~(a) Name and address of the proposed location and dates of activity; and~~

~~(b) Names and addresses of all persons who have an interest of any kind in those premises; and~~

~~(c) Amount of rent, if any, that would be paid for the use of the premises; and~~

~~(d) Rent calculation))~~ event.

(4) The special property bingo permit must be posted on the premises during the event.

NEW SECTION

WAC 230-03-028 Online filing required. (1) All applicants, licensees, and permit holders must submit the following, if available, online:

- (a) All new, renewal, and change applications; and
- (b) Gambling equipment submissions and inquiries.

(2) If you are unable to submit online, you must request a waiver in writing. Waivers will be granted if an individual or organization can show good cause. The reasons for good cause include:

- (a) You do not have access to the internet using your own computer or similar equipment; or
- (b) Some other circumstance or condition exists that, in our judgment, prevents you from submitting online.

RDS-6630.1

AMENDATORY SECTION (Amending WSR 21-16-072, filed 7/30/21, effective 8/30/21)

WAC 230-05-126 Online quarterly license report filing ((and payments)) required with waivers available upon request for good cause.

(1) All licensees must submit ((the following)) quarterly licensing reports online ((, where applicable):

- ~~(a) Renewal application and base license fees; and~~
- ~~(b) Quarterly license fees; and~~
- ~~(c) Quarterly license reports).~~

(2) We may waive ((these)) this requirement((s)) if a licensed organization can show good cause. The reasons for good cause include:

- (a) You do not have access to the internet using your own computer or similar equipment; or
- (b) ((You do not have a bank account; or
- ~~(c) Your bank is unable to send electronic fund transactions; or~~
- ~~(d))~~) Some other circumstance or condition exists that, in our judgment, prevents you from submitting online.

((3)) We may waive these requirements if a licensed individual can show good cause. The reasons for good cause include:

- ~~(a) You do not have access to the internet using your own computer or similar equipment; or~~
- ~~(b) You do not have a bank account or credit card; or~~
- ~~(c) Your bank is unable to send electronic fund transactions; or~~
- ~~(d) Some other circumstance or condition exists that, in our judgment, prevents you from submitting online.~~

~~(4) You must request a waiver when applying for a new license or permit.~~

~~(5) A waiver will cover all fees and reports required under subsection (1) of this section.)~~

AMENDATORY SECTION (Amending WSR 18-05-026, filed 2/9/18, effective 5/1/18)

WAC 230-05-132 Late filing of quarterly license reports or late payment of quarterly license fees—Penalties. (1) Licensees who do not file their quarterly license reports and/or pay quarterly license fees (~~(within thirty days from)~~) by the end of the month following the end of each quarter are in violation of this chapter.

(2) The commission may, for good cause shown in writing, extend the time for making and filing any return, and may grant such reasonable additional time within which to make and file returns as it may deem proper.

(3) Licensees will be afforded one (~~(thirty)~~) 30-day late filing and payment period after their quarterly license reports and quarterly license fees are due. However, a (~~(twenty-five dollar)~~) \$25 fee will be charged for each day a licensee fails to file a quarterly license report or pay quarterly license fees during the (~~(thirty)~~) 30-day late filing and payment period.

(~~(3)~~) (4) A licensee's failure to file quarterly license reports or pay quarterly license fees during the (~~(thirty)~~) 30-day late filing and payment period could result in administrative action against (~~(your)~~) their licenses.

(~~(4)~~) (5) The commission may, for good cause shown in writing, reduce or waive late filing fees as it may deem proper.

(6) Licensees will be responsible for paying any outstanding license fees including, but not limited to, late fees and any additional costs associated with the collection of these fees before a license suspension is lifted or a new licensing application is approved.

WSR 25-18-042

WITHDRAWAL OF PROPOSED RULES

DEPARTMENT OF LICENSING

[Filed August 26, 2025, 4:22 p.m.]

The department of licensing requests the withdrawal of the proposed rule making to amend chapter 308-101 WAC filed as WSR 24-18-121 on September 4, 2024.

Ellis Starrett
Rules Coordinator

WSR 25-18-054

PROPOSED RULES

DEPARTMENT OF HEALTH

(Podiatric Medical Board)

[Filed August 27, 2025, 4:31 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 24-16-137.

Title of Rule and Other Identifying Information: Removing licensure barriers for podiatric physicians and surgeons.

The podiatric medical board (board) is proposing amendments to WAC 246-922-055 Reciprocity requirements, to modernize and clarify language that reduces licensure barriers for podiatric physicians and surgeons entering the Washington workforce. The board is proposing amendments that clarify reciprocity requirements and align the rule in order to comply with section 8 of 2SHB 1724 (chapter 425, Laws of 2023), codified as RCW 18.130.077.

Hearing Location(s): On October 23, 2025, at 9:00 a.m., at Department of Health, TC2, Room 153, 111 Israel Road S.E., Tumwater, WA 98501; or virtually by registering via Zoom at https://us02web.zoom.us/webinar/register/WN_c0It5WddQIuoY6Y5bhkoIQ, Webinar ID 898 1421 7196. After registering, you will receive a confirmation email containing information about joining the webinar.

Date of Intended Adoption: October 23, 2025.

Submit Written Comments to: Tommy Simpson III, P.O. Box 47852, Olympia, WA 98504-7852, email tommy.simpson@doh.wa.gov, <https://fortress.wa.gov/doh/policyreview>, beginning the date and time of this filing, by October 13, 2025, at 11:59 p.m.

Assistance for Persons with Disabilities: Contact Tommy Simpson III, phone 564-669-8421, TTY 711, email tommy.simpson@doh.wa.gov, by October 13, 2025.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: RCW 18.130.077 requires that disciplining authorities review licensure requirements and remove barriers for entering in the Washington workforce. The objective of RCW 18.130.077 is to allow disciplining authorities to waive education, training, experience, and exam requirements for applicants who have been credentialed in another state or states with substantially equivalent standards.

The board reviewed WAC 246-922-055 and is proposing amendments that not only align the rule with RCW 18.130.077, but also restructure the rule to clearly lay out the requirements needed for out-of-state applicants entering the Washington workforce.

Reasons Supporting Proposal: The intent of RCW 18.130.077 is to make disciplining authorities review and adjust licensure requirements to remove barriers to entering and remaining in the health care workforce, and to streamline and shorten the credentialing process.

The purpose of the proposed changes is to align the board's reciprocity requirements with RCW 18.130.077 and provide clear guidance for out-of-state applicants entering the Washington workforce. The board is proposing amendments that restructure WAC 246-922-055 so that the rule is clear, concise, and readable without changing the intent of the rule.

Statutory Authority for Adoption: RCW 18.22.015 and 18.130.077.

Statute Being Implemented: RCW 18.130.077.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Podiatric medical board, governmental.

Name of Agency Personnel Responsible for Drafting: Tommy Simpson III, 111 Israel Road S.E., Tumwater, WA 98501, 564-669-8421; Implementation and Enforcement: James Chaney, 111 Israel Road S.E., Tumwater, WA 98501, 360-236-2831.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. The proposed rule is exempt from a cost-benefit analysis under RCW 34.05.328 (5) (b) (v) because the proposed rule is explicitly dictated by statute.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rule content is explicitly and specifically dictated by statute.

Is exempt under RCW 19.85.025(4).

Explanation of exemptions: This rule only impacts the licensing of providers and not business.

Scope of exemption for rule proposal:

Is fully exempt.

August 27, 2025

James Chaney, Executive Director
Podiatric Medical Board

RDS-5995.5

AMENDATORY SECTION (Amending WSR 18-14-089, filed 7/2/18, effective 8/2/18)

WAC 246-922-055 Reciprocity requirements. ((An applicant licensed in another state must file with the secretary verification of the license certified by the proper authorities of the issuing state to include the issue date, license number, current expiration date, and whether any action has been taken to revoke, suspend, restrict, or otherwise sanction the licensee for unprofessional conduct or that the licensee may not be able to practice his or her profession with reasonable skill and safety to consumers as a result of a physical or mental condition. The applicant must document that the educational standards, eligibility requirements, and examinations of that state are substantially equivalent to those of this state.)) (1) An applicant may qualify for licensure as a podiatric physician under this section if the applicant is currently licensed in a substantially equivalent state and meets the conditions listed under RCW 18.130.077(3).

(2) All applicants applying for licensure under this section must submit:

(a) A completed application on forms provided by the department; and

(b) The licensing fees required in WAC 246-922-990.

(3) If an applicant applying for licensure under this section meets the requirements in RCW 18.130.077(1), the board shall waive the

education, training, experience, and exam requirements for the applicant.

(4) If an applicant does not meet the requirements described in subsection (1) or (2) of this section, the applicant shall apply for licensure under WAC 246-922-033.

WSR 25-18-060

WITHDRAWAL OF PROPOSED RULES

WENATCHEE VALLEY COLLEGE

(By the Code Reviser's Office)

[Filed August 28, 2025, 9:38 a.m.]

WAC 132W-115-010, 132W-115-020, 132W-115-030, 132W-115-040, 132W-115-050, 132W-115-060, 132W-115-070, 132W-115-080, 132W-115-090, 132W-115-100, 132W-115-110, 132W-115-120, 132W-115-130, 132W-115-140, 132W-115-150, 132W-115-160, 132W-115-170, 132W-115-180, 132W-115-190, 132W-115-200, 132W-115-210, 132W-115-220, 132W-115-300, 132W-115-310, 132W-115-315, 132W-115-320, 132W-115-325, 132W-115-330, 132W-115-335, 132W-115-340, 132W-115-345, 132W-115-350, 132W-115-355, 132W-115-360, 132W-115-365, 132W-115-370, 132W-115-375, 132W-115-380, 132W-115-385, 132W-115-390, 132W-115-395, 132W-115-400, 132W-115-410, 132W-115-415, 132W-115-420, 132W-115-425, 132W-115-430, 132W-115-435, 132W-115-440, 132W-115-445, and 132W-115-450, proposed by Wenatchee Valley College in WSR 25-03-040, appearing in issue 25-03 of the Washington State Register, which was distributed on February 5, 2025, is withdrawn by the office of the code reviser under RCW 34.05.335(3), since the proposal was not adopted within the 180-day period allowed by the statute.

Jennifer C. Meas, Editor
Washington State Register

WSR 25-18-063

PROPOSED RULES

SECRETARY OF STATE

[Filed August 28, 2025, 10:16 a.m.]

Continuance of WSR 25-15-122.

Preproposal statement of inquiry was filed as WSR 24-21-031.

Title of Rule and Other Identifying Information: Ballot declaration signature cure process; offering a provisional ballot.

Hearing Location(s): On October 7, 2025, at 1:00 p.m., at 243 Israel Road S.E., Conference Room 111, Tumwater, WA 98501. When attending the hearing in person, enter the front lobby of Town Center East 3. You will be escorted to the conference room at 12:55 p.m. to be present when the hearing begins at 1:00 p.m. If you arrive after that time, there will be a staff member available in the lobby to escort you to the conference room.

Date of Intended Adoption: October 8, 2025.

Submit Written Comments to: Dave Piersma, P.O. Box 40229, Olympia, WA 98504, email dave.piersma@sos.wa.gov, fax 360-664-4619, beginning August 29, 2025, 8:00 a.m., by October 6, 2025, 5:00 p.m.

Assistance for Persons with Disabilities: Contact Dave Piersma, phone 360-902-4172, fax 360-664-4619, email dave.piersma@sos.wa.gov, by October 6, 2025, 5:00 p.m.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This rule making clarifies that a voter who asserts the signature on their ballot declaration is not theirs prior to 8:00 p.m. on election day will receive the opportunity to vote a provisional ballot, and provisional ballots must be investigated in compliance with RCW 29A.60.195.

Reasons Supporting Proposal: 52 U.S.C. § 21082 Provisional voting and voting information requirements.

Statutory Authority for Adoption: RCW 29A.04.611.

Rule is necessary because of federal law, 52 U.S.C. § 21082.

Name of Proponent: Office of the secretary of state, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Stuart Holmes, Olympia, 360-902-4151.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules relate only to internal governmental operations that are not subject to violation by a nongovernment party; rules only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect; and rule content is explicitly and specifically dictated by statute.

Scope of exemption for rule proposal:

Is fully exempt.

August 28, 2025

Amanda Doyle

Chief of Staff

RDS-6296.2

AMENDATORY SECTION (Amending WSR 24-12-087, filed 6/5/24, effective 7/6/24)

WAC 434-261-053 Ballot declaration signature cure process. (1)

If a ballot declaration signature is not accepted following secondary review, the voter used a mark or signature stamp but did not include witnesses, or if the ballot declaration was not signed, the ballot cannot be counted until the voter cures their signature. The voter identified on the ballot return envelope must be notified as soon as practicable, but no later than three business days following receipt, that the signature on the ballot declaration does not match the signature(s) in the voter registration record. The county must notify the voter of the procedure for curing their signature by:

(a) A notice letter package sent by first class mail with a signature update form or a missing signature form. The form must include the ballot declaration required by WAC 434-230-015. The notice letter package must also include a prepaid envelope in which to return a completed signature update or missing signature form. The notice letter must:

(i) Be in substantially the same form as the sample notice letter created by the secretary of state; and

(ii) Be available in all languages required by the Department of Justice.

(b) Telephone, leaving a voicemail if the voter does not answer and voicemail is available (if the voter has provided a phone number);

(c) Text message (if the voter has opted into text message notifications); and

(d) Email, enclosing a copy of the signature cure form (if the voter has provided an email address).

(2) The voter may cure their ballot signature no later than the close of business the day before the election is certified.

If the voter has not responded to the signature cure notice by five business days before the final meeting of the canvassing board, the county auditor must attempt to notify the voter by:

(a) Telephone, leaving a voicemail if the voter does not answer and voicemail is available (if the voter has provided a phone number);

(b) Text message (if the voter has opted into text message notifications); and

(c) Email, enclosing a copy of the signature cure form (if the voter has provided an email address).

(3) A voter may cure a missing signature by:

(a) Returning a signed missing signature form. The signature on the form must be compared to the signature(s) in the voter registration record using the process described in WAC 434-261-052; or

(b) Appearing in person and signing the ballot declaration. The signature on the ballot declaration must be compared to the signature(s) in the voter registration record using the process described in WAC 434-261-052.

(4) A voter using a mark or signature stamp may cure a failure to have two witnesses attest to the ballot declaration signature by returning a missing signature form. The form must contain the voter's mark or signature stamp and the signatures of two witnesses.

(5) A voter may cure a nonmatching signature by either:

(a) Returning a signature update form or appearing in person and signing a new registration form.

(i) The signature on the form must be compared to the signature on the ballot declaration using the process described in WAC 434-261-052;

(ii) The signature on the form is saved as a new signature in the voter registration record for the current and future elections; or

(b) Providing valid secondary identity verification. The county auditor must verify the secondary identification is for the voter who signed the ballot declaration. Secondary identification may be:

(i) The last four digits of the voter's Social Security number or the voter's full driver's license, instruction permit, or state identification number;

(ii) Photo identification, valid enrollment card of a federally recognized Indian tribe in Washington state, copy of a current utility bill or current bank statement, copy of a current government check, copy of a current paycheck, or a government document, other than a voter registration card, that shows both the name and address of the voter; or

(iii) A multifactor authentication code, from a system approved by the secretary of state, the county auditor sent to the voter's phone number or email address that has previously been provided by the voter.

If a voter successfully provides secondary identity verification and confirms, orally or in writing, that the voter in fact returned the ballot, the ballot must be accepted unless two persons who have received signature verification training under WAC 434-261-051(8) conclude beyond a reasonable doubt that a person other than the voter signed the ballot declaration. This conclusion may be based on evidence including, but not limited to, other ballots in the same election bearing the same signature.

(6) If the registered voter asserts that the signature on the ballot declaration is not the voter's signature prior to 8:00 p.m. on election day, the voter may be provided the opportunity to vote a ~~((replacement ballot))~~ provisional ballot, subject to the investigation requirements in RCW 29A.60.195.

(7) If the voter does not successfully cure their signature by close of business the day before certification of the election, the ballot must be sent to the canvassing board.

(8) A record must be kept of the process used to cure ballot envelopes with missing and mismatched signatures. The record must contain the date on which each voter was contacted, the notice was mailed, and the date on which each voter subsequently submitted a signature to cure the missing or mismatched signature.

WSR 25-18-064
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
(Division of Child Support)
[Filed August 28, 2025, 11:33 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 25-11-067; and proposal is exempt under RCW 19.85.025(4).

Title of Rule and Other Identifying Information: The division of child support (DCS) is amending chapter 388-14A WAC to implement section 1 of EHB 1014 (chapter 272, Laws of 2025), which takes effect January 1, 2026. DCS proposes to amend WAC 388-14A-1020, 388-14A-3400, 388-14A-3410, and other related sections as may be necessary.

Hearing Location(s): On October 21, 2025, at 10:00 a.m., virtually via Teams or call in. See the department of social and health services (DSHS) website at <https://www.dshs.wa.gov/sesa/rpau/proposed-rules-and-public-hearings> for the most current information.

Date of Intended Adoption: Not sooner than October 22, 2025.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504, email DSHSRPAURulesCoordinator@dshs.wa.gov, beginning noon on September 3, 2025, by 5:00 p.m. on October 21, 2025.

Assistance for Persons with Disabilities: Contact Shelley Tencza, DSHS rules consultant, phone 360-664-6036, TTY 711 relay service, email Shelley.Tencza@dshs.wa.gov, by 5:00 p.m. on October 7, 2025.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Section 1 of EHB 1014 amends RCW 26.19.065 to increase the self-support reserve from 125 percent of the one-person federal poverty guideline to 180 percent. Section 1 clarifies that all of the parents' children are entitled to a pro rata share of the parents' income after application of either the self-support reserve, the 45 percent limitation, or both. It further clarifies that although each child is entitled to a pro rata share of income available for child support, the court only applies the pro rata share to the children in the case before the court. DCS proposes amendments to WAC 388-14A-1020, 388-14A-3400, and 388-14A-3410 to reflect the change in how the self-support reserve is calculated, from 125 percent of the one-person federal poverty guideline to 180 percent. DCS makes additional amendments to WAC 388-14A-3400 to echo the clarifications in EHB 1014, section 1 regarding the pro rata share. Namely, all of the children are entitled to a pro rata share of the parents' income, and DCS and the office of administrative hearings only apply the pro rata share to the children in the order before them. This proposal will align administrative rules with RCW, which provides greater clarity for parties to child support cases and the general public. As needed, amendments will make additional changes to improve clarity, update policy, or better align rule language with state and federal law or regulations.

Reasons Supporting Proposal: This rule making is required to implement section 1 of EHB 1014 (chapter 272, Laws of 2025), which amends RCW 26.19.065.

Statutory Authority for Adoption: RCW 74.20.040, 74.20A.055, and 74.20A.310.

Statute Being Implemented: RCW 26.19.065.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: DSHS, economic services administration, DCS, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Monica Turnbaugh, Rules Coordinator, DCS Headquarters, P.O. Box 9162, Olympia, WA 98507-9162, 360-664-5339.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. This rule is exempt under RCW 34.05.328 (5)(b)(vii), rules of the department of social and health services ... concerning liability for care of dependents.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(4).

Is exempt under RCW 34.05.328 (5)(b)(vii).

Explanation of exemptions: This rule is exempt under RCW 34.05.328 (5)(b)(vii), rules of the department of social and health services ... concerning liability for care of dependents.

Scope of exemption for rule proposal:

Is fully exempt.

August 26, 2025
Katherine I. Vasquez
Rules Coordinator

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 25-19 issue of the Register.

WSR 25-18-070

PROPOSED RULES

DEPARTMENT OF HEALTH

(Pharmacy Quality Assurance Commission)

[Filed August 29, 2025, 8:43 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 23-20-115.

Title of Rule and Other Identifying Information: Alternate distribution models for a dispensed prescription drug for the purpose of redispensing or subsequent administration to a patient. The pharmacy quality assurance commission (commission) is proposing new WAC 246-945-416 Alternate distribution models, related to how alternate distribution models for prescribed and dispensed medications may be used by dispensing facilities and receiving facilities regulated by the commission that choose to use such models.

Hearing Location(s): On October 16, 2025, at 1:30 p.m., at the Labor and Industries Building, 7273 Linderson Way S.W., Tumwater, WA 98501; or virtually via Zoom. To access the meeting, go to <https://zoom.us/join> or <https://us02web.zoom.us/j/86309299195> and use Webinar ID 863 0929 9195. The access options include One-tap mobile +12532158782,,86309299195# or +16699009128,,86309299195#; or telephone (for higher quality, dial a number based on your current location): 1-253-215-8782, 1-669-900-9128, 1-346-248-7799, 1-669-444-9171, 1-386-347-5053, 1-564-217-2000, 1-646-558-8656, 1-646-931-3860, 1-301-715-8592, or 1-312-626-6799, Webinar ID 861 1495 8466. International numbers available at <https://us02web.zoom.us/u/kdLNo6unOZ>.

Date of Intended Adoption: October 16, 2025.

Submit Written Comments to: Joshua Munroe, P.O. Box 47852, Olympia, WA 98504-7852, email PharmacyRules@doh.wa.gov, fax 360-236-2901, <https://fortress.wa.gov/doh/policyreview>, beginning the date and time of filing, by October 2, 2025, 11:59 p.m.

Assistance for Persons with Disabilities: Contact Joshua Munroe, phone 360-502-5058, fax 360-236-2901, TTY 711, email PharmacyRules@doh.wa.gov, by October 2, 2025.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The commission initiated rule making in 2023 on the topic of drug transfer practices such as "white bagging" and "brown bagging," now referred to in rule-making documents as "alternate distribution models" (ADM). These models outline the delivery method of filled prescriptions such as a specialty medication from the dispensing facility that produces or compounds it to a receiving facility at which the medication is administered to the patient.

Following ADM discussions held at commission business and task force meetings, the commission determined that it needed to consider adding more robust regulatory standards to ensure product integrity and patient safety in its rules chapter. Commission staff drafted rule language for a new section WAC 246-945-416 that establishes definitions relating to ADM, allows and prohibits actions for facilities that choose to utilize ADM, and sets a requirement for dispensing facilities and receiving facilities utilizing such models with one another to create a contract or agreement between both parties.

The anticipated effect of the proposed rules is to establish regulatory standards for alternate distribution models so that dispensing facilities and receiving facilities regulated by the commission can guarantee greater patient safety and product integrity should those facilities choose to use such models. This would be accomplished

through limiting the types of distribution models dispensing and receiving facilities are allowed to use, and by requiring a contract or agreement between parties to reduce miscommunications that lead to distribution, storage, and handling errors for medications for which alternate distribution models would apply.

Reasons Supporting Proposal: According to a 2018 report prepared by the National Association of Boards of Pharmacy, white bagging refers to "the distribution of patient-specific medication from a pharmacy ... to the physician's office, hospital, or clinic for administration" and brown bagging refers to "the dispensing of a medication from a pharmacy ... directly to the patient, who then transports the medication(s) to the physician's office for administration."¹ Certain drugs are often the subject of white bagging and brown bagging practices. In 2015, 28 percent of medical benefit drugs—drugs that are injected or infused by a healthcare professional in an infusion center—were distributed to physician offices via brown bagging.² As of 2016, 28 percent of oncology drugs were distributed through white bagging and brown bagging practices.³

Alternate distribution models represent a different approach to the traditional chain-of-custody for prescribed medications. Concerns have been raised over ensuring the integrity and quality of these medications is maintained if such practices are used by prescribers, hospitals, or patients because these practices can create an unknown chain of custody. The commission cited a lack of clear regulatory standards on these distribution models in Washington as justification for rule making, and later explained that the intent of the rule making was to establish a clear understanding of what types of distribution models are allowed and to reduce potential miscommunication between dispensing and receiving facilities that could result in loss of product and delayed care to patients.

Statutory Authority for Adoption: RCW 18.64.005.

Statute Being Implemented: RCW 18.64.005.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Pharmacy quality assurance commission, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Joshua Munroe, 111 Israel Road S.E., Tumwater, WA 98501, 360-502-5058; Enforcement: Marlee O'Neill, 111 Israel Road S.E., Tumwater, WA 98501, 360-480-9108.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Joshua Munroe, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-502-5058, fax 360-236-2901, TTY 711, email PharmacyRules@doh.wa.gov.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect.

Explanation of exemptions: WAC 246-945-416(1) includes definitions for specific terminology used throughout the new chapter and exempt from the significant analysis because it proposes clarifying language.

Scope of exemption for rule proposal:

Is partially exempt:

Explanation of partial exemptions:

Proposed WAC Sections and Title	This proposed rule section is <i>not exempt</i> . Analysis is required	This proposed rule section is <i>exempt</i> . Provide RCW to support this exemption.
WAC 246-945-416(1) Definitions		RCW 34.05.310 (4)(d) because the proposed rule language clarifies terms used throughout the rule language without changing its effect of the rule.

The proposed rule does not impose more-than-minor costs on businesses. Following is a summary of the agency's analysis showing how costs were calculated.

A brief description of the proposed rule, including the current situation/rule, followed by the history of the issue and why the proposed rule is needed. A description of the probable compliance requirements and the kinds of professional services that a small business is likely to need in order to comply with the proposed rule: The commission initiated rule making in 2023 on the topic of drug transfer practices such as "white bagging" and "brown bagging," now referred to in rule-making documents as "alternate distribution models." These models outline the delivery method of filled prescriptions such as a specialty medication from the dispensing facility that produces or compounds it to a receiving facility at which the medication is administered to the patient. The commission cited a lack of clear regulatory standards on these distribution models in Washington state as justification for rule making.

According to a 2018 report prepared by the National Association of Boards of Pharmacy, white bagging refers to "the distribution of patient-specific medication from a pharmacy ... to the physician's office, hospital, or clinic for administration" and brown bagging refers to "the dispensing of a medication from a pharmacy ... directly to the patient, who then transports the medication(s) to the physician's office for administration."⁴ Certain drugs are often the subject of white bagging and brown bagging practices. In 2015, 28 percent of medical benefit drugs, drugs that are injected or infused by a health care professional in an infusion center, were distributed to physician offices via brown bagging.⁵ As of 2016, 28 percent of oncology drugs were distributed through white bagging and brown bagging practices.⁶

These distribution models represent a different approach to the traditional chain-of-custody for prescribed medications. Concerns have been raised over ensuring the integrity and quality of these medications is maintained if such practices are used because these practices can create an unknown chain of custody.

Following discussions held at commission business and task force meetings, the commission determined that it needed to consider adding more robust regulatory standards for dispensing facilities and receiving facilities that may utilize alternate distribution models to ensure product integrity and patient safety in its rules chapter.

Identification and summary of which businesses are required to comply with the proposed rule using the North American Industry Classification System (NAICS):

Table 1. Summary of Businesses Required to Comply to the Proposed Rule*

NAICS Code (4, 5, or 6 Digit)	NAICS Business Description	Number of Businesses in Washington State	Minor Cost Threshold
446110	Pharmacies	267**	\$19,161.74

* As explained in the significant analysis, pharmacies are not required to engage with alternate distribution models as described in WAC 246-945-416. For pharmacies that could be classified as a dispensing facility or a receiving facility and choose to utilize such models, they would need to comply with any cost or regulatory elements described in the proposed rule.

** The employment security department reported 267 businesses categorized as pharmacies and drug stores, but department of health (department) staff reported the number of pharmacies as of April 2024, with 1,283 facilities being standalone pharmacies and 110 facilities being hospital pharmacies.

Analysis of probable costs of businesses in the industry to comply to the proposed rule and includes the cost of equipment, supplies, labor, professional services, and administrative costs. The analysis considers if compliance with the proposed rule will cause businesses in the industry to lose sales or revenue:

WAC 246-945-416 Alternate distribution models.

Description: The proposed rule establishes definitions in subsection (1) relating to alternate distribution models, defining the types of facilities that dispense or receive medications under such models. The subsection also describes what qualifies as a "filled prescription" and an "injectable medication," for purposes of this rule. As indicated above, this subsection is exempt from analysis as it only clarifies the use of terms uses throughout the section.

Subsection (2) prohibits the practice known as "brown bagging," in which a receiving facility takes possession of a filled prescription dispensed and delivered from a dispensing facility that was previously received, stored, and handled by the patient or patient's representative.

Subsection (3) allows for a receiving facility to take possession of filled prescriptions delivered to it by the dispensing facility if certain conditions are met. This action is allowed only if the receiving facility cannot directly procure the filled prescription through standard distribution channels, or if the receiving facility cannot compound the filled prescription at the health care facility where that prescription would be administered to the patient by a health care professional.

Subsection (4) requires a written contract or agreement between the receiving and dispensing facilities that describes procedures such as a delivery system and the responsibilities of each party.

Subsection (5) identifies the filled prescriptions to which the rule does not apply. Exempt prescriptions are filled prescriptions sent from a dispensing facility to a receiving facility where both facilities are under common ownership, filled prescriptions sent by a compounding pharmacy or registered outsourcing facility at the request and specification of the receiving facility, or filled prescriptions for home infusion patients.

The proposed rule is designed to establish a clear chain-of-custody for filled prescriptions and decrease instances of those prescriptions becoming unusable due to delivery method or miscommunication between facilities resulting in incorrect prescriptions being sent to the receiving facility.

Cost(s): The purpose of WAC 246-945-416 is to establish enforceable regulatory guidelines for alternate distribution models that are already in use by dispensing and receiving facilities regulated by the commission in Washington. The use of such distribution models is also optional for facilities identified in the proposed section of rule, so any reported costs and benefits are not a requirement for all regulated facilities but only those that choose to engage with alternate distribution models. Both one-time and ongoing costs for the proposed rule are associated.

One-time costs: The one-time cost incurred for the purpose of complying with the proposed rule is the development of a contract or agreement between the dispensing facility and receiving facility, per WAC 246-945-416(4). Commission staff estimate, based on consultation with pharmacists and comparison to similar processes, that developing a contract or agreement would require between one and three hours of staff time depending on how the facilities structure the core elements such as delivery system procedures and party responsibilities, and whether legal counsel would be required to review a drafted contract.

The commission and department assume that the responsibility to develop the policies and procedures will be given to pharmacy assistants, pharmacy technicians, or equivalent administrative staff, with final approval of the policies and procedures given either by a pharmacist or attorney. It is expected that the practitioner or pharmacist would take an additional one to two hours to review and approve the drafted policies and procedures.

Table 2. Average Wage Data and Training Costs, Dispensing Facilities

Occupation	Average Hourly Wage*
Pharmacist	\$75
Pharmacy Technician	\$28
Pharmacy Assistant/Pharmacy Aide	\$22
Office and Administrative Support Occupations	\$28
Lawyer	\$83

* The average hourly wage for practitioners, excluding dentists, is derived from the 2024 wage statistics reported by the United States (U.S.) Bureau of Labor and Statistics. Average hourly wage rounded up to the next whole number.⁷

Using the above time estimates, the lower-cost scenario would include one hour of contract or agreement development time by a pharmacy assistant or pharmacy aide and one hour of review time by a pharmacist. Applying the wage data from Table 2, a receiving facility or dispensing facility would expect to incur **\$97** as a low-end cost.

The higher-cost scenario is based off three hours of contract or agreement drafting time by a pharmacist working in the dispensing or receiving facility and an additional two hours of review time by an attorney. Therefore, a facility that would need to comply with WAC 246-945-416 would expect to incur **\$391** as a one-time cost. While it is possible that costs could be higher should an attorney be asked to both draft a contract and help with the review of the document, this circumstance was deemed unlikely.

- Low (one hour drafting + one hour review): **\$97**
- High (three hours drafting + two hours review): **\$391**

Recurrent/ongoing costs: Dispensing facilities and receiving facilities would need to review the existing contract or agreement. Commission staff estimate that, at most, one hour would be needed from a facility to conduct the review. This task could be assigned to a pharmacy technician, pharmacist, or attorney familiar with the existing contract or agreement. As a result, the annual ongoing cost associated with the alternate distribution model rule would fall into the following range:

- Low (one hour review by an attorney): **\$22**
- High (one hour review by an attorney): **\$83**

Summary of all cost(s) :

Table 3. Summary of Section 3 Probable Cost(s)**

WAC 246-945-416 Alternate distribution models		
Regulated Entity	One-Time Cost(s)	Ongoing Cost(s)
Dispensing facility as defined in WAC 246-945-416 (1)(a)	\$97 - \$391	\$22 - \$83
Receiving facility as defined in WAC 246-945-416 (1)(d)	\$97 - \$391	\$22 - \$83

** The one-time and ongoing costs reported in this table reflect a single contract or agreement developed by a receiving or dispensing facility. A facility could encounter higher costs if it develops multiple contracts or agreements with additional facilities, but the commission determined this would be rare.

Analysis on if the proposed rule may impose more-than-minor costs for businesses in the industry. Includes a summary of how the costs were calculated: No, the costs of the proposed rule, at most \$391 one-time costs and \$83 in annual ongoing costs per contract or agreement for each facility choosing to use alternate distribution models, are less than the minor cost threshold of \$19,161.74 for pharmacies.

Summary of how the costs were calculated: The range of costs associated with drafting and reviewing a contract or agreement between a dispensing facility and a receiving facility is calculated by assessing the average wage amounts reported by the U.S. Bureau of Labor and Statistics for pharmacists, pharmacy technicians, pharmacy assistants/aides, administrative support occupations, and attorneys.

Low-end cost calculation: One hour of drafting time by a pharmacy assistant/aide and one hour review time by a pharmacist. One hour of review time by a pharmacy technician annually.

High-end cost calculation: Three hours of drafting time by a pharmacist and two hours review time by an attorney. One hour of review time by an attorney annually.

- 1 National Association of Boards of Pharmacy (2018). White and Brown Bagging Emerging Practices, Emerging Regulation. https://nabp.pharmacy/wp-content/uploads/2018/04/White-Bagging-and-Brown-Bagging-Report-2018_Final-1.pdf.
- 2 Fein, Adam J. (April 16, 2016). New Data: How Outrageous Hospital Markups Hike Drug Spending. <https://www.drugchannels.net/2016/04/new-data-how-outrageous-hospital.html>.
- 3 Genentech (2016). The 2016 Genentech Oncology Trend Report: Perspectives From Managed Care, Specialty Pharmacies, Oncologists, Practice Managers, and Employers. https://www.gpbch.org/docs/2016_genentech_oncology_trend_report.pdf.
- 4 National Association of Boards of Pharmacy (2018). White and Brown Bagging Emerging Practices, Emerging Regulation. https://nabp.pharmacy/wp-content/uploads/2018/04/White-Bagging-and-Brown-Bagging-Report-2018_Final-1.pdf.
- 5 Fein, Adam J. (April 16, 2016). New Data: How Outrageous Hospital Markups Hike Drug Spending. <https://www.drugchannels.net/2016/04/new-data-how-outrageous-hospital.html>.
- 6 Genentech (2016). The 2016 Genentech Oncology Trend Report: Perspectives From Managed Care, Specialty Pharmacies, Oncologists, Practice Managers, and Employers. https://www.gpbch.org/docs/2016_genentech_oncology_trend_report.pdf.
- 7 Washington - May 2024 OEWS State Occupational Employment and Wage Estimates (bls.gov).

A copy of the detailed cost calculations may be obtained by contacting Joshua Munroe, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-502-5058, fax 360-236-2260, TTY 711, email PharmacyRules@doh.wa.gov.

August 29, 2025
Hawkins DeFrance, PharmD, Chair
Pharmacy Quality Assurance Commission

RDS-6447.2

NEW SECTION

WAC 246-945-416 Alternate distribution models. (1) For the purpose of this section, the following definitions apply unless the context clearly requires otherwise:

(a) "Dispensing facility" or "dispensing facilities" means an entity that dispenses and delivers filled prescriptions to a patient, a patient's representative, or other third party for subsequent administration by a licensed health care professional acting within their scope of practice at a health care facility.

(b) "Filled prescription" or "filled prescriptions" means an injectable medication that has been dispensed and delivered pursuant to a prescription by a dispensing facility.

(c) "Injectable medication" means a drug or biological product approved by the FDA for administration by injection through the skin or other external boundary tissue to reach a blood vessel, organ, tissue, or lesion. Routes of administration include, but are not limited to:

- (i) Intravenous;
- (ii) Intramuscular;
- (iii) Subcutaneous;
- (iv) Intradermal;
- (v) Intraocular; or
- (vi) Intrathecal.

(d) "Receiving facility" or "receiving facilities" means a pharmacy, HCE, or HPAC that receives filled prescriptions from a patient, a patient's representative, or other third party for subsequent administration of the filled prescription by a licensed health care professional acting within their scope of practice at a health care facility.

(2) Receiving facilities may not take possession of filled prescriptions dispensed and delivered by a dispensing facility if the filled prescription has been previously received, stored, and handled by the patient or the patient's representative.

(3) Receiving facilities may not take possession of filled prescriptions, including filled prescriptions requiring manipulation, delivered to the receiving facility by a dispensing facility, unless:

(a) The receiving facility cannot directly procure the filled prescription through standard distribution channels such as a manufacturer, wholesaler, or outsourcing facility; or

(b) The receiving facility cannot compound the filled prescription at the health care facility where the filled prescription will be administered by a health care professional.

(4) A receiving facility may only take possession of filled prescriptions pursuant to subsection (3) of this section if the receiving facility has a written contract or agreement between the dispensing facility and the receiving facility. The written contract or agreement must describe the procedures for such a delivery system and the responsibilities of each party. The dispensing facility and receiving facility must verify that appropriate measures have been taken to ensure product integrity, security, accountability, and accuracy of delivery for the filled prescription.

(5) This section does not apply to:

(a) Filled prescriptions sent by dispensing facilities to receiving facilities that are under common ownership or control of a corporate entity via an intracompany transfer;

(b) Filled prescriptions sent by a compounding pharmacy or registered outsourcing facility based on an order made by the receiving facility; or

(c) Filled prescriptions for home infusion patients.

WSR 25-18-076

PROPOSED RULES

STATE BOARD OF HEALTH

[Filed August 29, 2025, 9:20 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 22-06-034.

Title of Rule and Other Identifying Information: Chapter 246-282 WAC, Sanitary control of shellfish. The state board of health (board) is proposing to amend chapter 246-282 WAC, with the exception of WAC 246-282-990, and to create two new sections, WAC 246-282-017 and 246-282-044, to modify harvest control requirements by setting more proactive measures to prevent illnesses and protect public health. The rule proposal also updates definitions, makes changes to seed size and various tagging requirements, and makes technical and editorial changes as needed.

Hearing Location(s): On November 19, 2025, at 1:30 p.m., at the Washington State Department of Health, 111 Israel Road S.E., Tumwater, WA 98501, Town Center 2, Rooms 166 and 167; or register to participate via Zoom at https://us02web.zoom.us/webinar/register/WN_DlI0Jo2yQUe1KBgX_ficw.

Date of Intended Adoption: November 19, 2025.

Submit Written Comments to: Shay Bauman, P.O. Box 47990, Olympia, WA 98504-7990, email shellfish@sboh.wa.gov, <https://fortress.wa.gov/doh/policyreview/>, beginning the date and time of filing, by October 27, 2025, at 11:59 p.m.

Assistance for Persons with Disabilities: Contact Shay Bauman, phone 360-236-4110, TTY 711, email shay.bauman@sboh.wa.gov, wsboh@sboh.wa.gov, by November 5, 2025.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The majority of chapter 246-282 WAC has not been updated since 2002 and 2015 and many of the changes proposed in this rule making are editorial or technical, to enhance readability and conform with the style guide used by the office of the code reviser. In addition to these changes, the rule proposal amends controls found in the Washington state vibrio parahaemolyticus (Vp) control plan, WAC 246-282-006, to address rising early season temperatures that can result in increased illnesses. The department of health (department), using delegated rule-making authority from the board, has filed two emergency rules, once in 2023 and again in June 2025, to address this issue. The board is also proposing to make additional changes in chapter 246-282 WAC to address various gaps in the regulation of commercial shellfish and to align with federal regulations.

Reasons Supporting Proposal: Vp is a naturally occurring bacteria found in marine waters. Molluscan bivalve shellfish acquire Vp through filter feeding. Humans who consume raw or undercooked shellfish containing Vp can develop an intestinal disease called vibriosis. The current Vp control plan, last updated in 2015, establishes a control season between May 1st and September 30th. However, the strictest time-to-cooling requirements for oysters currently begin July 1st. In 2021, there were a high number of vibriosis cases involving Washington shellfish largely due to very high temperatures during the summer months. Early season high temperatures and midday low tides also occurred in May 2023 and June 2025 and as a result, the department filed emergency rules to address the need for more stringent time to cooling controls. The department expects this trend to continue. A review of rule requirements revealed gaps in the current controls and opportuni-

ties to more adequately protect consumers. The board is proposing more proactive measures to prevent illness and protect public health.

Statutory Authority for Adoption: RCW 69.30.030 and 43.20.050.

Statute Being Implemented: RCW 69.30.030.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: State board of health, governmental.

Name of Agency Personnel Responsible for Drafting: Shay Bauman, 111 Israel Road S.E., Tumwater, WA 98501, 360-236-4110; Implementation and Enforcement: Dani Toepelt, 111 Israel Road S.E., Tumwater, WA 98501, 360-890-6054.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Shay Bauman, P.O. Box 47990, Olympia, WA 98504-7990, phone 360-236-4110, TTY 711, email shay.bauman@sboh.wa.gov.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules relate only to internal governmental operations that are not subject to violation by a nongovernment party; rules are adopting or incorporating by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule; rules only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect; and rules adopt, amend, or repeal a procedure, practice, or requirement relating to agency hearings; or a filing or related process requirement for applying to an agency for a license or permit.

Explanation of exemptions: WAC 246-282-001, 246-282-014, 246-282-020, 246-282-060, 246-282-070, 246-282-104, 246-282-120, and 246-282-130 are exempt under RCW 34.05.310 (4)(d), as the proposed changes clarify the language in the rule without changing its effect. WAC 246-282-010 is also exempt under RCW 34.05.310 (4)(d), as terms defined in this section are intended to clarify the meaning of the terms used throughout the chapter and are not intended to set standards. WAC 246-282-012, 246-282-036, and 246-282-042 are exempt under RCW 34.05.310 (4)(d) and (g)(ii), as the proposed changes are editorial, related to a process requirement for making an application to the agency for a license or permit, and are intended to provide clarification without changing the effects of the rule. WAC 246-282-092, 246-282-100, and 246-282-102 are exempt under RCW 34.05.310 (4)(b) and (d), as the proposed changes are editorial and are intended to provide clarification without changing the effects of the rule. The proposed changes also relate only to internal governmental operations that are not subject to violation by a nongovernment party. WAC 246-282-005 and 246-282-110 are exempt under RCW 34.05.310 (4)(c) and (d), as the proposed changes are editorial, incorporate federal model ordinance by reference without material change, and are intended to provide clarification without changing the effects of the rule. Finally, new WAC

246-282-017 is exempt under RCW 34.05.310 (4) (b), as the proposed new section relates only to internal governmental operations that are not subject to violation by a nongovernment party.

Scope of exemption for rule proposal:

Is partially exempt:

Explanation of partial exemptions: [No information supplied by agency].

The proposed rule does impose more-than-minor costs on businesses.

Small Business Economic Impact Statement

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 25-19 issue of the Register.

A copy of the statement may be obtained by contacting Shay Bauman, P.O. Box 47990, Olympia, WA 98504-7990, phone 360-236-4110, TTY 711, email shay.bauman@sboh.wa.gov.

August 29, 2025
Michelle Davis, MPA
Executive Director

RDS-6417.2

AMENDATORY SECTION (Amending WSR 01-04-054, filed 2/5/01, effective 3/8/01)

WAC 246-282-001 Scope and purpose. These requirements, as authorized under chapter 69.30 RCW, establish minimum performance standards for the growing, harvesting, processing, packing, storage, transporting, and selling of shellfish for human consumption or bait. These requirements do not apply to persons who conduct activities limited to:

- (1) Retail food service, in compliance with the requirements of chapter 246-215 WAC, Food service;
- (2) Personal use, in compliance with requirements of chapters 77.32 RCW, Licenses, and 77.15 RCW, Fish and wildlife enforcement code; and
- (3) Transporting as a common carrier of freight.

AMENDATORY SECTION (Amending WSR 25-06-081, filed 3/4/25, effective 4/4/25)

WAC 246-282-005 Minimum performance standards. (1) ((Any)) A person engaged in a shellfish operation ((~~or~~)), possessing a commercial quantity of shellfish, or possessing any quantity of shellfish for sale for human consumption or bait, must comply with and is subject to:

- (a) The requirements of the U.S. Food and Drug Administration National Shellfish Sanitation Program (NSSP), Guide for the Control of Molluscan Shellfish (2023) (copies available through the U.S. Food and Drug Administration, Shellfish Sanitation Branch, and the Washington

state department of health, office of (~~shellfish and water protection~~) environmental health and safety;

(b) The provisions of 21 Code of Federal Regulations (C.F.R.), Part 123 - Fish and Fishery Products, adopted December 18, 1995, by the United States Food and Drug Administration, regarding Hazard Analysis Critical Control Point (HACCP) plans (copies available through the U.S. Food and Drug Administration, Office of Seafood, and the Washington state department of health, office of (~~food safety and shellfish programs~~) environmental health and safety); (~~and~~)

(c) Chapter 69.30 RCW; and

(d) All other provisions of this chapter.

(2) If a requirement of the NSSP Model Ordinance or a provision of 21 C.F.R., Part 123, is inconsistent with a provision otherwise established under this chapter or other state law or rule, then the more stringent provision, as determined by the department, will apply.

AMENDATORY SECTION (Amending WSR 15-08-083, filed 3/31/15, effective 5/1/15)

WAC 246-282-006 Washington state *Vibrio parahaemolyticus* control plan.

(1) This section establishes the (~~Washington state~~) *Vibrio parahaemolyticus* (Vp) control plan (control plan) for the months of May 1st through September 30th (control months). The requirements of this section are an extension of the NSSP Model Ordinance.

(2) (~~All~~) A harvester(~~s and~~) or shellfish dealer(~~s~~) harvesting or delivering oysters to a certified shucker packer for shucking or postharvest processing (PHP) during the control months (~~must~~) shall label the oysters with a harvest tag stating "For shucking by a certified dealer" or "For PHP by a certified dealer." Oysters harvested and tagged in compliance with this subsection are exempt from subsections (3) through (~~20~~) (23) of this section.

(3) (~~The following definitions apply throughout this section:~~

(a) ~~"Single source *Vibrio parahaemolyticus* case" or "case" means a laboratory confirmed *Vibrio parahaemolyticus* associated illness or illnesses with a common exposure that are reported to the department. The case must:~~

(i) ~~Be associated with commercially harvested shellstock;~~

(ii) ~~Not involve documented postharvest abuse; and~~

(iii) ~~Be traced back to a single growing area.~~

(b) ~~"Control months" means May 1st through September 30th.~~

(c) ~~"Cool" or "cooling" means to:~~

(i) ~~Adequately ice or place in a controlled environment with a temperature of 45°F (7.2°C) or less; and~~

(ii) ~~Reach and maintain an internal oyster tissue temperature of 50°F (10°C) or less.~~

(d) ~~"Harvest temperature" means the water temperature or internal oyster tissue temperature at the time of harvest. The harvester or shellfish dealer shall state whether they use water temperature or internal oyster tissue temperature for harvest temperature in their harvest plan.~~

(4) ~~All~~) A harvester(~~s and~~) or shellfish dealer(~~s~~) harvesting or processing oysters during the control months shall report the volume of oysters harvested or processed. This information must be reported by month, oyster species, size class, utilization type (raw, shucked, postharvest processed), and growing area for all control

months. This information must be compiled and reported to the department by December 31st ~~((each year))~~ annually. A harvester((s-and)) or shellfish dealer((s)) that ~~((do))~~ does not submit this information to the department may not harvest oysters during the control months during the next calendar year.

~~((5))~~ (4) A harvester((s-and)) or shellfish dealer((s)) harvesting oysters during the control months shall complete, submit to the department, and keep on file a current ~~((Vibrio parahaemolyticus))~~ Vp harvest plan of operations (harvest plan). ~~((In order for the department to review the harvest plan prior to May 1st,))~~ The harvest plan must be submitted ((by March 1st each year)) to the department for review at least 14 calendar days before the first planned harvest within the control months unless no changes have been made to the existing harvest plan. Each harvester((s-and)) or shellfish dealer((s)) shall sign and date their harvest plan each year and make it available to the department upon request.

~~((6))~~ (5) The harvest plan must include, at a minimum:

(a) ~~((Describe))~~ The harvest, temperature collection, cooling, and conveyance methods((-));

(b) ~~((Include))~~ An example of the harvest temperature record designed to meet the requirements in subsection ~~((11))~~ (10) of this section((-); and

(c) ~~((Identify))~~ If water temperature or internal oyster tissue temperature ((is)) will be used as the harvest temperature to meet the requirements in subsection ~~((11))~~ (10) of this section and specifically how this measurement will be taken.

~~((7))~~ (6) The department shall review and either approve or deny the harvest plan within ~~((thirty))~~ 14 calendar days of receipt. If the department denies approval of the harvest plan, the department shall notify the applicant of the decision in writing stating the reasons for the denial and providing the opportunity to correct the deficiencies. A harvester((s-and)) or shellfish dealer((s)) may not harvest oysters during the control months unless the department has approved the plan.

(7) A harvester or shellfish dealer shall follow their approved harvest plan. Failure to follow the approved harvest plan subjects the shellfish operation to actions in WAC 246-282-110.

(8) Time of harvest to cooling requirements and harvest controls are based on a risk categorization of each growing area. The department shall assign each growing area a category of 1, 2, or 3, ~~((+))~~ where 1 corresponds to the least stringent and 3 the most stringent harvest controls(+). These categories are based on the number of single source cases that occurred during the previous consecutive five-year period that were within the control months and ((were)) attributed to that growing area.

(9) ~~((The department shall categorize coastal growing areas in Willapa Bay and Grays Harbor as Category 1 for the first year of implementation attributing no illnesses to these areas for the years 2010 to 2014. For subsequent years, the department shall categorize coastal growing areas based on the criteria in subsection (8) of this section.~~

~~((10))~~ The department shall complete risk categorization and publish a list of all growing areas by risk category ~~((no later than))~~ by February 1st annually. The department shall use a rolling five-year average number of cases to calculate risk categories as follows:

(a) Category 1: An average of 0.2 or fewer cases attributed to the growing area over a five-year period.

(b) Category 2: An average of more than 0.2, but less than 1.0 cases attributed to the growing area over a five-year period.

(c) Category 3: An average of 1.0 or more cases attributed to the growing area over a five-year period.

~~((11) Time of harvest begins after the first oysters to be harvested are exposed to the air.))~~ (10) Time of harvest to cooling requirements ((and harvest controls are as follows:)) during control months are listed in the tables in (a), (b), and (c) of this subsection. If multiple conditions apply at the time of harvest, then the most stringent time of harvest to cooling must be used.

(a) Category 1:

<u>((Requirements)) Condition at Harvest:</u>	<u>Time of Harvest to Cooling:</u>
Except as noted below, the time of harvest to cooling requirement ((from June 1st through September 30th)) is:	9 hours
When ambient air temperature ((at harvest is greater than 90°F, the time of harvest to cooling requirement)) is <u>90.0°F or above:</u>	7 hours
When harvest temperature is ((between 68°F and 70°F from July 1st through August 31st, the time of harvest to cooling requirement is)) <u>68.0°F to 70.0°F:</u>	5 hours
((Harvest Control: From July 1st through August 31st, harvest is not allowed for twenty-four hours)) When harvest temperature is above <u>70.0°F(=):</u>	<u>Harvest is not allowed for 24 hours</u>

(b) Category 2:

<u>((Requirements)) Condition at Harvest:</u>	<u>Time of Harvest to Cooling:</u>
Except as noted below, the time of harvest to cooling requirement ((from May 1st through September 30th)) is:	7 hours
When ambient air temperature ((at harvest is greater than 85°F, the time of harvest to cooling requirement)) is <u>85.0°F or above:</u>	5 hours
When harvest temperature is ((between 66°F and 68°F from July 1st through August 31st, the time of harvest to cooling requirement is)) <u>66.0°F to 68.0°F:</u>	3 hours
((Harvest Control: From July 1st through August 31st, harvest is not allowed for twenty-four hours)) When harvest temperature is above <u>68.0°F(=):</u>	<u>Harvest is not allowed for 24 hours</u>

(c) Category 3:

<u>((Requirements)) Condition at Harvest:</u>	<u>Time of Harvest to Cooling:</u>
Except as noted below, <u>the time of harvest to cooling requirement ((from May 1st through September 30th)) is:</u>	5 hours
When <u>ambient air temperature ((at harvest is greater than 80°F, the time of harvest to cooling requirement)) is 80.0°F or above:</u>	3 hours
When <u>harvest temperature is ((between 64°F and 66°F from July 1st through August 31st, the time of harvest to cooling requirement is)) 64.0°F to 66.0°F:</u>	1 hour
<u>((Harvest Control: From July 1st through August 31st, harvest is not allowed for twenty-four hours))</u> When <u>harvest temperature is above 66.0°F((-):</u>	<u>Harvest is not allowed for 24 hours</u>

(d) When a harvester or shellfish dealer places oysters in a container or conveyance, but does not remove them from the ~~((tide flat)) harvest site as part of their harvest ((and the harvest exceeds the time to cooling requirements in subsection (11) of this section, then)), the following conditions must be met:~~

(i) The harvester or shellfish dealer shall hold a valid site certification for that site;

(ii) The oysters in the container or conveyance must be returned to approximately the same tidal level or lower than where they were collected; and

(iii) The oysters must be covered by the tide for a minimum of four hours before harvest can be completed.

~~((12) Harvesters and shellfish dealers shall take the following measurements at the times specified below and record this information in a harvest temperature record for each harvest site for all harvests occurring within the control months.))~~ (11) A harvester or shellfish dealer shall record and maintain a harvest temperature record for each harvest site for all harvests during the control months. The harvest temperature record must be maintained for three years and made available to the department upon request. The following measurements must be taken at the date, time, and location of harvest and recorded in the harvest temperature record:

(a) Air temperature; and

(b) Harvest temperature. A harvester or shellfish dealer using water temperature for the harvest temperature must take the water temperature at the depth of oysters unless another method is documented in their harvest plan.

~~(12) A harvester((s and)) or shellfish dealer((s)) shall take ((these)) the measurements required by subsection (11) of this section with ((a)) either:~~

(a) A thin-tip digital thermometer that is verified ((weekly)) monthly using manufacturer specifications or with a method approved in a harvest plan((. Thermometer verification must be documented and maintained)); or

(b) A thermometer certified by the National Institute of Standards and Technology (NIST) with a manufacturer certificate that does not need to be verified monthly.

(13) A harvester or shellfish dealer using a thermometer according to subsection (12) (a) of this section shall document and maintain the thermometer verification with operational records. ((Harvesters and shellfish dealers shall record the following measurements and the date and time they were taken in the record, maintain the record for three years, and make the record available to the department upon request:

~~(a) Air temperature at time and location of harvest; and~~

~~(b) Harvest temperature at time and location of harvest. Harvesters and shellfish dealers using water temperature for harvest temperature shall take water temperature at depth of oysters unless another method is documented in their harvest plan.~~

~~(13))~~ (14) A harvester or shellfish dealer using a thermometer according to subsection (12) (b) of this section shall keep the manufacturer certificate with operational records.

(15) A harvester((s and)) or shellfish dealer((s)) shall initiate cooling as soon as practical from the time of harvest and within the time of harvest to cooling requirements for the growing area where the oysters were harvested to ensure that the Vp growth is minimized and maximum ((number of)) time of harvest to cooling hours specified in subsection (10) of this section is not exceeded.

~~((14))~~ (16) If shellstock is beach wet stored or stored in a flow-through wet storage system in a growing area with a different risk category than where it was harvested, the more stringent time of harvest to cooling requirement must be used.

(17) If the required time of harvest to cooling requirements are not met after removal from the ((tide flat)) harvest site, the harvester or shellfish dealer shall dispose of the oysters using one of the methods below and record the disposition on the harvest record:

(a) Destroy the oysters;

(b) Place the oysters within the original growing area or another approved growing area and allow a minimum of ((fourteen)) 14 days before reharvesting; or

(c) Deliver the oysters to a certified shucker packer for shucking or PHP and attach a harvest tag meeting the requirements in subsection (2) of this section.

~~((15))~~ (18) If ownership of oysters is transferred ((prior to)) before the oysters ((being)) are cooled ((in accordance with the time of harvest to cooling requirements)) to an internal temperature of 50.0°F or less, the receiving dealer shall meet the time of cooling requirement outlined in subsection (10) of this section. The harvester shall ((include in the harvest record required under WAC 246-282-080 the)) provide the following information to the receiving dealer:

(a) Temperatures recorded under subsection ((12)) (11) of this section;

(b) Date, time, and name of the person or entity ((to whom the oysters were transferred)) who received the oysters; ((and))

(c) Growing area risk category for the harvested ((product.

~~(d) The receiving shellfish dealer shall meet the time of harvest to cooling requirements for the original harvest time.~~

~~(16) *Vibrio parahaemolyticus* training requirements are as follows:~~

~~(a)) oysters; and~~

(d) The total time of harvest to cooling for the oysters based on the growing area risk category. If shellstock is wet stored after purchase, the purchasing dealer shall comply with subsection (16) of this section.

~~(19)~~ A harvester ~~((s-and))~~ or shellfish dealer ~~((s))~~ shall complete an initial department-approved training specific to the requirements of this section ~~((prior-to))~~ before harvesting or shipping oysters during the control months.

~~((b))~~ (a) A harvester ~~((s-and))~~ or shellfish dealer ~~((s))~~ shall complete department-approved refresher training within one year following any revision of this ~~((rule))~~ section considered significant under RCW 34.05.328 or at least every five years.

~~((e-Those))~~ (b) A person responsible for the on-site management of harvest activities must be trained by either ~~((+~~

~~(i) Harvesters and shellfish dealers at their operation who completed the department approved training; or~~

~~(ii) The department)~~ the department or a person who completed the department approved training within the last five years.

~~((d))~~ (c) A harvester ~~((s-and))~~ or shellfish dealer ~~((s))~~ shall maintain a record ~~((those trained in their operational records))~~ of all persons who completed training.

~~((17))~~ (20) A harvester or shellfish dealer may request a waiver from specific requirements of this section from the department. The request must:

(a) Be in writing;

(b) Identify the requirement requested to be waived;

(c) State the reason for the waiver; and

(d) Provide supporting information.

~~((18))~~ (21) The department may grant a waiver request if it:

(a) Is consistent with the applicable standards and the intent of this section; and

(b) Provides a comparable level of public health protection to the requirement being waived.

~~((19))~~ (22) If the department approves a waiver request, the department shall notify the requestor of the decision in writing.

~~((20))~~ (23) If the department denies a waiver request, the department shall notify the requestor of the decision in writing stating the reasons for the denial. The requestor shall comply with the provision that was the subject of the waiver request.

~~((21) The department shall review this section to evaluate the effectiveness of the rules and determine areas where revisions may be necessary by November 2017.)~~ (24) For the purposes of this section:

(a) "Control months" means May 1st through September 30th.

(b) "Cool" or "cooling" means to:

(i) Adequately ice or place in a controlled environment with a temperature of 45.0°F (7.2°C) or less; and

(ii) Reach and maintain an internal oyster tissue temperature of 50.0°F (10.0°C) or less.

(c) "Harvest temperature" means the water temperature or internal oyster tissue temperature when harvested.

(d) "Single source Vp case" or "case" means a laboratory-confirmed Vp associated illness or illnesses with a common exposure that are reported to the department. The case must:

(i) Be associated with commercially harvested shellstock;

(ii) Not involve documented postharvest abuse; and

(iii) Be traced back to a single growing area.

(e) "Time of harvest" begins when the first oyster to be harvested in a lot is removed from the water or is no longer submerged by the tide.

AMENDATORY SECTION (Amending WSR 14-09-003, filed 4/3/14, effective 5/4/14)

WAC 246-282-010 Definitions. The ~~((following))~~ definitions in this section, as well as those in chapter 69.30 RCW and the NSSP Model Ordinance, apply ~~((in the interpretation and the implementation of these rules and regulations))~~ throughout chapter 246-282 WAC unless the context clearly requires otherwise. If a definition of the NSSP Model Ordinance or chapter 69.30 RCW is inconsistent with a provision otherwise established under this chapter, then the more stringent definition, as determined by the department, will apply.

(1) "Abatement" means an action or series of actions to eliminate a public health hazard or reduce it to a level acceptable to the ~~((secretary))~~ department.

(2) "Approved" means acceptable to ~~((the secretary based on the department's determination as to))~~ the department based on conformance with appropriate standards and good public health practice.

(3) "Approved laboratory" means a laboratory that is in conformance with requirements of the NSSP Model Ordinance.

(4) "Beach wet storage" or "beach wet stored" means when shellstock greater than maximum seed size is harvested from one harvest site and placed in another harvest site for less than 14 days.

(5) "Certificate of approval" means a license issued by the department.

~~((5))~~ (6) "Civil penalty" means a monetary penalty administratively issued by the ~~((secretary))~~ department. It does not include any criminal penalty; damage assessment; wages, premiums, or taxes owed; or interest or late fees on any existing obligation.

~~((6))~~ "Commercial quantity" means any quantity exceeding:

~~(a) Forty pounds of mussels;~~

~~(b) One hundred oysters;~~

~~(c) Fourteen horse clams;~~

~~(d) Six geoducks; or~~

~~(e) Fifty pounds of other hard or soft shell clams; or~~

~~(f) Fifty pounds of scallops.)~~

(7) "Cultch" means any material, other than live shellfish, used for the attachment of seed shellfish.

(8) "Department" means the state department of health.

(9) "Export certificate" means a certificate issued by the department to a licensed shucker-packer or shellstock shipper for use in the foreign export of a lot or shipment of shellfish.

(10) "Harvest" means the act of removing shellstock from a harvest site and its placement on or in a container for transport.

(11) "Harvester" means a shellfish operation with activities limited to growing shellstock, placing shellstock in a container, harvesting shellstock, transporting shellstock using proper transportation conveyances within Washington state, and delivering shellstock to a shellfish dealer licensed by the department within four hours of landing it. A harvester does not process shellfish, ship shellfish outside of Washington state, sell shellfish outside of Washington state, sell shellfish to retail outlets, shuck shellfish, repack shellfish, or store shellfish in any location outside of the approved growing area from where the shellfish is harvested.

(12) "Harvest site" means an area of intertidal or subtidal property within a commercial shellfish growing area, that is described by a unique county parcel number, department of fish and wildlife tract

number, department of fish and wildlife catch area number, tribal identification number, or other government identification.

(13) "Harvest site certificate" means a type of certificate of approval that designates one or more harvest sites approved for the harvesting of shellfish.

(14) "Hatchery" means an operation where shellfish larvae are produced and grown to the first sessile stage of life.

(15) "Marina" means any water area with a structure including, but not limited to, docks, basins, floating docks, or mooring buoys used for docking and constructed to provide temporary or permanent docking or buoy moorage space for more than 10 boats. This only includes boats with a marine sanitation device.

(16) "Mooring area" means any portion of a growing area that is used to provide temporary or permanent anchorage or attachment to a mooring buoy for more than 10 boats. This only includes boats with a marine sanitation device.

(17) "Mooring buoy" means a floating marker permanently secured to a waterway bed with an anchoring line that can be used by boats instead of a dock.

(18) "Notice of correction" means a document issued by the department that describes a condition or conduct that is not in compliance with chapter 69.30 RCW, this chapter, or the NSSP Model Ordinance and is not subject to civil penalties as provided for in RCW 43.05.110. It is not a formal enforcement action and is not subject to appeal. It is a public record.

~~((16))~~ (19) "NSSP Model Ordinance" means the U.S. Food and Drug Administration National Shellfish Sanitation Program (NSSP), Guide for the Control of Molluscan Shellfish, as adopted in WAC 246-282-005.

~~((17))~~ (20) "Nursery" means an operation where shellfish are grown from an early sessile stage of life up to a maximum size meeting the definition of shellfish seed.

~~((18))~~ (21) "Number of previous violations" means the number of prior violations of the same or a similar nature for which the department has taken a license action or assessed a civil penalty.

~~((19))~~ "Person" means any individual, firm, corporation, partnership, company, association, or joint stock association, and the legal successor thereof.

~~(20))~~ (22) "Person in charge" means an individual responsible for the supervision of employees and the management of any shellfish operation.

~~((21))~~ (23) "Public health threat" is either:

(a) "Low," which means a violation that poses a minor possibility of direct or indirect hazard to public health;

(b) "Intermediate," which means a violation that poses a moderate possibility of direct or indirect hazard to public health; or

(c) "High," which means a violation that poses a known significant hazard or possibility of significant direct or indirect hazard to public health.

~~((22))~~ (24) "Sale" means to sell; offer for sale; barter; trade; deliver; consign; hold for sale, consignment, barter, trade, or delivery; donate; and/or possess with intent to sell or dispose of in a commercial manner.

~~((23))~~ "Secretary" means the secretary of the department of health or the secretary's authorized representative.

~~(24))~~ (25) "Seed" means shellfish that are less than market size for human consumption and have a maximum shell length of:

(a) Thirteen millimeters (1/2 inch) for mussels;

- (b) Twenty-five millimeters (1 inch) for scallops;
- (c) Nineteen millimeters (3/4 inch) for Olympia oysters;
- (d) Nineteen millimeters (3/4 inch) for ~~((Kumomoto))~~ Kumamoto oysters;
- (e) ~~((Fifty-one))~~ Thirty-eight millimeters ~~((2))~~ 1 and 1/2 inches) for other oyster species;
- (f) Thirty-eight millimeters (1 and 1/2 inch) for geoducks; and
- (g) Thirteen millimeters (1/2 inch) for other clam species.
- ~~((25))~~ (26) "Shellfish" means all varieties of fresh or fresh-frozen oysters, clams, scallops or mussels, either shucked or in the shell, and all fresh or fresh-frozen edible products thereof.
- ~~((26))~~ (27) "Shellfish dealer" means a person with a shellstock shipper or shucker-packer license.
- ~~((27))~~ (28) "Shellfish growing area" means the classified lands and waters in and upon which shellfish ~~((are))~~ may be grown for harvesting in commercial quantities or for sale for human consumption.
- ~~((28))~~ (29) "Shellfish operation" means growing, placing in a container, harvesting, transporting, processing, culling, shucking, packing, and repacking, storing, shipping, or reshipping of shellfish in commercial quantities or for sale for human consumption.
- ~~((29))~~ (30) "Shellfish operation license" means a type of certificate of approval applying to the overall activities of a shellfish operation.
- ~~((30))~~ (31) "Shellstock shipper" means a shellfish operation that does not shuck shellfish or repack shucked shellfish.
- ~~((31))~~ (32) "Shucker-packer" means a shellfish operation that may shuck and pack shellfish.
- ~~((32))~~ (33) "Technical assistance" means information provided by the department to a person regarding chapter 69.30 RCW; this chapter; technologies or other methods to achieve compliance with these rules; assistance in applying for a departmental license or permit required by these rules; or the goals and objectives of these rules. This is not intended to modify the definition of "technical assistance" as provided in RCW 43.05.010(3).
- ~~((33))~~ (34) "Transplant" means when shellstock greater than maximum seed size is moved from one harvest site and placed in another harvest site for 14 days or more.
- (35) "Violation" means the commission of an act or acts prohibited by the provisions of chapter 69.30 RCW, ~~((these rules))~~ this chapter, or the NSSP Model Ordinance.
- ~~((34))~~ (36) "Wet storage" or "wet stored" means the ~~((temporary storage))~~ placement of harvested shellstock in containers or floats in natural bodies of water or in tanks containing natural or synthetic seawater. Types of wet storage include beach wet storage, flow-through wet storage, and recirculating wet storage.
- ~~((35))~~ (37) "Wild seed" means naturally set seed shellfish.

AMENDATORY SECTION (Amending WSR 11-19-011, filed 9/7/11, effective 10/8/11)

WAC 246-282-012 Certificates of approval—Operation licenses, harvest site certificates. (1) The department shall issue ~~((s two types of))~~ the following certificates of approval to a person ~~((s))~~ who

conducts shellfish operations (. ~~They are~~ ~~) and meets the requirements in this chapter and chapter 69.30 RCW:~~

(a) A shellfish operation license ((s)); and

(b) A harvest site certificate ((s)).

~~(2) ((Any)) A person ((who possesses a commercial quantity of shellfish or any quantity of shellfish for sale for human consumption must possess, or act on behalf of a person who possesses,)) engaged in the actions listed in WAC 246-282-005(1), or a person acting on behalf of them, must have a valid shellfish operation license.~~

~~((To obtain)) (3) An applicant for a shellfish operation license ((, a person must)) shall:~~

~~(a) Submit to the department a ((completed)) complete application on a form ((developed)) provided by the department ((;~~

~~(b) Submit to the department an acceptable)) and a written plan of operations that completely describes the shellfish operation;~~

~~((e)) (b) Pass a preoperational inspection demonstrating compliance with chapter 69.30 RCW, this chapter, and the NSSP Model Ordinance; and~~

~~((d)) (c) Pay the ((department any shellfish operation license)) applicable fee required by ((this chapter)) WAC 246-282-990.~~

~~((3) Any person who harvests)) (4) A person harvesting a commercial quantity of shellfish or any quantity of shellfish for sale for human consumption ((must possess, or act on behalf of a person who possesses,)) or bait, or a person acting on behalf of them, shall have a valid harvest site certificate. ((In order for a person to obtain a harvest site certificate, all of the following requirements must be met.))~~

(5) To qualify for a harvest site certificate, an applicant shall:

~~((The person possesses)) Have a valid shellfish operation license ((;))~~

~~((The person)) Submit ((s)) to the department a completed application ((that describes)) on a form provided by the department. The form must require, at a minimum, the following characteristics ((of)) describing the site:~~

~~(i) Geographic location;~~

~~(ii) Map showing legal boundaries;~~

~~(iii) Unique government identification number, such as county parcel number, department of fish and wildlife tract number, department of fish and wildlife catch area number, or tribal identification number; and~~

~~(iv) Documentation of legal ownership or lease for shellfish harvesting ((;~~

~~(c) The harvest site is in a growing area that meets the requirements of chapter 69.30 RCW, this chapter, and the NSSP Model Ordinance for a commercial shellfish growing area.~~

~~(d) The harvest site is not impacted by any actual or potential sources of pollution.~~

~~(e) The harvest site passes a pollution assessment inspection conducted by the department if necessary to determine if the site is impacted by any actual or potential sources of pollution.~~

~~(f) The person signs the current conditionally approved area management plan, if applicable.~~

~~(g) The person pays the department any harvest site application fee required by this chapter))~~; and

(c) Pay the applicable fee required by WAC 246-282-990.

~~((4) All)~~ (6) The department shall issue a harvest site certificate if all of the requirements in subsection (5) of this section are met and:

(a) The harvest site is in a growing area that meets the requirements of chapter 69.30 RCW, this chapter, and the NSSP Model Ordinance for a shellfish growing area;

(b) The harvest site is not impacted by any actual or potential sources of pollution. If necessary to determine whether the site is impacted by any actual or potential sources of pollution, the harvest site must pass a pollution assessment inspection conducted by the department; and

(c) The applicant signs the current conditionally approved area management plan, if applicable.

(7) A shellfish operation license(~~s~~) and harvest site certificate(~~s~~) for a shellfish dealer(~~s~~) expires on ~~((the thirtieth day of June each year))~~ June 30th annually. (~~All~~)

(8) A shellfish operation license(~~s~~) and harvest site certificate(~~s~~) for a harvester(~~s~~) expires on ~~((the thirty-first day of March each year))~~ March 31st annually.

AMENDATORY SECTION (Amending WSR 01-04-054, filed 2/5/01, effective 3/8/01)

WAC 246-282-014 Operating provisions. (1) ~~((Any person who possesses a commercial quantity of shellfish or any quantity of shellfish for sale for human consumption must display a photocopy or original of a valid shellfish operation license))~~ A person engaged in the actions listed in WAC 246-282-005(1), or a person acting on behalf of them, shall show a valid shellfish operation license, upon request, to ~~((any))~~ an authorized representative of the department, a fish and wildlife patrol officer, or an ex officio patrol officer. The shellfish operation license can be an electronic copy, photocopy, or the original issued by the department. Failure to do so subjects the person to the penalty provisions of this chapter, as well as immediate seizure of the shellfish by the representative or officer.

(2) ~~((Any person who harvests))~~ A person harvesting a commercial quantity of shellfish or any quantity of shellfish for sale for human consumption ~~((must display a photocopy or original of))~~ or bait, or a person acting on behalf of them, shall show a valid harvest site certificate, upon request, to ~~((any))~~ an authorized representative of the department, a fish and wildlife patrol officer, or an ex officio patrol officer. The harvest site certificate can be an electronic copy, photocopy, or the original issued by the department. Failure to do so subjects the person to the penalty provisions of this chapter, as well as immediate seizure of the shellfish by the representative or officer.

(3) ~~((Any person who places))~~ A person placing a commercial quantity of shellfish or any quantity of shellfish for sale for human consumption or bait in containers at a harvest site ~~((must do so only at a site for which the person possesses))~~, or a person acting on behalf of them, shall have a valid harvest site certificate.

(4) The owner(s) of a shellfish operation ~~((must))~~ shall designate an individual as the person in charge of the operation. The owner(s) of a shellfish operation that includes one or more harvest sites may designate a different individual as the person in charge of the

operation's harvest site(s) than the individual designated as the person in charge of all other phases of the shellfish operation.

(5) The owner(s) and the designated person in charge of a shellfish operation (~~(must)~~) shall:

(a) Ensure that at least one individual harvesting shellfish on behalf of the operation at each harvest site carry a copy, either electronic or paper, of (~~both the~~) a valid operation license and ((the)) a valid harvest site certificate ((designating that the site is approved by the department for harvesting by that operation));

(b) Ensure the individuals harvesting on behalf of the operation furnish shellfish tags ((meeting)) that comply with the requirements of chapter 69.30 RCW, ((these rules)) this chapter, and the NSSP Model Ordinance ((to those individuals harvesting on behalf of the operation));

(c) Ensure, by supervision at harvest sites or other adequate means, that (~~those~~) the individuals working on behalf of the operation harvest only from harvest sites approved by the department for the operation; and

(d) Notify the department if (~~an owner or person in charge has~~) they have reason to believe that (~~any~~) an individual is using the operation's tags, shellfish operation license, or harvest site certificate for (~~any~~) a purpose other than (~~one~~) a purpose approved by the department.

(6) The designated person in charge of a shellfish operation (~~must~~) shall have a functioning telephone (~~message device or service issued by a telephone service provider~~) with voice mail capabilities and an email address belonging to the owner(s) or person in charge. The person in charge ((must)) shall:

(a) Monitor the (~~device or service~~) telephone, voice mail inbox, and email each day that the shellfish operation is active, regarding messages from the department about emergency closure of harvest areas or recall of shellfish products; and

(b) Notify the department whenever the telephone number or email used for this purpose changes; or

(c) Maintain another equivalent method of contact with the department approved in the plan of operations.

AMENDATORY SECTION (Amending WSR 19-14-094, filed 7/1/19, effective 8/1/19)

WAC 246-282-016 Aquaculture. (~~Any person who conducts an aquaculture operation and is in possession of a commercial quantity of shellfish or any quantity of shellfish for sale for human consumption must meet all requirements of this chapter.~~) (1) A person who engages in aquaculture activities must have an aquaculture permit. To qualify for an aquaculture permit approved by the department, the person shall comply with the NSSP Model Ordinance Chapter 6 - Shellfish Aquaculture.

(2) The department shall approve an operation for aquaculture activities in prohibited and unclassified areas if the following requirements are met:

(a) The person has a valid shellfish operation license;

(b) The operation has an aquaculture plan of operations and aquaculture permit approved by the department;

(c) Shellfish must not exceed the defined maximum seed size. The person shall limit the production of seed larger than maximum seed size commingled with the smaller seed to less than five percent of the total number of seed in the lot. Depletion of the shellstock above maximum seed size is required if more than five percent of the seed lot is above maximum seed size;

(d) The beginning of the minimum grow-out period for a lot is the moment when the entire lot is added to the grow-out site;

(e) Shellfish are moved to approved or conditionally approved areas for a minimum of 120 days in open status; and

(f) The initial and grow-out sites are listed on the shellfish dealer's harvest site certificate.

(3) If the person intends to harvest oyster seed, other than Kumamoto and Olympia, that have a seed size greater than one inch and less than one and one-half inches, from a prohibited or unclassified area, the operation must:

(a) Begin the lot minimum grow-out period the moment when the entire lot is added to the grow-out site; and

(b) Keep records for each lot of shellfish that show the species, location, date, and quantity moved from the initial site; the grow-out location; and the date of first harvest of any of those shellfish from the grow-out site.

(4) The department may grant a waiver to seed size as defined in WAC 246-282-010(25) if:

(a) It is consistent with the applicable standards and the intent of the definition, as related to market size and 120-day grow-out time;

(b) Studies are completed that determine shellfish growth in the defined time period; and

(c) It provides a comparable level of public health protection to the requirement being waived.

(5) If the department approves a waiver request, the department shall notify the requestor of the decision in writing.

(6) Waiver approval will only be granted for the growing areas evaluated in subsection (4) (b) of this section.

(7) If the department denies a waiver request, the department shall notify the requestor of the decision in writing stating the reasons for the denial.

NEW SECTION

WAC 246-282-017 Mooring areas. In a mooring area with a density of greater than one boat per acre, the department shall conduct a pollution assessment to support the classification of that portion of the growing area in accordance with the NSSP Model Ordinance. The department may amend the density requirement in this section if the mean water depth in an enclosed bay is less than 12 feet or under certain hydrographic conditions where dilution calculations show the area cannot meet 14 fecal coliform/100 ml at the sanitary line.

AMENDATORY SECTION (Amending WSR 01-04-054, filed 2/5/01, effective 3/8/01)

WAC 246-282-020 Growing areas. (1) ~~((Any person who harvests))~~ A person harvesting a commercial quantity of shellfish or any quantity of shellfish for sale, for human consumption ~~((must do so))~~ or bait, or a person acting on behalf of them, shall harvest only from a harvest site that meets one or more of the following conditions:

(a) The department has classified the shellfish growing area as ~~(())~~ approved ~~(())~~ or ~~(())~~ conditionally approved, ~~(())~~ according to provisions of the NSSP Model Ordinance and the harvest site is in open status ~~((at the time of harvest))~~ when harvested;

(b) The department has approved the harvest site according to provisions of a permit for relay, wild seed, or bait;

(c) The harvest site is used for shellfish activities limited to a hatchery or a nursery operation handling only seed obtained from a hatchery; or

(d) The harvest site is used for shellfish activities limited to the initial harvest of seed attached to containerized empty shellfish shells or other cultch material.

(2) The department classifies a shellfish growing area as ~~(())~~ restricted ~~(())~~ or ~~(())~~ prohibited ~~(())~~ according to provisions of the NSSP Model Ordinance. ~~((However, the department considers classifying a harvest site as "restricted" only when the department has received a valid application for a permit for relay or wild seed harvest from the site.))~~ A restricted classification will be considered when the department receives a complete application for a permit for relay or wild seed harvest for the site and there is no impact from a wastewater treatment plant or wastewater collection system, marina, combined sewage overflow, or other pathogens of human origin.

(3) While a harvest site is in closed status, ~~((no))~~ a person may not move shellfish ~~((from it))~~ to a location outside of the harvest site or above the mean low tide line of the harvest site, unless the department has approved:

(a) Harvesting shellfish by that person from the site according to provisions of a permit for relay, wild seed harvest, or bait harvest; or

(b) Moving shellfish by that person from the site to another site in a natural body of water within the same ~~(())~~ conditionally approved ~~(())~~ growing area under a written plan of operations.

(4) Harvesting is prohibited ~~((from))~~ in all ~~((growing areas))~~ unclassified ~~((by the department))~~ areas except for bait harvest according to WAC 246-282-036 and aquaculture according to WAC 246-282-016.

AMENDATORY SECTION (Amending WSR 11-17-104, filed 8/22/11, effective 9/22/11)

WAC 246-282-032 Relay permit. (1) The department ~~((will))~~ shall issue a relay permit ~~((to a person))~~ to move shellfish from a harvest site in a shellfish growing area classified as ~~(())~~ restricted ~~(())~~ or ~~(())~~ conditionally approved ~~(())~~ in closed status meeting the criteria for ~~(())~~ restricted ~~(())~~ classification ~~((, if all of the following conditions))~~ if the requirements in this section and chapter 69.30 RCW are met.

(2) An applicant for a relay permit shall:

~~(a) ((The person possesses))~~ Have a valid shellfish operation license ~~((-))~~;

~~(b) ((The person possesses))~~ Have a valid harvest site certificate listing both the initial harvest site and the grow-out site ~~((-))~~;

~~(c) ((The initial harvest site and grow-out site meet the requirements for relay specified in this chapter and the NSSP Model Ordinance.~~

~~(d) The person submits a completed written))~~ Submit a complete application on a form provided by the department and a written plan of operations ((approved by the department)) that completely ((describing)) describes the procedures and conditions of the relay operation ~~((-))~~;

~~((e) The person conducts))~~ (d) Conduct and document ~~((s))~~ a separate validation study approved by the department for each of the following periods of time when shellfish will be relayed:

(i) May 1st through October 31st; and

(ii) November 1st through April 30 ~~((-))~~ th; and

~~((f) The person pays the department a relay permit application fee or renewal))~~ (e) Pay the applicable fee as required by ((this chapter)) WAC 246-282-990.

~~((2) Each))~~ (3) The department shall issue a relay permit if all of the requirements in subsection (2) of this section are met and the initial harvest site and grow-out site meet the requirements for relay specified in this chapter and the NSSP Model Ordinance.

(4) A validation study for a relay permit must demonstrate that shellfish harvested from a specified initial site do not contain excessive levels of fecal coliform bacteria and when relayed to a specified grow-out site for a specified ((time)) period consistently purge themselves of bacteria to approved levels. ((Each)) The validation study must ((meet all of the following conditions.));

~~((It must))~~ Document that the geometric mean fecal coliform bacteria level in a minimum of five 100-gram tissue samples, representative of shellfish of the same species in the entire initial harvest site, is equal to or less than 1,300, with no sample having more than 2,300 ~~((-))~~;

~~((It must))~~ Document that specified relay procedures, times, and environmental conditions reduce fecal coliform bacteria in a minimum of five 100-gram tissue samples, representative of the entire lot of shellfish relayed, to levels that are equal to or less than:

(i) 330, with no more than two samples having greater than 230;

or

(ii) Ten percent greater than the geometric mean of a minimum of five 100-gram tissue samples representative of the same shellfish species grown continuously for a minimum of six months at the grow-out site ~~((-))~~;

~~((It must be repeated))~~ Repeat a minimum of once every ~~((twelve))~~ 12 years for a continuing operation and whenever relay conditions change ~~((-))~~; and

Document that all samples ((must be)) are analyzed by an approved laboratory.

~~((3) A person operating under a relay permit must follow all procedures in))~~ (5) The plan of operations ((approved by the department, including)) required in subsection (2) (c) of this section must describe the following activities:

(a) How staking (~~((or))~~), marking, or documenting will be done to easily identify the grow-out site (~~((to be easily identified by the person))~~) until the minimum relay period (~~((of time))~~) is passed; and

(b) (~~Considering the beginning of the minimum relay time period for a lot to be the moment that the last part of the lot is added to the grow-out site;~~

(c) Relaying) How the person will relay the shellfish to a designated grow-out site for a minimum of seven days, or longer period (~~((of time))~~) as approved by the department (~~((; and~~

(d) ~~Keeping records for each relayed lot of shellfish that show a lot identification number; the species, location, date, and quantity moved from the initial harvest site; the grow-out location; and the date of first harvest of any of those shellfish from the grow-out site.~~

~~((4))~~) (6) The beginning of the minimum relay period for a shellfish lot is the moment when the last part of the lot is added to the grow-out site.

(7) The operation shall keep documentation for each relayed lot, that shows:

(a) A lot identification number;

(b) The species, location, date, and quantity moved from the initial harvest site;

(c) The grow-out location; and

(d) The date of first harvest of any of those shellfish from the grow-out site.

(8) For (~~((each lot of))~~) shellfish relayed to a site for a grow-out period of less than (~~((fourteen))~~) 14 days, a person (~~((must))~~) shall:

(a) Collect at least one sample from the (~~((shellfish))~~) lot at the initial harvest site and have it analyzed by an approved laboratory to demonstrate that the lot contains no more than 2,300 fecal coliform bacteria per 100 grams of shellfish tissue; and

(b) Collect at least one sample from the (~~((shellfish))~~) lot at the grow-out site at the end of the relay period and have it analyzed by an approved laboratory to demonstrate that the lot contains fecal coliform bacteria within the maximum limits determined by a validation study, as described in subsection (~~((2))~~) (3)(b) of this section, before releasing control of the (~~((shellfish))~~) lot.

~~((5))~~) (9) A person is exempt from (~~((any))~~) fees required by WAC 246-282-990 for an initial application and a validation study conducted by the department for a relay permit for the purpose of relaying shellfish from a growing area that the department downgraded from a classification of (~~((un))~~) approved (~~((un))~~) or (~~((un))~~) conditionally approved (~~((un))~~) to (~~((un))~~) restricted (~~((un))~~) within the previous (~~((twenty-four))~~) 24 months.

~~((6))~~) (10) A (~~((person's))~~) relay permit issued under this section expires on the same date as the (~~((person's))~~) shellfish operation license.

~~((7))~~) (11) A person is exempt from the provisions of subsection (~~((1)(e))~~) (2)(d) of this section for the purpose of relaying shellfish to an approved grow-out site for a minimum of (~~((six months))~~) 60 days. Only microbiological contaminants need to be reduced.

~~((8))~~) (12) A person (~~((possessing))~~) must have a valid shellfish operation license (~~((may))~~) to act as an agent for another person (~~((possessing))~~) with a valid shellfish relay permit for the purpose of harvesting shellfish from the initial harvest site specified in the relay permit, (~~((provided that))~~) if the agent conducting the harvest is:

(a) Documented in the permit;

(b) In possession of a copy of the permit (~~(at the time of harvest)~~) when harvesting; and

(c) Conducting activities described in the written plan of operations approved by the department for the agent's shellfish operation.

AMENDATORY SECTION (Amending WSR 01-04-054, filed 2/5/01, effective 3/8/01)

WAC 246-282-034 Wild seed permit. (1) The department (~~(will)~~) shall issue a wild seed permit (~~(to a person)~~) to move shellfish from a harvest site in a growing area classified by the department as (~~"conditionally approved" in closed status, "restricted," or "prohibited," if all of the following conditions are met~~) prohibited if the requirements in this section and chapter 69.30 RCW are met.

(2) To qualify for a wild seed permit:

(a) The (~~person possesses~~) applicant shall:

(i) Have a valid shellfish operation license((-)); and

~~((b) The person possesses)~~ (ii) Have a harvest site certificate listing both the initial harvest site for the seed and the grow-out site((-));

~~((e))~~ (b) The original harvest site ((has)) must have acceptable levels of poisonous chemicals, is not in an area known to be a hazardous chemical disposal site, and is not in a closure zone of a wastewater treatment plant or marina((-));

~~((d))~~ (c) The grow-out site ((is)) must be in a natural body of water classified by the department as (("))approved((")) or (("))conditionally approved.(("))

~~((e) The person submits a completed written)~~ (3) To apply for a wild seed permit the applicant shall:

(a) Submit to the department a complete application on a form provided by the department and a written plan of operations ((approved by the department)) that completely ((describing)) describes the procedures of the wild seed operation, including the size distribution of the seed((-)); and

~~((f) The person pays the department a wild seed permit application fee or renewal)~~ (b) Pay the applicable fee as required by ((this chapter)) WAC 246-282-990.

~~((2))~~ (4) A person operating under a wild seed permit ((must)) shall:

(a) Follow all procedures in the plan of operations approved by the department;

(b) Harvest seed from an area classified as (("))prohibited((")) only during daylight hours;

(c) Harvest seed from an area classified as (("))prohibited((")) only under direct monitoring by a person approved by the department;

(d) Leave seed in a grow-out site for a minimum of ~~((six months))~~ 120 days before final harvest;

(e) Limit harvest of live shellfish larger than seed size attached to, or commingled with, the seed to less than five percent of the total number of the shellfish harvested from the site;

(f) Place any live shellfish larger than seed size attached to, or commingled with, the seed in the grow-out site for a minimum of ~~((six months))~~ 120 days after initial harvest; and

~~(g) ((Stake or mark the grow-out site to be easily identified by the person for a minimum of six months from the time of moving to the~~

site any seed attached to, or commingled with, shellfish larger than seed size; and

~~(h))~~ Keep records for each lot of seed harvested that show ~~((a lot identification number))~~ the species, location, date, and quantity moved from the initial harvest site; the grow-out location; and the date of first harvest of any of those shellfish from the grow-out site.

~~((3) A person's))~~ (5) A wild seed permit issued under this section expires on the same date as the ((person's)) shellfish operation license.

~~((4))~~ (6) A person is exempt from the requirements of this section for the activity of harvesting seed attached to containerized empty shellfish shells or other cultch material, provided that the person:

(a) Meets the conditions of subsection ~~((1))~~ (2)(a) through ((d)) (c) of this section;

(b) Leaves the seed in the grow-out site for a minimum of ~~((six months))~~ 120 days before final harvest; and

(c) ~~((Fully describes the seed harvest and grow-out activities in))~~ Submits a written plan of operations ((approved by)) to the department that completely describes the seed harvest and grow-out activities for the person's shellfish operation license.

(7) Wild seed harvested from a conditionally approved area in closed status or a restricted area must follow the relay standards listed in WAC 246-282-032.

AMENDATORY SECTION (Amending WSR 01-04-054, filed 2/5/01, effective 3/8/01)

WAC 246-282-036 Bait permit. (1) The department ~~((will approve and))~~ shall issue a bait permit ~~((to a person))~~ to harvest shellfish from a harvest site in a growing area classified by the department as ~~(("prohibited, ("restricted, (" or ("conditionally approved(" in closed status ((if all of the following conditions are met.))~~ or from an unclassified area if the requirements in this section and chapter 69.30 RCW are met.

(2) To qualify for a bait permit:

(a) The ~~((person possesses))~~ applicant shall:

(i) Have a valid shellfish operation license((-)); and

~~((b) The person possesses))~~ (ii) Have a valid harvest site certificate for the site((-));

~~((e))~~ (b) The harvest site ((is not)) must not be impacted by biotoxin levels that would cause the department to close it for harvest for human consumption((-));

~~((d) The person submits a completed written))~~ (3) To apply for a bait permit the applicant shall:

(a) Submit a complete application to the department on a form provided by the department and written plan of operations ((approved by the department)) that completely ((describing)) describes the procedures of the bait operation((-)); and

~~((e) The person pays the department a bait permit application fee or renewal))~~ (b) Pay the applicable fee as required by ((this chapter)) WAC 246-282-990.

~~((2))~~ (4) A person operating under a bait permit ((must)) shall:

- (a) Follow all procedures in the plan of operations approved by the department;
- (b) Harvest bait from an area classified as ~~((=))~~prohibited~~((=))~~ or unclassified only during daylight hours;
- (c) Harvest bait from an area classified as ~~((=))~~prohibited~~((=))~~ or unclassified only under direct monitoring by a person approved by the department;
- (d) Completely immerse the shellfish in an approved dye that imparts an easily noticeable permanent color to the tissue immediately upon landing the shellfish;
- (e) Label each container of shellfish "NOT FOR HUMAN CONSUMPTION - BAIT USE ONLY" ~~((prior to))~~ before removal from the harvest site;
- (f) Store the shellfish physically separated from any shellfish intended for human consumption; and
- (g) Keep records for each lot of shellfish harvested for use as bait showing a lot identification number, the species, the harvest site, the harvest date, the quantity harvested, the names of all buyers, and the quantity sold to each buyer.
- ~~((3) A person's))~~ (5) A bait permit issued under this section expires on the same date as the ~~((person's))~~ shellfish operation license.
- ~~((4) Any))~~ (6) A person possessing a commercial quantity of bait shellfish is exempt from the requirement to obtain a bait permit ~~((provided))~~ if that ~~((the))~~ person:
- (a) Obtains the shellfish from a person with a valid bait permit;
- (b) Possesses a sales invoice for the shellfish from a person with a valid bait permit; and
- (c) Maintains each container of shellfish prominently labeled "NOT FOR HUMAN CONSUMPTION - BAIT USE ONLY."

AMENDATORY SECTION (Amending WSR 01-04-054, filed 2/5/01, effective 3/8/01)

WAC 246-282-042 Wet storage permit. ~~((1) Any person who wet stores a commercial quantity of shellfish or any quantity of shellfish for sale for human consumption must have a written plan of operations, approved by the department, completely describing the activity.~~

~~(2) A person licensed as a harvester may wet store only in a natural body of water that is part of the same growing area as the harvest site of the shellfish.~~

~~(3) Any person who operates a recirculating or flow-through wet storage system must possess a wet storage permit issued by the department. A wet storage permit will be issued to a person for a recirculating or flow-through wet storage system if the person:~~

~~(a) Possesses a valid shellfish operation license;~~

~~(b) Submits a completed written application and plan of operations to the department completely describing the procedures of the wet storage operation;~~

~~(c) Documents that the water used for the operation meets the requirements of the NSSP Model Ordinance;~~

~~(d) Passes an inspection by the department; and~~

~~(e) Pays the department a wet storage application fee or renewal fee as required by this chapter.~~

~~(4) If a person uses a natural body of water for a wet storage operation, the person must possess a valid harvest site certificate listing the body of water.~~

~~(5) If a person uses artificial seawater for a wet storage operation, the chemicals used to make the seawater must be approved food grade.~~

~~(6) A person operating under a wet storage permit must follow all procedures in the plan of operations approved by the department.~~

~~(7) A person's wet storage permit expires on the same date as the person's shellfish operation license.))~~ (1) The department shall issue a wet storage permit for recirculating, flow-through, or beach wet storage if the requirements in this section and chapter 69.30 RCW are met.

(2) To qualify for a wet storage permit the applicant shall:

(a) Have a valid shellfish operation license;

(b) Have a valid harvest site certificate for the applicable site(s);

(c) Submit to the department a complete application on a form provided by the department and a written plan of operations that completely describes the procedures of the wet storage operation;

(d) Document that the water used for the operation meets the requirements of the NSSP Model Ordinance;

(e) Pass an inspection by the department; and

(f) Pay the applicable fee required by WAC 246-282-990.

(3) If shellstock are beach or flow-through wet stored, the following requirements must be met:

(a) The person shall have a valid wet storage permit for where the shellstock are stored;

(b) Both the original harvest site and the wet storage site must be classified as approved or conditionally approved in open status;

(c) The shellstock must:

(i) Contain a tag as specified in WAC 246-282-080 when moved from one harvest site to another;

(ii) Be identified by lot, with each lot containing shellstock of the same harvest site and date. Shellstock must not be commingled with other lots;

(iii) Be held in containers and stored in a manner that ensures the free flow of water to all shellstock; and

(iv) Be tagged according to requirements listed in WAC 246-282-080 once harvested.

(4) If shellstock are wet stored in a recirculating system, the following requirements must be met:

(a) The person shall have a valid wet storage permit for where the shellstock are stored;

(b) The operation shall undergo and pass a validation study as described in the NSSP Model Ordinance;

(c) The operation shall maintain water testing requirements as described in the NSSP Model Ordinance;

(d) The shellstock must:

(i) Contain a tag as specified in WAC 246-282-080;

(ii) Be identified by lot, with each lot containing shellstock of the same harvest site and date. The shellstock must not be commingled with other lots; and

(iii) Be held in containers and stored in a manner that ensures the free flow of water to all shellstock; and

(e) If the operation uses artificial seawater for a recirculating wet storage operation, the chemicals used to make the seawater must be approved food grade.

(5) If shellstock is wet stored for less than 14 days, the shellstock will keep the characteristics and properties of the original harvest site.

(6) If shellstock is wet stored, excluding a recirculating wet storage system, on a site for 14 days or more, the shellstock will take on the characteristics and properties of that harvest site and be considered transplanted. These shellstock must meet the requirements under WAC 246-282-044.

(7) A person operating under a wet storage permit shall follow all procedures in the plan of operations approved by the department.

(8) A wet storage permit issued under this section expires on the same date as the shellfish operation license.

NEW SECTION

WAC 246-282-044 Transplant. (1) To transplant shellstock, the following requirements must be met:

(a) The person shall have a valid shellfish operation license;

(b) The person shall have a valid harvest site certificate for the original harvest site(s) and the original harvest site(s) are classified as approved or conditionally approved in the open status.

(c) The person shall have a harvest site certificate showing grow-out site(s) as approved transplant site(s);

(d) During transit, the shellstock must be identified by tagging or other methods approved by the department. The identification must include:

(i) The date the shellstock was removed from the original harvest site(s);

(ii) The quantity of shellstock;

(iii) The species of shellstock; and

(iv) The original harvest site(s) and grow-out site(s); and

(e) The operation shall keep and maintain accurate and detailed records of the original harvest site, transplant method, and destination of transplanted shellstock for one year.

(2) After 14 days, the shellstock will take on the characteristics and properties of the transplant site.

(3) While in transit, shellstock under this section are exempt from the requirements in WAC 246-282-006.

AMENDATORY SECTION (Amending WSR 01-04-054, filed 2/5/01, effective 3/8/01)

WAC 246-282-050 Packing, handling, and storing of shucked shellfish. ~~((1) Any person who packs, handles, or stores shucked shellfish must maintain it at an internal product temperature of forty-five degrees Fahrenheit or less beginning within three hours after it is shucked.~~

~~(2) Any))~~ A person who packs, handles, or stores shucked shellfish or operates a shucked shellfish repacking plant ((must)) shall

meet all the requirements specified in this chapter and the NSSP Model Ordinance for packing plants.

AMENDATORY SECTION (Amending WSR 01-04-054, filed 2/5/01, effective 3/8/01)

WAC 246-282-060 Personal health and cleanliness. (1) ~~((Any))~~ A person may not work in any growing area, shucking, packing, or repacking plant in any capacity when ill with or the carrier of a communicable disease which is transmissible through food and is in the infectious stage ~~((may not work in any growing area, shucking, packing or repacking plant in any capacity))~~ where that person might contaminate the shellfish or food contact surfaces with pathogenic organisms. The owner, the person in charge, and the employee are all responsible for compliance with the requirements of this section.

(2) ~~((Any))~~ A person who is an owner, a person in charge, or an employee of a shellfish operation must practice good personal cleanliness while handling shellfish. ~~((These))~~ The person ~~((s must))~~ shall wash their hands thoroughly with soap and water before ~~((starting to handle))~~ handling shellfish and as often as ~~((is))~~ necessary to remove filth and soil that might contaminate shellfish.

(3) If the department determines by investigation that an owner or employee of a shellfish operation might be the source of a food-borne illness transmitted through shellfish, ~~((then the secretary))~~ it may require medical examination of that person and laboratory examination of clinical specimens from that person to determine presence of infection. ~~((Any))~~ A person failing to ~~((obtain))~~ get an examination required by the ~~((secretary))~~ department may not work for a shellfish operation, for a period ~~((of time))~~ the department determines that person could be infectious, in any capacity that could result in contamination of shellfish with pathogenic organisms.

AMENDATORY SECTION (Amending WSR 01-04-054, filed 2/5/01, effective 3/8/01)

WAC 246-282-070 Construction and maintenance. (1) ~~((All owners and persons))~~ An owner or person in charge of shellfish operations ~~((must))~~ shall arrange their physical facilities to aid in the flow of shellfish products through all handling, processing, and storage areas in a manner that will minimize contamination of the shellfish.

(2) ~~((Any))~~ An owner of a shellfish operation ~~((must))~~ shall submit to the department for consultation properly prepared plans and specifications of physical facilities for shellfish processing or sanitation activities at least ~~((thirty))~~ 30 days before the facilities are:

(a) Originally constructed;

(b) Converted from another use; or

(c) Extensively remodeled to the extent that a plan for a building permit is required by the city or county where located.

(3) The department ~~((will))~~ shall review properly prepared plans and specifications of physical facilities for shellfish processing or sanitation activities required by subsection (2) of this section within ~~((thirty))~~ 30 days of receipt and provide technical assistance to

the owner of the shellfish operation regarding whether the proposed physical facilities would meet the requirements of this chapter.

AMENDATORY SECTION (Amending WSR 01-04-054, filed 2/5/01, effective 3/8/01)

WAC 246-282-080 Identification and records. (1) ~~((Any))~~ A person ~~((who possesses a commercial quantity of shellfish or any quantity of shellfish for sale for human consumption must possess))~~ engaged in the actions listed in WAC 246-282-005(1), or a person acting on behalf of them, shall have a written record documenting that the shellfish came from one or more of the following sources:

(a) A harvest ~~((site(s)))~~ site or sites for which the person ~~((possesses))~~ has a valid harvest site certificate;

(b) Another shellfish operation licensed by the department; or

(c) A shellfish dealer located outside of the state who ~~((is in compliance))~~ complies with the requirements of the NSSP Model Ordinance and is eligible for inclusion on the current Interstate Certified Shellfish Shippers List, published by the U.S. Food and Drug Administration.

(2) ~~((Any person who possesses))~~ A person possessing a commercial quantity of shellstock or any quantity of shellstock for sale for human consumption ~~((must))~~ or bait shall identify the shellstock by an approved tag with permanent marking, according to requirements of the NSSP Model Ordinance, upon removal from the harvest site.

(3) ~~((Any))~~ If the person possessing shellstock in subsection (2) of this section is the harvester, the tag must include the growing area name and either the department harvest site application number (ex: 2012-23), harvest ID, parcel number, or other approved harvest site identifier. This information must be listed on the harvester tag, harvest record, and harvest site certificate.

(4) When retagging shellstock, the dealer tag must have the exact harvest site information as provided on the original harvest tag.

(5) A person ~~((who packs))~~ packing a commercial quantity of shucked shellfish or any quantity of shucked shellfish for sale for human consumption ~~((must do so))~~ or bait, shall pack the shellfish in approved containers that are legibly labeled by permanent marking, in accordance with the requirements of the NSSP Model Ordinance and with:

(a) Wording equivalent to "keep refrigerated" on containers of fresh shellfish; and

(b) Wording equivalent to "keep frozen" on containers of frozen shellfish.

~~((4))~~ (6) The owner or person in charge of a shellfish operation ~~((must))~~ shall keep accurate records of all lots of shellfish harvested, received, wet stored, shucked, packed, shipped, or sold by the shellfish operation for a minimum of three years.

~~((5) Information recorded by)~~ (7) The harvester-shipper shall ~~((include))~~ record the following:

(a) Location of harvesting area(s) by name or code ~~((r))~~ ;

(b) Name and quantity of shellfish ~~((r))~~ ;

(c) Date of harvest ~~((r))~~ ; and

(d) Date shipped.

~~((6))~~ (8) All tags for shellstock and labels for containers of shucked shellfish required by this section ~~((must be used))~~ are only

for use with the original lot of shellfish for which they were intended and must not be reused.

AMENDATORY SECTION (Amending WSR 01-04-054, filed 2/5/01, effective 3/8/01)

WAC 246-282-082 Export certificate. (1) The department ~~((will))~~ shall issue an export certificate to a shellfish dealer for a specific lot of shellfish if ~~((the dealer:~~

~~((1) Is exporting))~~ all requirements are met.

(2) To qualify for an export certificate from the department, a shellfish dealer shall:

(a) Export the lot to ~~((an Asian))~~ a country that requires a production certificate from a governmental health authority;

~~((2) Possesses a))~~ (b) Have a valid shellfish operation license issued by the ~~((secretary))~~ department;

~~((3) Is in compliance))~~ (c) Comply with the requirements of chapter 69.30 RCW, this chapter, and the NSSP Model Ordinance;

~~((4) Completes an application specified))~~ (d) Submit to the department a complete application on a form provided by the department;

~~((5))~~ (e) Document((s)) use of each export certificate as specified by the department; and

~~((6) Pays the department any fee for each export certificate))~~

(f) Pay the applicable fee required by ~~((this chapter))~~ WAC 246-282-990.

AMENDATORY SECTION (Amending WSR 01-04-054, filed 2/5/01, effective 3/8/01)

WAC 246-282-092 Inspection by department. (1) The department ~~((enters and inspects any))~~ may enter or inspect a harvest site, physical facility, records, vehicle, or vessel used by a shellfish operation as often as necessary to determine compliance with chapter 69.30 RCW, this chapter, and the NSSP Model Ordinance.

(2) The department shall inspect~~((s))~~ each shellfish operation:

(a) A minimum of once per year;

(b) Before issuing a new shellfish operation license to a person;

(c) Within 30 days after issuing a new shellfish operation license;

(d) Before a shellfish operation uses any physical facility for the first time; and

~~((d))~~ (e) Before the shellfish operation uses any extensively remodeled physical facility.

(3) If the department determines by inspection or investigation that an owner, person in charge, or ~~((any))~~ a person working on behalf of the shellfish operation is in violation of any of the requirements of chapter 69.30 RCW, this chapter, or the NSSP Model Ordinance, then the department may conduct a reinspection of the shellfish operation. If the same violation is identified by the department during the reinspection, then another reinspection may be conducted by the department within one month. The department may charge the owner of a shellfish operation a fee for a second or subsequent reinspection.

(4) If necessary to conduct an inspection, ~~((then))~~ the department may apply to a court of competent jurisdiction for an administrative warrant in accordance with RCW 69.30.120.

(5) During inspections, the department ~~((has))~~ shall have free and unimpeded access to any of the following ~~((in order))~~ to determine whether the operation ~~((is in compliance))~~ complies with chapter 69.30 RCW, this chapter, and the NSSP Model Ordinance:

(a) Buildings, yards, warehouses, storage facilities, transportation facilities, vehicles, vessels and other places reasonably considered to be or to have been used in connection with the shellfish operation;

(b) Ledgers, books, accounts, memorandums, or records reasonably believed to be or to have been used in connection with the shellfish operation;

(c) Shellfish, shellfish products, components, or other materials reasonably believed to be or to have been used, processed or produced by or in connection with the shellfish operation;

(d) Copies of any documents reasonably believed to be or to have been used in connection with the shellfish operation; and

(e) Samples of shellfish to determine whether they are safe for human consumption.

(6) The department may inspect shellfish growing areas at any time of day and will inspect any other aspect of a shellfish operation:

(a) Between 8:00 a.m. and 5:00 p.m. on any weekday that is not a legal holiday;

(b) During any time the shellfish operation has established as its business hours;

(c) During any time the shellfish operation is open for business or is otherwise in operation; and

(d) During any other time with the consent of the owner or the person in charge of the shellfish operation.

AMENDATORY SECTION (Amending WSR 01-04-054, filed 2/5/01, effective 3/8/01)

WAC 246-282-100 Notice of decision—Adjudicative proceeding.

(1) ~~((The department's))~~ A notice of a denial, suspension, modification, or revocation of a license ~~((is consistent))~~ from the department must comply with RCW 43.70.115. An applicant or license holder has the right to an adjudicative proceeding to contest the decision.

(2) ~~((The department's))~~ A notice of imposition of a civil penalty ~~((is consistent))~~ from the department must comply with RCW 43.70.095. A person ~~((upon whom the department imposes))~~ who receives a civil fine from the department has the right to an adjudicative proceeding to contest the decision.

(3) A license applicant or holder or a person ~~((upon whom the department imposes a civil penalty))~~ who receives a notice as described in subsection (1) or (2) of this section from the department, may contest a department decision, within ~~((twenty-eight))~~ 28 days of receipt of the decision by filing a written application for an adjudicative proceeding by a method showing proof of receipt with the administrative hearings unit, department of health. The person ~~((must))~~ shall include the following in or with the application:

- (a) A specific statement of the issue or issues and law involved;
- (b) The grounds for contesting the department decision; and
- (c) A copy of the contested department decision.

(4) An adjudicative proceeding is governed by the Administrative Procedure Act (chapter 34.05 RCW), this chapter, and chapter 246-08 WAC. If a provision in this chapter conflicts with chapter 246-08 WAC, the provision in this chapter governs.

AMENDATORY SECTION (Amending WSR 01-04-054, filed 2/5/01, effective 3/8/01)

WAC 246-282-102 Denial, revocation, suspension of license, certificate, or permit—Civil penalties. (1) The department may deny, revoke, or suspend a shellfish operation license, harvest site certificate, or permit and may assess a civil penalty if a person:

- (a) Fails to comply with any of the provisions of chapter 69.30 RCW, (~~these rules~~) this chapter, and the NSSP Model Ordinance;
- (b) Refuses an inspection by the department;
- (c) Harvests shellfish from any harvest site for which the (~~secretary~~) department has not issued a harvest site certificate to the person;
- (d) Knowingly obtains shellfish from a person who is not in compliance with any requirements of chapter 69.30 RCW, this chapter, or the NSSP Model Ordinance;
- (e) Makes false statements or misrepresentations to the department during any investigation, inspection, or application for a shellfish operation license or any permit required by (~~these rules~~) this chapter;
- (f) Makes false statements or misrepresentations to the department during any investigation, inspection, or application for a shellfish harvest site certificate;
- (g) Fails to cooperate with the department or the department of fish and wildlife during an inspection or investigation;
- (h) Aids another person in violating any requirement of chapter 69.30 RCW, (~~these rules~~) this chapter, or the NSSP Model Ordinance;
- (i) Provides the department with false or fraudulent records of the shellfish operation;
- (j) Transfers or reassigns a shellfish operation license to another person without the written approval of the department; or
- (k) Fails to comply with the terms of a conditional area management plan, shellfish operation license, harvest site certificate, or any permit required by this chapter.

(2) The department may treat violations of chapter 69.30 RCW, (~~these rules~~) this chapter, or the NSSP Model Ordinance committed by a person in charge, employee, or agent of a person issued a shellfish operation license (~~may be treated by the department~~) as a violation committed by the licensee.

AMENDATORY SECTION (Amending WSR 01-04-054, filed 2/5/01, effective 3/8/01)

WAC 246-282-104 Penalty assignment—Calculation of penalty and proportionate adjustment—Aggravating and mitigating factors. (1) The department calculates an appropriate penalty based on the following factors:

- (a) The level of threat to public health;
- (b) The number of previous violations attributed to the violator;

and

- (c) The presence of aggravating or mitigating factors.

(2) The department determines administrative penalties from the range in the following penalty schedule. The standard penalty is assessed unless either a proportionate adjustment is warranted (~~and~~) or there are aggravating or mitigating factors present or both.

Penalty Schedule

NUMBER OF PREVIOUS VIOLATIONS	ADJUSTMENT FACTORS	PUBLIC HEALTH THREAT		
		LOW License Action/ Civil Penalty	INTERMEDIATE License Action/ Civil Penalty	HIGH License Action/ Civil Penalty
0	Mitigated	0 Months/\$150	0 Months/\$300	3 Months/\$350
	Standard	0 Months/\$200	1 Month/\$350	6 Months/\$400
	Aggravated	1 Month/\$250	3 Months/\$400	9 Months/\$450
1	Mitigated	0 Months/\$200	1 Month/\$350	6 Months/\$400
	Standard	0 Months/\$250	3 Months/\$400	9 Months/\$450
	Aggravated	3 Months/\$300	6 Months/\$450	12 Months/\$500
2	Mitigated	0 Months/\$250	3 Months/\$400	12 Months/\$500
	Standard	3 Months/\$300	6 Months/\$450	18 Months/\$500
	Aggravated	6 Months/\$350	9 Months/\$500	24 Months/\$500
3 or More	Mitigated	3 Months/\$300	6 Months/\$450	18 Months/\$500
	Standard	6 Months/\$350	9 Months/\$500	24 Months/\$500
	Aggravated	9 Months/\$400	12 Months/\$500	36 Months/\$500

(3) The department reserves the right to proportionately increase the civil penalty and decrease the license action under certain circumstances. These circumstances include situations where license actions as a deterrent are ineffective and include, but are not limited to, violations by persons who are not licensed.

(4) The department reserves the right to proportionately decrease the civil penalty and increase the license action when circumstances in a particular case demonstrate the ineffectiveness of a civil penalty as a deterrent.

(5) (a) When assessing a civil penalty or license action, the department considers any previous violation(s) for the following period (~~of time~~), depending on the severity of the previous violation(s):

- (i) Three years for low public health threat;
- (ii) Five years for intermediate public health threat; or
- (iii) No limit for high public health threat.

(b) The (~~time~~) period will begin on the date of adjudication or settlement of the previous violation(s), rather than the date on which the incident or conduct occurred.

(6) The department considers circumstances that increase the seriousness of a violation(~~(r)~~) including, but not limited to, the following aggravating factors:

(a) The extent to which the violation is part of a pattern of the same or substantially similar conduct;

(b) The extent to which previous education, technical assistance, or notice of correction has been provided for the same or substantially similar conduct; and

(c) The extent to which the violation caused serious and actual injury or death to a person or persons.

(7) If the department determines that one or more aggravating factors are present, (~~then~~) the department may assess the aggravated penalty or may increase the penalty to a level greater than listed in the penalty schedule(~~(r)~~) including, but not limited to, revocation of the license.

(8) The department will consider circumstances that decrease the seriousness of a violation(~~(r)~~) including, but not limited to, the following mitigating factors:

(a) Voluntary disclosure of the violation;

(b) Complete cooperation and voluntary disclosure during the investigation of the violation; and

(c) (~~Voluntary~~) Voluntarily taking (~~(of)~~) remedial measures that will result in increased public health protection and that will result in a decreased likelihood that the violation will be repeated and that other violations will occur.

(9) If the department determines that one or more mitigating factors are present, (~~then~~) the department may assess the mitigated penalty or may decrease the penalty to a level less than listed in the penalty schedule.

(10) The maximum civil penalty that may be imposed by the department is (~~(five hundred dollars)~~) \$500 per day for each violation.

(11) The department considers each violation to be a separate and distinct event. Each day a violation is continued is a separate and distinct violation. When a person has committed multiple violations, the violations are cumulative for the purpose(~~(s)~~) of calculating the appropriate penalty. Penalties are added together, rather than served concurrently.

(12) Nothing in this section prevents the department from responding to a violation by:

(a) Declining to pursue an administrative penalty;

(b) Issuing a notice of correction instead of pursuing an administrative penalty; or

(c) Negotiating settlement of a case on such terms and for such reason as the department deems appropriate. Violations covered by a prior settlement agreement may be used for the purpose of determining the appropriate penalty for the current alleged violation(s), unless prohibited by the prior settlement agreement.

AMENDATORY SECTION (Amending WSR 01-04-054, filed 2/5/01, effective 3/8/01)

WAC 246-282-110 Administrative provisions. (1) If the department finds during an inspection that (~~(any)~~) an owner or person working on behalf of a shellfish operation fails to comply with any requirements of chapter 69.30 RCW, this chapter, or the NSSP Model Ordi-

nance, ~~((then))~~ the department may issue a written statement of deficiencies or notice of correction ~~((to the owner, person in charge, or other employee of the operation who is present))~~.

(a) The statement of deficiencies or notice of correction ~~((specifies the manner in which))~~ must specify where the operation fails to comply with chapter 69.30 RCW ~~((and these rules. It specifies))~~, this chapter, or the NSSP Model Ordinance. The statement of deficiencies or notice of correction must also specify a reasonable period ~~((of time))~~ for the owner or person in charge to correct the violation(s).

(b) ~~((In the event))~~ If the owner or person in charge fails to correct the violation(s) specified in the statement of deficiencies or notice of correction, the department may revoke the license and certificate of compliance for that shellfish operation or may initiate any other enforcement proceeding authorized by law.

(2) ~~((Any))~~ A authorized representative of the department, fish and wildlife patrol officer or ex officio patrol officer may, without previously providing a statement of deficiencies or notice of correction, immediately seize shellfish or issue written hold orders prohibiting the disposition or sale of shellfish whenever a commercial quantity of shellfish or any amount of shellfish for sale for human consumption is on the premises of, or in the possession of, ~~((any))~~ a person who:

(a) Fails to ~~((display))~~ show an original, electronic copy, or photocopy of a valid shellfish operation license;

(b) Is reasonably expected to have harvested the shellfish and fails to ~~((display))~~ show an original, electronic copy, or photocopy of a valid shellfish operation license and a valid harvest site certificate; or

(c) Fails to maintain each container of shellfish properly tagged or labeled as required by chapter 69.30 RCW, ~~((these rules))~~ this chapter, and the NSSP Model Ordinance.

(3) If the department determines during an inspection or investigation that there is reasonable cause to believe that shellfish is potentially unsafe for human consumption, ~~((then))~~ the department may issue a hold order prohibiting the disposition or sale of the shellfish pending further investigation by the department of the safety of the shellfish.

(a) The department must complete its further investigation within ~~((ten))~~ 10 days.

(b) At the conclusion of the investigation, the department may release the shellfish for sale or issue a written abatement order regarding the shellfish.

(c) Any person in possession of shellfish for which the department has issued a hold order must store the shellfish in a suitable place prescribed by the department and prevent the shellfish from being offered for human consumption or other use until:

(i) The hold order is lifted by the department or by a court of competent jurisdiction; or

(ii) The person disposes of the shellfish in accordance with an abatement order issued by the department.

(4) Shellfish that the department seizes or places under a hold order and determines are unsafe for human consumption are subject to such abatement as the department considers appropriate. The department may require ~~((any))~~ one or more of the following measures be taken by a person ~~((in possession of))~~ possessing shellfish that are the subject of an abatement order:

(a) Permanent prohibition on the disposition of the shellfish for human consumption;

(b) Immediate destruction of the shellfish by measures such as denaturing and placing in a sanitary landfill, witnessed by an authorized representative of the department who provides a record of destruction to the person; or

(c) Temporary prohibition on the disposition of the shellfish for human consumption pending relay to an approved growing area for a sufficient period (~~(of time)~~) to assure natural purification of the shellfish.

(5) The (~~(secretary)~~) department may issue an abatement order to the owner or person in charge of a shellfish operation whenever the department, after conducting an appropriate investigation, determines that a shellfish operation, or person working on behalf of a shellfish operation, presents a potential risk for transmitting an infectious disease to consumers of shellfish.

(a) The (~~(secretary)~~) department may require any or all (~~(of)~~) the following measures be taken by the owner or person in charge of a shellfish operation who is issued the abatement order:

(i) Immediate closure of the shellfish operation until, in the opinion of the (~~(secretary)~~) department, no further danger of a disease outbreak exists;

(ii) Immediate exclusion of any person suspected to be infected with a disease agent transmissible through food from all activities with the shellfish operation; and

(iii) Restriction of the activities of (~~(any)~~) a person who is suspected to be infected with a disease agent transmissible through food to some area of the shellfish operation where there would be no danger of the person transmitting disease agents to shellfish consumers.

(b) As an alternative to the abatement order described in this section, the (~~(secretary)~~) department may require the owner, or (~~(any)~~) a person working on behalf of the shellfish operation to submit to adequate medical and laboratory examinations, including examination of their bodily discharges as needed to determine if the person is infected with a microbial agent transmissible through food.

(6) (~~(No)~~) A person (~~(may)~~) shall not remove or alter a notice or tag constituting a hold order or abatement order placed on shellfish by the department.

(7) (~~(No)~~) A person may not relabel, repack, reprocess, alter, dispose of, destroy, or release shellfish or containers of shellfish for which the department has issued a hold order or abatement order without:

(a) Permission of the department; or

(b) An order by a court of competent jurisdiction.

(8) If the owner or person in charge of a shellfish operation fails to comply with a hold order or an abatement order issued according to this section, (~~(then)~~) the department may revoke the license of the shellfish operation or initiate other legal enforcement proceedings authorized by law.

AMENDATORY SECTION (Amending WSR 01-04-054, filed 2/5/01, effective 3/8/01)

WAC 246-282-120 Penalty clause. ((Any)) A person found violating any of the provisions of ((~~these regulations~~)) this chapter or chapter 69.30 RCW is guilty of a gross misdemeanor, and upon conviction will be subject to:

- (1) A fine; or
- (2) Imprisonment in the county jail of the county in which the offense was committed; or
- (3) Both fine and imprisonment.

AMENDATORY SECTION (Amending WSR 01-04-054, filed 2/5/01, effective 3/8/01)

WAC 246-282-130 ((Separability)) Severability clause. Should any section, paragraph, clause or phrase of these rules and regulations be declared unconstitutional or invalid for any reason, the remainder of these rules and regulations are not affected.

WSR 25-18-089
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
[Filed September 2, 2025, 8:52 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 25-10-083.

Title of Rule and Other Identifying Information: Electrical rules: WAC 296-46B-010 General, 296-46B-334 Nonmetallic-sheathed cable, and 296-46B-942 Training certificate required.

Hearing Location(s): On October 7, 2025, at 9:00 a.m., at the Department of Labor and Industries (L&I), 7273 Linderson Way S.W., Tumwater, WA 98501; or electronically via Zoom at <https://lni-wa.gov.zoom.us/j/82850664292?pwd=zDIXbckaut8lV6KP0tWH3BGtK2e6n8.1>, Passcode pL44P%*N; or by phone (audio only) at 253-215-8782, Meeting ID 828 5066 4292, Passcode 45660174. The in-person and virtual/telephonic hearing starts at 9:00 a.m. and will continue until all oral comments are received.

Date of Intended Adoption: November 18, 2025.

Submit Written Comments to: Meagan Edwards, L&I, Field Services and Public Safety Division, P.O. Box 44400, Olympia, WA 98504-4400, email Meagan.Edwards@lni.wa.gov, fax 360-704-1980, beginning September 3, 2025, at 8:00 a.m., by October 7, 2025, at 5:00 p.m.

Assistance for Persons with Disabilities: Contact Meagan Edwards, phone 360-522-0125, fax 360-704-1980, email Meagan.Edwards@lni.wa.gov, by September 23, 2025.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: L&I is proposing amendments to the electrical rules under chapter 296-46B WAC. The proposed amendments would adopt the 2026 edition of the National Fire Protection Agency 70, and the National Electrical Code (NEC), with a delayed effective date of December 31, 2026. The 2026 NEC would replace the current 2023 edition.

L&I is also proposing other amendments, including:

- Amending the adopted NEC requirement for nonmetallic sheathed cable by removing the restriction on the temperature rating on certain sizes of nonmetallic sheathed cable, Types NMC and NM carrying the suffix letter "-B."
- Amending language to clarify the deadline for trainees to report hours of work experience to L&I.
- Amendments for housekeeping, such as removing obsolete language.

Reasons Supporting Proposal: This rule making is necessary for adoption of the 2026 NEC to ensure the rules align with the latest national safety standards. The 2026 edition of the NEC will be published in the fall of 2025. The NEC sets the standard for safe electrical installations in homes, businesses, and institutions to protect people and property from hazards arising from the use of electricity. L&I is proposing adopting the 2026 NEC in its entirety by reference under this rule making with a delayed effective [date] of December 31, 2026, to give stakeholders advance notice of its adoption and more opportunity for review and comment, prior to its publication and L&I's formal rule review process.

Following the adoption of rules under this rule making, L&I plans to engage in a subsequent rule making next year to begin the formal review process of the 2026 NEC. As part of the subsequent rule making,

stakeholders will have the opportunity to submit proposals for amendments to the 2026 NEC code requirements and make recommendations to L&I on adoption of the rules prior to the effective date for the 2026 NEC.

Additional amendments under this rule making are also necessary to eliminate an unnecessary temperature restriction for certain cable types and to provide better clarity for reporting trainee hours of experience.

Statutory Authority for Adoption: Chapter 19.28 RCW, Electricians and electrical installations, including RCW 19.28.031 and 19.28.251.

Statute Being Implemented: Chapter 19.28 RCW, Electricians and electrical installations, including RCW 19.28.031 and 19.28.251.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: L&I, governmental.

Name of Agency Personnel Responsible for Drafting: Wayne Molesworth, Program Manager, Tumwater, Washington, 360-480-5673; Implementation and Enforcement: Steve Reinmuth, Assistant Director, Tumwater, Washington, 360-902-6348.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Meagan Edwards, L&I, Field Services and Public Safety, P.O. Box 44400, Olympia, WA 98504-4400, phone 360-522-0125, fax 360-704-1980, email Meagan.Edwards@Lni.wa.gov.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules are adopting or incorporating by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule; rules only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect; and rules adopt, amend, or repeal a procedure, practice, or requirement relating to agency hearings; or a filing or related process requirement for applying to an agency for a license or permit.

Scope of exemption for rule proposal:

Is partially exempt:

Explanation of partial exemptions:

	Proposed WAC Sections and Title	This proposed rule section is <i>not exempt</i>. Analysis is required.	This proposed rule section <i>is exempt</i>. Provide RCW to support this exemption.
1.	WAC 296-46B-010 General.	□	This section is exempt under RCW 34.05.310 (4)(c) and (d) because it adopts national consensus codes that generally establish industry standards and changes that only clarify language of a rule without changing the substance or effect of requirements.

	Proposed WAC Sections and Title	This proposed rule section is <i>not exempt</i>. Analysis is required.	This proposed rule section <i>is exempt</i>. Provide RCW to support this exemption.
2.	WAC 296-46B-334 Wiring methods and materials—Nonmetallic-sheathed cable.	X	
3.	WAC 296-46B-942 Training certificate required.	□	This section is exempt under RCW 34.05.310 (4)(d) and (g)(ii) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements and adopts changes related to a filing or related process requirement for applying to an agency for a license or permit.

The proposed rule does not impose more-than-minor costs on businesses. Following is a summary of the agency's analysis showing how costs were calculated. According to the Regulatory Fairness Act under RCW 19.85.030, an agency shall prepare a small business economic impact statement (SBEIS): (1) If the proposed rule will impose more-than-minor costs on businesses in an industry; or (2) if requested to do so by a majority vote of the joint administrative rules review committee within 45 days of receiving the notice of proposed rule making under RCW 34.05.320. The proposed rule does not impose additional costs on affected entities and individuals; rather the proposed rule may generate a cost savings from changes in installation requirements for certain types of nonmetallic sheathed cables. As such, L&I is exempt from conducting an SBEIS for this rule making.

September 2, 2025
Joel Sacks
Director

RDS-6551.3

AMENDATORY SECTION (Amending WSR 24-05-085, filed 2/21/24, effective 4/1/24)

WAC 296-46B-010 General.

Adopted standards.

(1) The 2023 edition of the National Electrical Code (NFPA 70 - 2023) (~~published September, 2023~~) including Annex A, B, C, and subsequent Errata and Tentative Interim Amendments issued by the National Fire Protection Association; the latest published versions of Commercial Building Telecommunications Cabling Standard (ANSI/TIA-568); Commercial Building Standard for Telecommunications Pathway and Spaces (ANSI/TIA-569); Commercial Building Grounding and Bonding Requirements for Telecommunications (ANSI/TIA-607); Residential Telecommunications Cable Standard (ANSI/TIA-570); and the latest published version of the National Electrical Safety Code (NESC excluding Appendixes A and B) are hereby adopted by reference as part of this chapter.

Effective December 31, 2026, the 2026 edition of the National Electrical Code (NFPA 70-2026) including Annex A, B, and C is adopted in this chapter by reference and replaces the 2023 edition of the NFPA 70.

This chapter will be followed where there is any conflict between this chapter and the above adopted standards.

The National Electrical Code will be followed where there is any conflict between the National Electrical Code and, ANSI/TIA_568, ANSI/TIA_569, ANSI/TIA_607, ANSI/TIA((+))_570, or the NESC.

Adopted standards apply to installations when issue dates of electrical permits are on and after adoption dates of standards except for:

(a) New one- and two-family dwellings, or multifamily dwellings where the issue date of building permits for the premises is before the adoption date of standards; or

(b) New installations where plan review is required by WAC 296-46B-900 when plans are received and accepted for review before the adoption date of standards.

Inspections - General.

(2) Electrical inspectors will give information as to the interpretation or application of the standards in this chapter, but will not lay out work or act as consultants for contractors, owners, or users.

(3) A variance from the electrical installation requirements of chapter 19.28 RCW or this chapter may be granted by the department or the city that has electrical inspection jurisdiction when it is assured that equivalent objectives can be achieved by establishing and maintaining effective safety.

(a) Any electrical permit holder may request a variance.

(b) The permit holder must make the request in writing, using a form provided by the department, to the chief electrical inspector or to the city that has electrical inspection jurisdiction. The request must include:

(i) A description of the installation as installed or proposed;

(ii) A detailed list of the applicable code violations;

(iii) A detailed list of safety violations;

(iv) A description of the proposal for meeting equivalent objectives for code and/or safety violations; and

(v) Appropriate variance application fee as listed in chapter 296-46B WAC, Part C.

(4) Electrical wiring or equipment subject to this chapter must be sufficiently accessible, at the time of inspection, to allow the inspector to visually inspect the installation to verify conformance with the NEC and any other electrical requirements of this chapter with the exception of not more than eight feet of electrical conduit in a foundation of a one- or two-family dwelling or residential out-building for use as service entrance raceway.

(5) All required equipment grounding conductors installed in concealed cable or flexible conduit systems must be completely installed and made up at the time of the rough-in cover inspection.

(6) The installation of all structural elements and mechanical systems (e.g., framing, plumbing, ducting, etc.) must be complete in the area(s) where electrical inspection is requested. Prior to completion of an exterior wall cover inspection, either:

(a) The exterior shear panel/sheathing nail inspection must be completed by the building code inspector and, where siding nails or fasteners which penetrate into the wall cavity are to be used, all siding must be installed; or

(b) All wiring and device boxes must be a minimum of 2 1/2 inches from the exterior surface of the framing member; or

(c) All wiring and device boxes must be protected by a steel plate a minimum of 1/16 inch thick and of appropriate width and height installed to cover the area of the wiring or box.

(7) In order to meet the minimum electrical safety standards for installations, all materials, devices, appliances, and equipment, not exempted in chapter 19.28 RCW, must conform to applicable electrical product standards recognized by the department, be listed, or field evaluated. For any equipment that requires an amusement operating permit under chapter 67.42 RCW, the operating permit is prima facie evidence of an appropriate standard. Other than as authorized by the chief electrical inspector or a city authorized to do electrical inspection, equipment must not be energized until such standards are met.

(8) The state department of transportation is recognized as the inspection authority for telecommunications systems installations within the rights of way of state highways provided the department of transportation maintains and enforces an equal, higher or better standard of construction, and of materials, devices, appliances, and equipment than is required for telecommunications systems installations by chapter 19.28 RCW and this chapter.

Inspection move on buildings and structures.

(9) All buildings or structures relocated into or within the state:

(a) Other than residential, wired inside the United States (U.S.) must be inspected to ensure compliance with current requirements of chapter 19.28 RCW and the rules developed by the department.

(b) Wired outside the U.S. or Canada must be inspected to ensure compliance with all current requirements of chapter 19.28 RCW and the rules developed by the department.

(10) Residential buildings or structures wired in the U.S., to NEC requirements, and moved into or within a county, city, or town must be inspected to ensure compliance with the NEC requirements in effect at the time and place the original wiring was made. The building or structure must be inspected to ensure compliance with all current requirements of chapter 19.28 RCW and the rules developed by the department if:

(a) The original occupancy classification of the building or structure is changed as a result of the move; or

(b) The building or structure has been substantially remodeled or rehabilitated as a result of the move.

(11) Residential buildings or structures wired in Canada to Canadian Electrical Code (CEC) standards and moved into or within a county, city, or town, must be inspected to ensure compliance with the following minimum safety requirements:

(a) Service, service grounding, and service bonding must comply with the current chapter 19.28 RCW and rules adopted by the department.

(b) Canadian Standards Association (CSA) listed Type NMD cable is allowed with the following qualifications:

(i) CSA listed Type NMD cable, American Wire Gauge #10 and smaller installed after 1964 utilizing an equipment grounding conductor smaller than the phase conductors, must be:

(A) Replaced with a cable utilizing a full-size equipment grounding conductor; or

(B) Protected by a ground fault circuit interrupter protection device.

(ii) CSA listed Type NMD cable, #8 AWG and larger, must:

(A) Utilize an equipment grounding conductor sized according to the requirements of the NEC in effect at the time of the installation;

(B) Be protected by a ground fault circuit interrupter protection device; or

(C) Be replaced.

(c) Other types of wiring and cable must be:

(i) Replaced with wiring listed or field evaluated in accordance with U.S. standards by a laboratory approved by the department; or

(ii) Protected by a ground fault circuit interrupter protection device and arc fault circuit protection device.

(d) Equipment, other than wiring or panelboards, manufactured and installed prior to 1997 must be listed and identified by laboratory labels approved by the department or CSA labels.

(e) All panelboards must be listed and identified by testing laboratory labels approved by the department with the following qualifications:

(i) CSA listed panelboards labeled "suitable for use as service equipment" will be considered to be approved as "suitable for use only as service equipment."

(ii) CSA listed panelboards used as panelboards as described in the NEC, must meet all current requirements of the NEC and this chapter.

(f) Any wiring or panelboards replaced or changed as a result of the move must meet current requirements of chapter 19.28 RCW and this chapter.

(g) The location, type, and ground fault circuit interrupter protection of receptacles and equipment in a bathroom, kitchen, basement, garage, or outdoor area must meet the Washington requirements in effect at the time the wiring was installed.

(h) 4, 15-ampere, kitchen small appliance circuits will be accepted in lieu of two, 20-ampere, kitchen small appliance circuits. Receptacles will not be required to be added on kitchen peninsular or island counters.

(i) Spacing requirements for all other receptacles must meet the Washington requirements in effect at the time the wiring was installed.

(j) Receptacles installed above baseboard or fixed wall space heaters must be removed and the outlet box covered with a blank cover. The receptacle is required to be relocated as closely as possible to the existing location.

(k) Lighting outlet and switch locations must meet the Washington requirements in effect at the time the wiring was installed.

(l) Dedicated 20-ampere small appliance circuits are not required in dining rooms.

(m) Electric water heater branch circuits must be adequate for the load.

(n) The location, type, and circuit protection of feeders must meet the Washington requirements in effect at the time the wiring was installed.

Wiring methods for designated building occupancies.

(12) Wiring methods in educational or institutional facilities as defined in this chapter must be metallic or nonmetallic raceways, MI, MC, or AC cable. Places of assembly located within these facilities must comply with NEC 518.4(A) and (B).

(13) Assisted living facility generator systems may be wired and installed per NEC 517.

(14) Lawfully installed existing electrical installations that do not comply with the provisions of this chapter and remain in compliance with the code at the time of the installation, will be permitted to be continued without change (i.e., without circuitry or occupancy change). Additions, alterations, modifications, or repairs to the electrical system must conform to the current requirements of this chapter.

Traffic management systems.

(15) The department or city authorized to do electrical inspections will perform the electrical inspection and acceptance of traffic management systems within its jurisdiction. A traffic management system includes:

- (a) Traffic illumination systems;
- (b) Traffic signal systems;
- (c) Traffic monitoring systems;

(d) The electrical service cabinet and all related components and equipment installed on the load side of the service cabinet supplying electrical power to the traffic management system; and

(e) Signalization system(s) necessary for the operation of a light rail system.

A traffic management system can provide signalization for controlling vehicular traffic, pedestrian traffic, or rolling stock.

(16) The department or city authorized to do electrical inspections recognizes that traffic signal conductors, pole and bracket cables, signal displays, traffic signal controllers/cabinets and associated components used in traffic management systems are acceptable for the purpose of meeting the requirements of chapter 19.28 RCW provided they conform with the following standards or are listed on the Washington state department of transportation (WSDOT) qualified products list.

- (a) WSDOT/APWA standard specifications and plans;
- (b) WSDOT *Design Manual*;
- (c) International Municipal Signal Association (IMSA);
- (d) National Electrical Manufacturer's Association (NEMA);
- (e) Federal Standards 170/Controller Cabinets;
- (f) Manual for *Uniform Road, Bridge, and Municipal Construction*;
- (g) Institute of Transportation Engineers (ITE); or
- (h) Manual of *Uniform Traffic Control Devices (MUTCD)*.

(17) Associated induction detection loop or similar circuits will be accepted by the department or city authorized to do electrical inspections without inspection.

(18) For the licensing requirements of chapter 19.28 RCW, jurisdictions will be considered owners of traffic management systems when doing electrical work for another jurisdiction(s) under a valid interlocal agreement, as permitted by chapter 39.34 RCW. Interlocal agreements for traffic management systems must be filed with the department or city authorized to do electrical inspections prior to work being performed for this provision to apply.

(19) Jurisdictions, with an established electrical inspection authority, and WSDOT may perform electrical inspection on their rights of way for each other by interlocal agreement. They may not perform electrical inspection on other rights of way except as allowed in chapter 19.28 or 39.34 RCW.

(20) Underground installations.

(a) In other than open trenching, raceways will be considered "fished" according to the NEC and do not require visual inspection.

(b) The department or city authorized to do electrical inspections will conduct inspections in open trenching within its jurisdiction. The electrical work permit purchaser must coordinate the electrical inspection. A written request (e.g., letter, email, fax, etc.) for inspection, made to the department or city authorized to do electrical inspections office having the responsibility to perform the inspection, must be made a minimum of two working days prior to the day inspection is needed (e.g., two working days 10:00 a.m. Tuesday request for a 10:00 a.m. Thursday inspection, excluding holidays and weekends).

If, after proper written request, the department or city authorized to do electrical inspections fails to make an electrical inspection at the time requested, underground conduit may be covered after inspection by the local government jurisdiction's project inspector/designee. Written documentation of a local government jurisdiction inspection must be provided to the department or city authorized to do electrical inspections when requested. Written documentation will include:

- (i) Date and time of inspection;
- (ii) Location;
- (iii) Installing firm;
- (iv) Owner;
- (v) Type of conduit;
- (vi) Size of conduit;
- (vii) Depth of conduit; and
- (viii) Project inspector/designee name and contact information.

(21) Identification of traffic management system components. Local government jurisdictions or WSDOT may act as the certifying authority for the safety evaluation of all components.

(a) An electrical service cabinet must contain only listed components. The electrical service cabinet enclosure is not required to be listed but will conform to the standards in subsection (16) of this section.

(b) The local government jurisdiction must identify, as acceptable, the controller cabinet or system component(s) with an identification plate. The identification plate must be located inside the cabinet and may be attached with adhesive.

(22) Conductors of different circuits in same cable, enclosure, or raceway. All traffic management system circuits will be permitted to occupy the same cable, enclosure, or raceway without regard to voltage characteristics, provided all conductors are insulated for the maximum voltage of any conductor in the cable, enclosure, or raceway.

AMENDATORY SECTION (Amending WSR 24-05-085, filed 2/21/24, effective 4/1/24)

WAC 296-46B-334 Nonmetallic-sheathed cable.

010 Nonmetallic-sheathed cable.

(1) The building classification, for subsections (2), (3), and (4) of this section, will be as determined by the building official. For the purposes of this section, Type III, IV-HT and V may be as defined in the International Building Code adopted in the state of Washington. The installer must provide the inspector documentation sub-

stantiating the type of building construction and finish material rating(s) prior to any electrical inspection.

(2) This section replaces NEC 334.10(2). In multifamily dwellings, Type NM, Type NMC, and Type NMS cable(s) may be used in structures of Types III, IV-HT, and V construction except as prohibited in NEC 334.12.

(3) This section replaces NEC 334.10(3). In all other structures, Type NM, Type NMC, and Type NMS cable(s) may be used in structures of Types III, IV-HT, and V construction except as prohibited in NEC 334.12. All cable(s) must be concealed within walls, floors, or ceilings that provide a thermal barrier of material that has at least a 15-minute finish rating as identified in listings of fire-rated assemblies.

(4) This section replaces NEC 334.10(4). Cable trays in structures of Types III, IV-HT, and V construction, where the cable(s) is identified for the use, except as prohibited in NEC 334.12.

015 Exposed work.

(5) Where Type NMC cable is installed in shallow chases in plaster, masonry, concrete, adobe or similar material, the cable must be protected against nails or screws by:

(a) A steel plate at least 1/16 inch thick and covered with plaster, adobe, or similar finish; or

(b) Being recessed in a chase at least 2 3/4 inches deep, as measured from the finished surface, and covered with plaster, adobe, or similar finish. The cable(s) must be at least 2 1/2 inches from the finished surface.

(6) The requirements for nonmetallic sheathed cable protection in NEC 334.15(C) do not apply in crawl spaces.

(7) Wet or damp locations prohibited in NEC 334.12 (B)(4) do not include the interior of conduits installed outdoors used for physical protection of NM cables under the following conditions:

(a) Cables emerging from a building interior, attic, or crawl-space remain unbroken until terminated; and

(b) Flexible metal conduits are not used; and

(c) No conduit systems are longer than 10 feet or below grade;

and

(d) Conduits are sealed to prevent air movement and are arranged to naturally drain.

080 Ampacity of Types NM and NMC cable carrying suffix letter "-B".

(8) (a) The ampacity of Types NM and NMC cable carrying suffix letter "-B" shall be determined in accordance with NEC 310.14.

(b) The ampacity of #10 AWG and smaller ungrounded conductors shall not exceed that of a 60°C (140°F) rated conductor.

(c) The ampacity of ungrounded conductors larger than #10 AWG shall not exceed that of a 75°C (167°F) rated conductor.

(d) The 90°C (194°F) rating shall be permitted to be used for ampacity adjustment and correction calculations, provided the final calculated ampacity for #10 AWG and smaller ungrounded conductors does not exceed that of a 60°C (140°F) rated conductor or exceed that of a 75°C (167°F) rated conductor for ungrounded conductors larger than #10 AWG.

(e) The ampacity of Types NM and NMC cable carrying suffix letter "-B" installed in cable trays shall be determined in accordance with NEC 392.80(A).

(f) Where more than two NM cables carrying suffix letter "-B" containing two or more current-carrying conductors are installed,

without maintaining spacing between the cables, through the same opening in wood framing that is to be sealed with thermal insulation, caulk, or sealing foam, the ampacity of each conductor shall be adjusted in accordance with NEC Table 310.15 (C) (1) and NEC 310.14 (A) (2), Exception, shall not apply.

(g) Where more than two NM cables carrying suffix letter "-B" containing two or more current-carrying conductors are installed in contact with thermal insulation without maintaining spacing between cables, the ampacity of each conductor shall be adjusted in accordance with NEC Table 310.15 (C) (1) and NEC 310.14 (A) (2), Exception, shall not apply.

AMENDATORY SECTION (Amending WSR 24-05-085, filed 2/21/24, effective 4/1/24)

WAC 296-46B-942 Training certificate required.

General.

(1) To work in the electrical construction trade as an electrical trainee, an individual must possess, wear, and visibly display a current valid electrical training certificate, learning the trade in the proper ratio, per RCW 19.28.161, under the supervision of a certified master journey level electrician, journey level electrician, master specialty electrician working in their specialty, or specialty electrician working in their specialty.

The trainee must meet all the requirements of WAC 296-46B-940 related to visibly displaying a current certificate and having a valid photo identification on his/her person.

Unless working in a specialty, apprentices and individuals learning the electrical construction trade must have in their possession proof of apprenticeship or journey level training program registration. They must show their apprenticeship or training program registration documents to an authorized representative of the department at the representative's request.

(2) An active training certificate is required for all individuals throughout the individual's enrollment and matriculation in an approved construction electrician training school program described in RCW 19.28.191. A training certificate is required to work in the electrical construction trade if an individual does not:

(a) Possess a current journey level certificate of competency issued by the department;

(b) Possess a current specialty electrician certificate of competency issued by the department while working in that specialty's scope of work; or

(c) Is not working in exempt status as allowed by chapter 19.28 RCW.

(3) Trainees who have had their training certificates revoked or suspended (during the duration of the revocation or suspension) will not be issued a training certificate.

Original training certificates.

(4) The department will issue an original training certificate when the trainee applicant submits a complete training certificate application including:

(a) Date of birth, mailing address, Social Security number; and

(b) All appropriate fees as listed in WAC 296-46B-909.

All applicants for an electrical training certificate must be at least 16 years of age. The original training certificate will be valid for two years. If an individual has previously held an electrical training certificate, then that individual is not eligible for a subsequent original training certificate.

Specialty specific - Zero percent and 75 percent supervision modified training certificates.

(5) For specialties as allowed in Table 945-1 (i.e., specialties with 720 minimum hours of work experience required to be eligible for examination):

(a) The department will approve the trainee to take the appropriate specialty competency examination necessary to qualify for a zero percent supervision modified training certificate. To qualify, the trainee applicant must submit a complete zero percent supervision modified training certificate application including:

- (i) Date of birth, mailing address, Social Security number;
- (ii) Affidavit of experience fulfilling the minimum work experience hours required to qualify for the specialty examination described in Table 945-1; and
- (iii) All appropriate fees as listed in WAC 296-46B-909.

Upon successful completion of the appropriate examination, the trainee will be issued a nonrenewable zero percent supervision modified training certificate for the appropriate specialty. The zero percent supervision modified training certificate will be restricted in duration to the time allowed in Table 945-1, note 2.

(b) Prior to the expiration of the zero percent supervision modified training certificate, the individual must submit a complete application for a 75 percent supervision modified training certificate for the appropriate specialty including:

- (i) Seventy-five percent supervision training certificate application including: Date of birth, mailing address, Social Security number; and
- (ii) All appropriate fees as listed in WAC 296-46B-909.

(c) A trainee may possess multiple (i.e., in different specialties) modified supervision training certificates for specialties where reduced supervision is allowed in Table 945-1. Combination training certificates will not be issued.

Renewal of training certificates.

(6) An individual must apply for renewal of their training certificate on or before the expiration date of the certificate. The individual may not apply for renewal more than 90 days prior to the expiration date. Renewed certificates are valid for two years.

(7) An individual may renew their training certificate after the expiration date if the individual pays the late renewal fee listed in WAC 296-46B-909.

(8) All applicants for training certificate renewal must:

- (a) Submit a complete renewal application;
- (b) Pay all appropriate fees; and
- (c) Complete the approved basic trainee classes required by WAC 296-46B-970. Basic trainee classes are only valid when all the requirements of WAC 296-46B-970 are completed.

~~(d) ((Within 180 days after the expiration date of an electrical training certificate, the individual, if not enrolled in a department approved apprenticeship program, must submit a completed, signed, and notarized affidavit(s) of experience for all hours of experience gained since the individual's last training certificate was effective.~~

~~Affidavits must be received by the department within 180 days after the expiration date of an electrical training certificate.)~~ (i) Deadline for affidavits of experience for hours worked by an individual while not registered in a department-approved apprenticeship program:

(A) Affidavits of experience for the prior two years must be received by the department within 180 days after every electrical training certificate expiration date.

(B) Affidavits must be complete, signed, and notarized.

(C) Hours claimed from affidavits of experience received after the 180 day deadline described in (d) (i) (A) of this subsection, shall not count towards hours required to qualify for electrician certification examinations or unsupervised electrical training certificates unless otherwise allowed by the chief electrical inspector due to unforeseeable circumstances.

Employers are required to provide the necessary documentation and signed affidavit of experience to the trainee within 20 days after the trainee requests the affidavit. See WAC 296-46B-942(12). See WAC 296-46B-985(4) for the penalty for providing a false or inaccurate affidavit of experience. If the individual is enrolled in a department approved apprenticeship program, the program may submit the required affidavit(s) of experience upon the individual's completion of the required experience hours without cost to the individual. The affidavit of experience must accurately attest to:

~~((i))~~ (ii) The electrical installation work performed for each employer the individual worked for in the electrical trade during the previous period;

~~((ii))~~ (iii) The correct electrical category the individual worked in; and

~~((iii))~~ (iv) The actual number of hours worked in each category under the proper supervision of a Washington certified, master journey level electrician, journey level electrician or appropriate master specialty electrician or specialty electrician under that specific training certificate. If a trainee possesses multiple training certificates, an affidavit must be submitted for each training certificate for the hours worked under that specific training certificate.

If the individual is enrolled in a department approved apprenticeship program, the program may submit the required affidavit(s) of experience upon the individual's completion of the required experience hours without cost to the individual.

(9) An individual may not renew a training certificate until the required hours of basic classroom education have been completed.

(10) An individual may renew a suspended training certificate by submitting a complete renewal application including obtaining and submitting the basic trainee class education required for renewal. However, the certificate will remain in a suspended status for the duration of the suspension period.

(11) An individual will not be issued a renewed or reinstated training certificate if the individual owes the department money as a result of an outstanding final judgment under chapter 19.28 RCW.

(12) The individual should ask each employer and/or apprenticeship training director for an accurately completed, signed, and notarized affidavit of experience for the previous certification period. The employer(s) or apprenticeship training director(s) must provide the previous period's affidavit of experience to the individual within 20 days of the request. If an individual is enrolled in an approved electrical construction trade apprenticeship program under chapter 49.04 RCW, the individual and their apprenticeship training director

and/or each employer must give the department an accurately completed, signed, and notarized affidavit of experience accurately attesting to:

(a) The electrical installation work the individual performed in the electrical trade during the previous certification period;

(b) The correct electrical category the individual worked in; and

(c) The actual number of hours worked in each category under the proper supervision of a Washington certified master journey level electrician, journey level electrician or appropriate master specialty or specialty electrician for each employer. For apprentices enrolled in a registered apprenticeship program, the training director or their designated authorized signer are the only authorized signatures the department will accept on affidavits of experience.

(13) The employer(s) and/or apprenticeship training director(s) or their designated authorized signer must sign and have notarized the affidavit of experience attesting to the accuracy of all information contained in the affidavit.

(14) The trainee, supervising electrician, contractor, and assigned administrator or master electrician are responsible for ensuring compliance with subsection (13) of this section. See WAC 296-46B-985 and 296-46B-990 (3)(c) and (f) for information about failing to submit or submitting false/fraudulent documents. Falsifying documents may be considered perjury and might result in criminal prosecution, civil penalty, or certificate revocation or suspension.

Trainees without supervision present on the job site.

(15) When the supervising electrician is found to not be present on the job site, the trainee may be given a form by the inspector that must be fully completed and returned or postmarked within 24 hours to the inspector. The supervising electrician must sign the statement for the trainee if appropriate supervision was provided. If the supervising electrician fails or refuses to assist the trainee in completing the form, the trainee must return the form with a signed and dated statement stating the supervising electrician's name and saying that the supervising electrician refused to assist.

Trainees seeking a journey level electrician certificate - Working with no supervision.

(16) Trainee seeking a general (01) journey level electrician certificate of competency. After review by the department, a trainee may be issued a six-month, nonrenewable unsupervised electrical training certificate that will allow the individual to work without supervision if the trainee:

(a) Has submitted a complete application for an unsupervised electrical training certificate;

(b) Has worked over 7,000 hours properly supervised not to include more than 4,000 of specialty experience;

(c) Has successfully completed or is currently enrolled in an approved apprenticeship program or an electrical construction trade program in a school approved by the board of community and technical colleges;

(d) Has paid all appropriate training certificate fees listed in WAC 296-46B-909;

(e) Is currently working for and continues to work for a licensed electrical contractor that employs at least one certified journey level or specialty electrician in the appropriate specialty; and

(f) Has not previously failed a journey level electrician certificate of competency examination (see WAC 296-46B-960(11)).

**Trainees seeking certain specialty electrician certificates -
Working with reduced or no supervision.**

(17) After review by the department, a trainee may be issued a nonrenewable zero percent supervision training certificate that will allow the individual to work without supervision if the trainee meets the requirements in subsection (5) of this section.

(18) Electrical trainees may work unsupervised when installing HVAC/R thermostat cable when the HVAC/R system consists of a single thermostat in one- and two-family dwelling units where line voltage power has not been connected to the dwelling's electrical system.

WSR 25-18-105
PROPOSED RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 25-08—Filed September 3, 2025, 10:05 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 25-09-111 on April 21, 2025.

Title of Rule and Other Identifying Information: Vancouver Lake regulation changes, Cle Elum River regulation changes, and several Eastern Washington Lowland Lake season changes.

Hearing Location(s): On October 16, 2025, at 6:00 p.m., virtually via Zoom. Register in advance for this webinar at https://us06web.zoom.us/webinar/register/WN_Y9Ynuu81SEewBZjd2JGunQ. After registering, you will receive a confirmation email containing information about joining the webinar.

Date of Intended Adoption: October 24, 2025.

Submit Written Comments to: Rules Coordinator, P.O. Box 43200, Olympia, WA 98501, email 25recchangescr102@publicinput.com, 855-389-2801, project code 11890, publicinput.com/25recchangescr102, beginning September 3, 2025, 5:00 p.m., by October 17, 2025, 12:00 p.m.

Assistance for Persons with Disabilities: Contact VI/ADA compliance coordinator, phone 360-902-2349, TTY 711, email Title6@dfw.wa.gov, <https://wdfw.wa.gov/accessibility/requestsaccomodation>, by October 9, 2025.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Vancouver Lake: In 2024, the Washington state legislature passed HB 1226 which provided revisions to RCW 77.32.[0]10, thereby rescinding previous exemptions to fishing license requirements while fishing for smelt, crayfish, and common carp (i.e., a license is required to fish for these species following passage). However, HB 1226 provided an exception to the license requirement when fishing for common carp in Vancouver Lake. This exception was included based upon public comment received during legislative committee hearings. While the legislature provided a clear exception to the license requirement for Vancouver Lake, questions from the public about the implementation and enforcement of the rule have since arisen. Confusion around the license requirement originates in WAC that defines the fishing area for Vancouver Lake, which is included with a complex of state waters, defined as: "Vancouver Lake and all other waters west of Burlington-Northern railroad from Columbia River drawbridge near Vancouver downstream to Lewis River." Specifically, the Washington state department of fish and wildlife (WDFW) enforcement staff are unclear where a fishing license would not be required in this area to fish for common carp, due to the ambiguity of the definition. Further, some anglers contend that the Vancouver Lake definition extends to all waters covered by the definition, which WDFW enforcement and staff dispute. To provide clarity in the rules and alignment with RCW 77.32.[0]10, staff propose modifications to sections of WAC 220-312-030 (southwest) and 220-220-160 (two-pole endorsement) that treat each water body in the previously described area as individual areas. WDFW seeks to amend WAC 220-312-030 (southwest) and 220-220-160 (two-pole), such that:

- Vancouver Lake is treated as an independent water body and the exemption from possessing a fishing license while fishing for common carp is aligned with RCW 77.32.[0]10.

- Other lakes in this area are treated as independent water bodies, following statewide lake rules.
- Lake River is established as a unique water body sharing the same angling rules and seasons as Vancouver Lake, except for the license exemption.

Cle Elum River: A new adult fish collection facility is being constructed at the base of Cle Elum Dam. This closure is needed to prevent the targeting or harassing of fish using this facility, in keeping with statewide regulations regarding fishing closures near man-made structures/passage facilities (WAC 220-310-030(1)). This rule will allow for fish to use the new facility without experiencing angling pressure, which could lead to mortality or delay their entrance to the facility.

Eastern Washington Lowland Lakes: WDFW received a petition from the public to amend the fishing rules for seven lakes in eastern Washington (Badger, Deer (Lincoln County (Co.)), a.k.a. Deer Springs), Fan, Fish (Spokane Co.), Fishtrap, West Medical, and Williams (Spokane Co.)) to extend the fishing season by one month annually on each lake. WDFW director Susewind chose to deny the petition but initiate rule making on five (Badger, Fan, Fishtrap, West Medical, and Williams (Spokane Co.)) of the seven lakes that were listed in the petition. Two of the lakes had landowner conflicts that would not allow for adjusting the current public fishing season.

Reasons Supporting Proposal: Vancouver Lake: This rule making intends to simplify the angling regulation for these waters by disentangling numerous state waters, where additional rule exceptions have been provided in other areas of Washington's legislative code. These WAC changes are expected to provide additional clarity for law enforcement staff charged with upholding these rules, as well as WDFW customers who must interpret these rules to ensure their own compliance with them.

Cle Elum River: This rule making will allow for unimpeded passage by anadromous and resident fish using the new passage structure. As part of ongoing efforts related to the Yakima Basin integrated plan, Cle Elum Dam is being equipped with fish passage for juveniles and adults as part of an ongoing reintroduction effort for multiple species that were extirpated from above Cle Elum Dam.

Eastern Washington Lowland lakes: This rule making will extend the annual fishing season on five lowland lakes in eastern Washington. The current rule, open to public fishing the fourth Saturday in April to September 30th, will be amended to open public fishing the fourth Saturday in April to October 31st. These changes will result in additional public fishing opportunity.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.055, 77.12.047, and 77.04.020.

Statute Being Implemented: RCW 77.04.012, 77.04.055, and 77.12.047.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Governmental.

Name of Agency Personnel Responsible for Drafting: Chris Donley, Spokane, 509-892-1001 ext. 307; Trevor Hutton, Yakima, 509-457-9330; and Matt Gardner, Ridgefield, 360-906-6746; Implementation: Kelly Cunningham, Olympia, 360-902-2325; and Enforcement: Chief Steve Bear, Olympia, 360-338-2895.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. Under RCW 34.05.328(5), a cost-benefit analysis is not required for this rule as WDFW is not implementing chapter 77.55 RCW with this rule.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(4).

Scope of exemption for rule proposal:

Is fully exempt.

September 3, 2025

Scott Bird

Rules Coordinator

RDS-6595.1

AMENDATORY SECTION (Amending WSR 21-14-067, filed 7/2/21, effective 8/2/21)

WAC 220-220-160 Two-pole endorsement. Anglers who possess a valid two-pole endorsement may fish with two lines in all lakes and ponds open to fishing, with the following exceptions:

Water Body	County	
Para-juvenile Lake	Adams	
Headgate Pond	Asotin	
Columbia Park Pond	Benton	
Blackbird Island Pond	Chelan	
Aldwell Lake	Clallam	
Beaver Lake	Clallam	
Carrie Blake Pond	Clallam	
Dickey Lake	Clallam	
Lake Pleasant	Clallam	
Lincoln Pond	Clallam	
Sutherland Lake	Clallam	
Vancouver Lake	Clark	((Includes all other waters west of Burlington-Northern Railroad from Columbia River drawbridge near Vancouver downstream to Lewis River.))
Big Four Lake	Columbia	
Dayton Pond	Columbia	
Blue Lake	Cowlitz	
Castle Lake	Cowlitz	
Coldwater Lake	Cowlitz	
Lewis River Power Canal	Cowlitz	Includes old Lewis River streambed between Swift No. 1 powerhouse and Swift No. 2 powerhouse.
Merrill Lake	Cowlitz	
Silver Lake	Cowlitz	
Pit Lake	Douglas	
Ping Pond	Grant	
Mill Creek Pond	Grays Harbor	

Water Body	County	
Quigg Lake	Grays Harbor	Located at Friends Landing near Montesano.
Vance Creek Pond #1	Grays Harbor	
Gibbs Lake	Jefferson	
Horseshoe Lake	Jefferson	
Teal Lake	Jefferson	
Lake Sammamish	King	
Lake Union	King	
Lake Washington	King	Including that portion of Sammamish River from 68th Ave. NE bridge downstream.
Lake Washington Ship Canal	King	(Including Lake Union, Portage Bay, and Salmon Bay) Waters east of a north-south line 400' west of the Chittenden Locks to the Montlake Bridge.
Mill Pond	King	Auburn.
Old Fishing Hole Pond	King	Kent.
Portage Bay	King	
Salmon Bay	King	
Swans Mill Pond	King	
Koeneman Lake	Kitsap	Formerly Fern Lake.
Kachess Lake	Kittitas	
Keechelus Lake	Kittitas	
Kiwanis Pond	Kittitas	
Naneum Pond	Kittitas	
Cowlitz Falls Reservoir	Lewis	
Mayfield Lake	Lewis	Mayfield Dam to Mossyrock Dam.
Packwood Lake	Lewis	
Scanewa Lake	Lewis	Cowlitz Falls Reservoir.
Walupt Lake	Lewis	
Willame Lake	Lewis	
Cady Lake	Mason	
Cushman Reservoir	Mason	
Prices Lake	Mason	
Stump Lake	Mason	
Silvernail Lake	Okanogan	
Cases Pond	Pacific	
South Bend Mill Pond	Pacific	
Bradley Lake	Pierce	
De Coursey Pond	Pierce	
Ohop Lake	Pierce	
Tanwax Lake	Pierce	
Wapato Lake	Pierce	
Granite Lakes	Skagit	Near Marblemount.
Northern State Hospital Pond	Skagit	
Vogler Lake	Skagit	
Drano Lake	Skamania	January 1 through April 30 and July 1 through September 30.
Swift Reservoir	Skamania	From dam to Eagle Cliff Bridge.
Fortson Mill Pond #2	Snohomish	
Jennings Park Pond	Snohomish	

Water Body	County	
Monte Cristo Lake	Snohomish	
North Gissburg Pond	Snohomish	
Spada Lake	Snohomish	
Bear Lake	Spokane	
North Silver Lake	Spokane	
Lucky Duck Pond	Stevens	
Long's Pond	Thurston	
Munn Lake	Thurston	
Jefferson Park Pond	Walla Walla	
Lions Park Pond	Walla Walla	College Place.
Diablo Lake	Whatcom	
Gorge Lake	Whatcom	
Lake Whatcom	Whatcom	
Ross Lake	Whatcom	
Squalicum Lake	Whatcom	
Garfield Juvenile Pond	Whitman	
Clear Lake	Yakima	
Leech Lake	Yakima	White Pass area.
Mud Lake	Yakima	
Myron Lake	Yakima	
Sarge Hubbard Park Pond	Yakima	
Yakima Sportsmen's Park Ponds	Yakima	

Anglers who possess a valid two-pole endorsement may fish with two lines in the following river sections:

River	County	Section
Chehalis	Grays Harbor	From Highway 101 Bridge in Aberdeen to South Elma Bridge (Wakefield Road): August 1 through December 31.
Columbia		Camas Slough: August 1 through December 31. From Highway 730 at Washington/Oregon to Old Hanford townsite powerline crossing: Year-round, except for sturgeon. From powerline crossing to Vernita Bridge: February 1 through October 15, except for sturgeon. From Vernita Bridge to Priest Rapids Dam: Year-round, except for sturgeon. From Priest Rapids Dam to Wanapum Dam: July 1 through October 15. From Wanapum Dam to Wells Dam: July 1 through October 15. From Wells Dam to Highway 173 Bridge at Brewster: July 16 through September 30.

River	County	Section
		From Highway 173 Bridge at Brewster to the Corps of Engineers safety marker on the Douglas County shore to the rock jetty at the upstream shoreline of Foster Creek: July 1 through October 15.
Cowlitz	Lewis	From the boundary markers at the mouth upstream to 400' or posted markers below the Barrier Dam.
Lewis	Clark/Cowlitz	From a straight line running from a fishing boundary marker or from the outermost upland at the north shore of the Lewis River mouth, southerly across the Lewis River to a fishing boundary marker near the south shore upstream to the mouth of Johnson Creek.
Naselle	Pacific/Wahkiakum	From Highway 101 Bridge to the mouth of the South Fork: August 1 through January 31.
Okanogan	Okanogan	From the mouth to Highway 97 Bridge immediately upstream of the mouth: July 1 through October 15.
Pend Oreille	Pend Oreille	
Palouse	Whitman	Mouth to base of Palouse Falls: June 16 through August 31.
Spokane	Spokane and Stevens	Lower Spokane River from mouth (SR 25 bridge) to 400' below Little Falls Dam.
Willapa	Pacific	From the city of South Bend boat launch to the 2nd bridge on Camp One Road: August 1 through January 31.
Wind	Skamania	Salmon and steelhead: Mouth (boundary line/markers) to the Highway 14 Bridge: March 16 through June 30.
Yakima	Yakima	From Highway 240 Bridge to 400' below Prosser Dam: March 1 through October 31.

Anglers who possess a valid two-pole endorsement may fish for salmon with two lines in the following marine areas:

Description	Marine Area
Willapa	2-1. When permissible in WAC 220-313-070.
Port Susan and Port Gardner	Tulalip Terminal Area: May 1 through September 30.
Seattle/Bremerton Area	Sinclair Inlet: July 1 through September 30.
Hood Canal	12: South of Ayock only, excluding Hoodsport Hatchery zone: July 1 through September 30.
South Puget Sound	13.

RDS-6596.1

AMENDATORY SECTION (Amending WSR 25-13-087, filed 6/16/25, effective 7/17/25)

WAC 220-312-030 Freshwater exceptions to statewide rules—Southwest. (1) **Abernathy Creek and tributaries (Cowlitz County):**

(a) From 200 feet above Abernathy Falls to posted markers 500 feet downstream from the Abernathy Fish Technology Center: Closed waters.

(b) Open the Saturday before Memorial Day through August 31 and November 1 through March 15.

(c) Selective gear rules, except: Use of barbed hooks is allowed.

(d) Game fish: Statewide minimum length/daily limit, except:

(i) Trout: Daily limit 2; minimum length 14 inches.

(ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(e) Salmon:

(i) Open November 1 through December 31.

(ii) Daily limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained.

(2) **Beaver Creek (Wahkiakum County):** Closed waters.

(3) **Blue Creek (Lewis County), from the mouth to Spencer Road:**

(a) From posted sign above rearing pond outlet to Spencer Road: Closed waters.

(b) Anti-snagging rule.

(c) Night closure.

(d) Open Saturday before Memorial Day through April 15.

(e) Game fish: Statewide minimum length/daily limit, except:

(i) Trout: Daily limit 5; minimum length 8 inches.

(ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(f) Salmon:

(i) Open August 1 through December 31.

(ii) Daily limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained.

(4) **Blue Lake (Cowlitz County):**

(a) Open the fourth Saturday in April through October 31.

(b) Selective gear rules.

(c) Release all fish.

(5) **Blue Lake Creek (Lewis County):** Selective gear rules.

(6) **Butter Creek (Lewis County):** Selective gear rules.

(7) **Canyon Creek (Clark County):** Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 5.

(8) **Carlisle Lake (Lewis County):**

(a) Open year-round.

(b) Landlocked salmon rules.

(9) **Cedar Creek and tributaries (tributary of N.F. Lewis) (Clark County):**

(a) From the Grist Mill Bridge to 100 feet upstream of the falls: Closed waters.

(b) Selective gear rules, except: Use of barbed hooks is allowed.

(c) Open the Saturday before Memorial Day through August 31 and November 1 through March 15.

(d) Game fish: Statewide minimum length/daily limit, except:

- (i) Trout: Daily limit 2; minimum length 14 inches.
- (ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
- (e) Salmon:
 - (i) Open November 1 through December 31.
 - (ii) Daily limit 6; up to 3 adults, of which 2 may be Chinook.
 - (iii) Release all salmon except hatchery Chinook and hatchery coho.
- (10) **Chinook River (Pacific County):** From the Highway 101 Bridge upstream:
 - (a) Selective gear rules.
 - (b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
- (11) **Cispus River (Lewis County):** From the mouth to the falls, not including the North Fork:
 - (a) Open year-round, except closed to all angling within posted "Closed Waters" signs around the adult fish release site.
 - (b) Game fish: Statewide minimum length/daily limit, except: Release wild rainbow and wild cutthroat trout.
 - (c) Salmon:
 - (i) Daily limit 6; up to 2 may be adults.
 - (ii) Only hatchery Chinook and hatchery coho may be retained.
- (12) **Cispus River, North Fork (Lewis County):** Selective gear rules.
- (13) **Coal Creek (Cowlitz County):**
 - (a) From the mouth to 400 feet below the falls:
 - (i) Open the Saturday before Memorial Day through August 31 and November 1 through March 15.
 - (ii) Selective gear rules, except: Use of barbed hooks is allowed.
 - (iii) Game fish: Statewide minimum length/daily limit, except:
 - (A) Trout: Daily limit 2; minimum length 14 inches.
 - (B) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (iv) Salmon:
 - (A) Open November 1 through December 31.
 - (B) Daily limit 6; up to 2 may be adults.
 - (C) Only hatchery Chinook and hatchery coho may be retained.
 - (b) From 400 feet below the falls to the falls: Closed waters.
- (14) **Coldwater Lake (Cowlitz County):**
 - (a) The Coldwater Lake inlet and outlet streams: Closed waters.
 - (b) Selective gear rules.
 - (c) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 1; minimum length 18 inches.
- (15) **Cougar Creek (tributary to Yale Reservoir) (Cowlitz County):**
 - (a) Selective gear rules.
 - (b) Open the Saturday before Memorial Day through August 31.
- (16) **Coweeman River and tributaries (Cowlitz County):**
 - (a) Open the Saturday before Memorial Day through August 31 and November 1 through March 15.
 - (b) Game fish: Statewide minimum length/daily limit, except:
 - (i) Trout: Daily limit 2; minimum length 14 inches.
 - (ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (c) Salmon:
 - (i) Open November 1 through December 31.
 - (ii) Daily limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained.

(17) Cowlitz Falls Reservoir (Lake Scanewa) (Lewis County):

(a) The upstream boundary of the reservoir in the Cowlitz arm is at the posted Lewis County PUD sign on Peters Road.

(b) The upstream boundary of the reservoir in the Cispus arm is at the posted markers at the Lewis County PUD kayak launch, approximately 1.5 miles upstream from the confluence of the Cowlitz and Cispus arm.

(c) Game fish: Statewide minimum length/daily limit, except:

(i) Release wild rainbow and wild cutthroat trout.

(ii) Trout: Daily limit 10; minimum length 8 inches.

(iii) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(iv) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(v) Channel catfish: Daily limit 10; no size restriction.

(vi) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(d) Salmon:

(i) Daily limit 6; minimum length 12 inches.

(ii) Up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained.

(18) Cowlitz River (Lewis/Cowlitz counties):

(a) From the boundary markers at the mouth to Lexington Bridge:

(i) Game fish:

(A) Trout:

(I) Open the Saturday before Memorial Day through March 31: Daily limit 5; minimum length 8 inches. Release wild rainbow and wild cutthroat trout.

(II) Open April 1 through the Friday before Memorial Day: Statewide minimum length/daily limit, except: Release wild rainbow and wild cutthroat trout.

(B) Steelhead: Open year-round: Daily limit 3 hatchery steelhead, minimum length 20 inches.

(C) Other game fish: Open year-round, statewide minimum size/daily limit.

(ii) Salmon:

(A) Open January 1 through July 31.

(I) Daily limit 6; up to 2 may be adults.

(II) Only hatchery Chinook and hatchery coho may be retained.

(B) Open August 1 through December 31.

(I) Daily limit 6; up to 3 may be adults.

(II) Release all salmon other than hatchery coho.

(b) From the Lexington Bridge to the mouth of Mill Creek:

(i) Within a 100 foot radius of the new Cowlitz Trout Hatchery outfall structure, except open to anglers with disabilities who permanently use a wheelchair and possess a designated harvester companion card within posted markers when adjacent waters are open: Closed waters.

(ii) Game fish:

(A) Trout:

(I) Open the Saturday before Memorial Day through March 31: Daily limit 5; minimum length 8 inches. Release wild rainbow and wild cutthroat trout.

(II) Open April 1 through the Friday before Memorial Day: State-wide minimum length/daily limit, except: Release wild rainbow and wild cutthroat trout.

(B) Steelhead: Open year-round; daily limit 3 hatchery steelhead; minimum length 20 inches.

(C) Other game fish: Open year-round, statewide minimum size/daily limit.

(iii) Salmon:

(A) Open January 1 through July 31.

(I) Daily limit 6; up to 2 may be adults.

(II) Only hatchery Chinook and hatchery coho may be retained.

(B) Open August 1 through December 31.

(I) Daily limit 6; up to 3 may be adults.

(II) Release all salmon other than hatchery coho.

(c) From the mouth of Mill Creek to 1,700 feet upstream of the Cowlitz Salmon Hatchery barrier dam:

(i) From 400 feet or posted markers below Cowlitz Salmon Hatchery barrier dam to boundary markers near the Cowlitz Salmon Hatchery water intake approximately 1,700 feet upstream of the Cowlitz Salmon Hatchery barrier dam: Closed waters.

(ii) Within a 100 foot radius of the Cowlitz Salmon Hatchery wheelchair ramp (within the posted fishing boundary) except for anglers with disabilities **and** who have a designated harvester companion card: Closed waters.

(iii) It is unlawful to fish from a floating device.

(iv) April 1 through November 30:

(A) Anti-snagging rule.

(B) Night closure.

(v) May 1 through June 15: It is unlawful to fish from the south side of the river.

(vi) Game fish:

(A) Trout:

(I) Open the Saturday before Memorial Day through March 31: Daily limit 5; minimum length 8 inches. Release wild rainbow and wild cutthroat trout.

(II) Open April 1 through the Friday before Memorial Day: State-wide minimum length/daily limit, except: Release wild rainbow and wild cutthroat trout.

(B) Steelhead: Open year-round; daily limit 3 hatchery steelhead; minimum length 20 inches.

(C) Other game fish: Open year-round, statewide minimum size/daily limit.

(vii) Salmon:

(A) Open January 1 through July 31.

(I) Daily limit 6; up to 2 may be adults.

(II) Only hatchery Chinook and hatchery coho may be retained.

(B) Open August 1 through December 31.

(I) Daily limit 6; up to 3 may be adults.

(II) Release all salmon other than hatchery coho.

(d) From 1,700 feet upstream of the Cowlitz Salmon Hatchery barrier dam to Mayfield Dam.

(i) From 400 feet below the Mayfield powerhouse upstream to Mayfield Dam: Closed waters.

(ii) Game fish:

(A) Trout:

(I) Open the Saturday before Memorial Day through March 31: Daily limit 5; minimum length 8 inches. Release wild rainbow and wild cutthroat trout.

(II) Open April 1 through the Friday before Memorial Day: Statewide minimum length/daily limit, except: Release wild rainbow and wild cutthroat trout.

(B) Steelhead: Open year-round; daily limit 3 hatchery steelhead; minimum length 20 inches.

(C) Other game fish: Open year-round, statewide minimum size/daily limit.

(iii) Salmon:

(A) Open January 1 through July 31.

(I) Daily limit 6; up to 2 may be adults.

(II) Only hatchery Chinook and hatchery coho may be retained.

(B) Open August 1 through December 31.

(I) Daily limit 6; up to 3 may be adults.

(II) Release all salmon other than hatchery coho.

(e) From the posted PUD sign on Peters Road to the Forest Road 1270 (old Jody's Bridge):

(i) Closed to all angling within posted "Closed Waters" signs around the adult fish release site.

(ii) September 1 through October 31: Anti-snagging rule and night closure.

(iii) Open year-round.

(iv) Game fish: Statewide minimum length/daily limit, except: Release wild rainbow and wild cutthroat trout.

(v) Salmon:

(A) Open year-round.

(B) Daily limit 6; up to 2 may be adults.

(C) Only hatchery Chinook and hatchery coho may be retained.

(f) From Forest Road 1270 (old Jody's Bridge) upstream and tributaries.

(i) Selective gear rules.

(ii) Game fish: Statewide minimum length/daily limit, except: Release wild rainbow and wild cutthroat trout.

(19) **Deep River (Wahkiakum County):**

(a) Open year-round.

(b) Game fish: Statewide minimum length/daily limit, except:

(i) Trout: Daily limit 2; minimum length 14 inches.

(ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(c) Salmon:

(i) Daily limit 6; up to 2 may be adults.

(ii) Only hatchery Chinook and hatchery coho may be retained.

(20) **Delameter Creek (Cowlitz County):**

(a) From 400 feet below to 200 feet above the temporary weir while the weir is installed in the creek: Closed waters.

(b) Selective gear rules, except: Use of barbed hooks is allowed.

(c) Game fish: Statewide minimum length/daily limit, except:

(i) Trout: Daily limit 2; minimum length 14 inches.

(ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(d) Salmon:

(i) Open August 1 through October 31.

(ii) Daily limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained.

(21) **Drano Lake (Skamania County):** In the waters downstream of markers on point of land downstream and across from Little White Salmon National Fish Hatchery and upstream of the Highway 14 Bridge:

- (a) Closed on Wednesdays beginning the second Wednesday in April through June 30.
 - (b) Closed from 6 p.m. Tuesdays through 6 p.m. Wednesdays during the month of October.
 - (c) March 16 through October 31: Night closure.
 - (d) August 1 through December 31: Anti-snagging rule.
 - (e) May 1 through June 30 and October 1 through December 31:
 - (i) Each angler aboard a vessel may deploy salmon/steelhead angling gear until the salmon/steelhead limit for all anglers aboard has been achieved.
 - (ii) Two-pole fishing for salmon/steelhead is permissible so long as the angler possesses a two-pole endorsement.
 - (f) April 16 through June 30: The area west of a line projected from the easternmost pillar of the Highway 14 Bridge to a posted marker on the north shore is open only to bank fishing.
 - (g) Open year-round.
 - (i) Game fish: Statewide minimum length/daily limit, except:
 - (A) Bass: No limit and no size restriction.
 - (B) Channel catfish: No limit.
 - (C) Walleye: No limit and no size restriction.
 - (D) Release trout.
 - (E) Steelhead: From January 1 through March 15; daily limit 2 hatchery steelhead; minimum length 20 inches.
 - (ii) Salmon and steelhead: Open March 16 through December 31:
 - (A) March 16 through June 30: Daily limit 2 hatchery steelhead or 2 hatchery Chinook, or one of each. Release all other salmon.
 - (B) July 1 through July 31:
 - (I) Daily limit 2 hatchery Chinook. Closed to fishing for or retaining steelhead.
 - (II) Release all other salmon.
 - (C) August 1 through October 31: Daily limit 6; no more than 1 adult salmon. Closed to fishing for or retaining steelhead.
 - (D) November 1 through December 31: Daily limit 6; up to 1 may be an adult salmon or hatchery steelhead.
- (22) **Elochoman River (Wahkiakum County):**
- (a) From the mouth to Foster (Risk) Road Bridge:
 - (i) August 1 through October 31:
 - (A) Anti-snagging rule.
 - (B) Night closure.
 - (C) Stationary gear restriction.
 - (ii) Open the Saturday before Memorial Day through March 15.
 - (iii) Game fish: Statewide minimum length/daily limit, except:
 - (A) Trout: Daily limit 2; minimum length 14 inches.
 - (B) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (iv) Salmon: Open the Saturday before Memorial Day through March 15.
 - (A) Daily limit 6; up to 2 may be adults.
 - (B) Only hatchery Chinook and hatchery coho may be retained.
 - (C) All Chinook must be adipose and/or ventral fin clipped to be retained.
 - (v) Salmon and steelhead: Open April 16 through the Friday before Memorial Day: Daily limit 6; of which 3 may be adult hatchery Chinook or hatchery steelhead. Release wild Chinook.

(b) From Foster (Risk) Road Bridge upstream to 200 feet above the WDFW temporary weir:

(i) From Foster (Risk) Road Bridge to 200 feet above the WDFW temporary weir while the weir is installed in the river: Closed waters.

(ii) August 1 through October 31:

(A) Anti-snagging rule.

(B) Night closure.

(C) Stationary gear restriction.

(iii) Open the Saturday before Memorial Day through March 15.

(iv) Game fish: Statewide minimum length/daily limit, except:

(A) Trout: Daily limit 2; minimum length 14 inches.

(B) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(v) Salmon: Open the Saturday before Memorial Day through March 15.

(A) Daily limit 6; up to 2 may be adults.

(B) Only hatchery Chinook and hatchery coho may be retained.

(C) All Chinook must be adipose and/or ventral fin clipped to be retained.

(vi) Salmon and steelhead: Open April 16 through the Friday before Memorial Day: Daily limit 6; of which 3 may be adult hatchery Chinook or hatchery steelhead. Release wild Chinook.

(c) From 200 feet above the WDFW temporary weir to the Beaver Creek Road Bridge:

(i) August 1 through October 31:

(A) Anti-snagging rule.

(B) Night closure.

(C) Stationary gear restriction.

(ii) Open the Saturday before Memorial Day through March 15.

(iii) Game fish: Statewide minimum length/daily limit, except:

(A) Trout: Daily limit 2; minimum length 14 inches.

(B) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(iv) Salmon: Open the Saturday before Memorial Day through March 15.

(A) Daily limit 6; up to 2 may be adults.

(B) Only hatchery Chinook and hatchery coho may be retained.

(C) All Chinook must be adipose and/or ventral fin clipped to be retained.

(v) Salmon and steelhead:

(A) Open April 16 through the Friday before Memorial Day.

(B) Daily limit 6; up to 3 may be adult hatchery Chinook or hatchery steelhead. Release wild Chinook.

(d) From the Beaver Creek Road Bridge to the Elochoman Hatchery Bridge:

(i) August 1 through October 31:

(A) Anti-snagging rule.

(B) Night closure.

(C) Stationary gear restriction.

(ii) Open the Saturday before Memorial Day through March 15.

(iii) Game fish: Statewide minimum length/daily limit, except:

(A) Trout: Daily limit 2; minimum length 14 inches.

(B) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(iv) Salmon: Open the Saturday before Memorial Day through March 15.

- (A) Daily limit 6; up to 2 may be adults.
- (B) Only hatchery Chinook and hatchery coho may be retained.
- (C) All Chinook must be adipose and/or ventral fin clipped to be retained.
- (v) Salmon and steelhead:
 - (A) Open April 16 through the Friday before Memorial Day.
 - (B) Daily limit 6; up to 3 may be adult hatchery Chinook or hatchery steelhead. Release wild Chinook.
 - (e) Elochoman Hatchery Bridge to West Fork:
 - (i) August 1 through October 31:
 - (A) Anti-snagging rule.
 - (B) Night closure.
 - (C) Stationary gear restriction.
 - (ii) Open the Saturday before Memorial Day through March 15.
 - (iii) Game fish: Statewide minimum length/daily limit, except:
 - (A) Trout: Daily limit 2; minimum length 14 inches.
 - (B) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (iv) Salmon: Open the Saturday before Memorial Day through March 15.
 - (A) Daily limit 6; up to 2 may be adults.
 - (B) Only hatchery Chinook and hatchery coho may be retained.
 - (C) All Chinook must be adipose and/or ventral fin clipped to be retained.
 - (f) From West Fork upstream:
 - (i) Game fish: Statewide minimum length/daily limit, except: Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (ii) Salmon:
 - (A) Daily limit 6; up to 2 may be adults.
 - (B) Only hatchery Chinook and hatchery coho may be retained.
 - (C) All Chinook must be adipose and/or ventral fin clipped to be retained.
- (23) **Franz Lake (Skamania County):** Closed waters.
- (24) **Germany Creek (Cowlitz County) and all tributaries:**
 - (a) Open the Saturday before Memorial Day through August 31 and November 1 through March 15.
 - (b) Selective gear rules, except: Use of barbed hooks is allowed.
 - (c) From 200 feet below to 200 feet above the temporary weir while the weir is installed in the river: Closed waters.
 - (d) Game fish: Statewide minimum length/daily limit, except:
 - (i) Trout: Daily limit 2; minimum length 14 inches.
 - (ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (e) Salmon:
 - (i) Open November 1 through December 31.
 - (ii) Daily limit 6; up to 2 may be adults.
 - (iii) Only hatchery Chinook and hatchery coho may be retained.
- (25) **Grays River (Wahkiakum County):** From the mouth to South Fork:
 - (a) From mouth to Barr Road Bridge:
 - (i) August 1 through November 15:
 - (A) Anti-snagging rule.
 - (B) Night closure.
 - (C) Stationary gear restriction.
 - (ii) January 1 through March 15: Selective gear rules, except: Use of barbed hooks is allowed.
 - (iii) Open Saturday before Memorial Day through March 15.

- (iv) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
- (v) Salmon:
 - (A) Open Saturday before Memorial Day through July 31:
 - (I) Daily limit 6; up to 2 may be adults.
 - (II) Only hatchery Chinook may be retained.
 - (B) Open August 1 through December 31:
 - (I) Daily limit 6; up to 2 may be adults.
 - (II) Only hatchery coho and hatchery Chinook may be retained.
 - (III) All Chinook must be adipose and/or ventral fin clipped to be retained.
- (b) From Barr Road Bridge to Highway 4 Bridge:
 - (i) August 1 through November 15:
 - (A) Anti-snagging rule.
 - (B) Night closure.
 - (C) Stationary gear restriction.
 - (ii) January 1 through March 15: Selective gear rules, except: Use of barbed hooks is allowed.
 - (iii) Open Saturday before Memorial Day through March 15.
 - (iv) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
 - (v) Salmon:
 - (A) Open Saturday before Memorial Day through July 31:
 - (I) Daily limit 6; up to 2 may be adults.
 - (II) Only hatchery Chinook may be retained.
 - (B) Open August 1 through December 31:
 - (I) Daily limit 6; up to 2 may be adults.
 - (II) Only hatchery coho and hatchery Chinook may be retained.
 - (III) All Chinook must be adipose and/or ventral fin clipped to be retained.
- (c) From the Highway 4 Bridge to the mouth of South Fork:
 - (i) From 400 feet below to 200 feet above the temporary weir while the weir is installed in the river: Closed waters.
 - (ii) August 1 through November 15:
 - (A) Anti-snagging rule.
 - (B) Night closure.
 - (C) Stationary gear restriction.
 - (iii) January 1 through March 15: Selective gear rules, except: Use of barbed hooks is allowed.
 - (iv) Open Saturday before Memorial Day through March 15.
 - (v) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
 - (vi) Salmon:
 - (A) Open Saturday before Memorial Day through July 31:
 - (I) Daily limit 6; up to 2 may be adults.
 - (II) Only hatchery Chinook may be retained.
 - (B) Open August 1 through December 31:
 - (I) Daily limit 6; up to 2 may be adults.
 - (II) Only hatchery Chinook and hatchery coho may be retained.
 - (III) All Chinook must be adipose and/or ventral fin clipped to be retained.
- (d) From South Fork upstream:
 - (i) Selective gear rules, except: Use of barbed hooks is allowed.
 - (ii) Open the Saturday before Memorial Day through March 15.
 - (iii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
 - (iv) Salmon:

(A) Open the Saturday before Memorial Day through December 31.

(B) Daily limit 6; minimum length 12 inches. Up to 2 adults may be retained.

(C) Only hatchery Chinook and hatchery coho may be retained. All Chinook must be adipose and/or ventral fin clipped to be retained.

(26) Grays River tributaries (unless otherwise listed) (Wahkiakum County):

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(27) Grays River, East Fork (Wahkiakum County):

(a) Selective gear rules, except: Use of barbed hooks is allowed.

(b) Open the Saturday before Memorial Day through October 31.

(c) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(d) Salmon:

(i) Open the Saturday before Memorial Day through October 31.

(ii) Daily limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained.

(iv) Effective August 1, all Chinook must be adipose and/or ventral fin clipped to be kept.

(28) Grays River, East Fork tributaries (unless otherwise listed) (Wahkiakum County):

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(29) Grays River, South Fork (Wahkiakum County):

(a) Selective gear rules, except: Use of barbed hooks is allowed.

(b) Open the Saturday before Memorial Day through October 31.

(c) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(d) Salmon:

(i) Open the Saturday before Memorial Day through October 31.

(ii) Daily limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained; all Chinook must be adipose and/or ventral fin clipped to be kept.

(30) Grays River, South Fork tributaries (unless otherwise listed) (Wahkiakum County):

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(31) Grays River, West Fork (Wahkiakum County):

(a) Open the Saturday before Memorial Day through December 31.

(b) August 1 through November 15: Anti-snagging rule, night closure and stationary gear restriction.

(c) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(d) Salmon: Open the Saturday before Memorial Day through December 31.

(i) Daily limit 6; up to 2 may be adults.

(ii) Only hatchery Chinook and hatchery coho may be retained; all Chinook must be adipose and/or ventral fin clipped to be kept.

(32) Grays River, West Fork tributaries (unless otherwise listed) (Wahkiakum County):

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(33) Green River (Cowlitz County):

(a) From the mouth to Miner's Creek:

(i) From 400 feet above and 400 feet below the salmon hatchery rack (or from the posted signs above and below the salmon hatchery rack) when the rack is installed in the river: Closed waters.

(ii) From 400 feet below to 400 feet above the water intake at the upper end of the hatchery grounds from September 1 through November 30: Closed waters.

(iii) September 1 through October 31: Anti-snagging rule applies and night closure in effect from the mouth to 400 feet below the salmon hatchery rack.

(iv) Selective gear rules, except: Use of barbed hooks is allowed from the Saturday before Memorial Day through July 31 and December 1 through March 15.

(v) Open the Saturday before Memorial Day through March 15. Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(vi) Salmon:

(A) From mouth to 400 feet or posted markers below Toutle Hatchery rack site:

(I) Open August 1 through November 30.

(II) Daily limit 6; up to 3 may be adults.

(III) Only hatchery coho may be retained.

(B) From 400 feet or posted markers below Toutle Hatchery rack site to Miner's Creek:

(I) Open August 1 through November 30.

(II) Daily limit 6; up to 3 may be adults, of which 1 may be a Chinook.

(III) Only hatchery Chinook and hatchery coho may be retained.

(b) From Miner's Creek upstream:

(i) Selective gear rules, except: Use of barbed hooks is allowed.

(ii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(34) Green River tributaries (Cowlitz County):

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(35) **Grizzly Lake (Skamania County):** Closed waters.

(36) **Hamilton Creek (Skamania County):**

(a) Tributaries downstream from the Highway 14 Bridge: Closed waters.

(b) Selective gear rules, except: Use of barbed hooks is allowed.

(c) Game fish: Statewide minimum length/daily limit, except:

(i) Trout: Daily limit 2; minimum length 14 inches.

(ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(d) Salmon:

(i) Open August 1 through October 31.

(ii) Daily limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained.

(37) **Horsethief Lake (Klickitat County):** Open the fourth Saturday in April through October 31.

(38) **Indian Heaven Wilderness Lakes (Skamania County):** Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 2; minimum length 8 inches.

(39) **Johnson Creek (Lewis County) (Cowlitz River tributary):** Selective gear rules.

(40) **Kalama River (Cowlitz County):**

(a) From the mouth to the railroad bridge below Interstate 5:

(i) Game fish: Open year-round.

(A) Statewide minimum length/daily limit, except:

(B) Trout: Daily limit 2; minimum length 14 inches.

(ii) Steelhead: Open year-round: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(iii) Salmon:

(A) Open January 1 through July 31:

(I) Daily limit 6; up to 2 may be adults.

(II) Only hatchery Chinook and hatchery coho may be retained.

(B) Open August 1 through December 31:

(I) Daily limit 6; up to 3 may be adults.

(II) Only hatchery Chinook and hatchery coho may be retained.

(b) From the railroad bridge below Interstate 5 to Modrow Bridge:

(i) From Modrow Bridge downstream to the markers approximately 1,000 feet below the temporary rack when the rack is installed below Modrow Bridge: Closed waters.

(ii) April 1 through October 31:

(A) Night closure.

(B) Anti-snagging rule.

(iii) Game fish: Open year-round.

(A) Statewide minimum length/daily limit, except:

(B) Trout: Daily limit 2; minimum length 14 inches.

(C) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(iv) Salmon:

(A) Open January 1 through July 31:

(I) Daily limit 6; up to 2 may be adults.

(II) Only hatchery Chinook and hatchery coho may be retained.

(B) Open August 1 through December 31:

(I) Daily limit 6; up to 3 may be adults.

(II) Only hatchery Chinook and hatchery coho may be retained.

(c) From the Modrow Bridge to the natural gas pipeline crossing:

(i) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(ii) April 1 through October 31:

(A) Night closure.

(B) Anti-snagging rule.

(iii) Game fish: Open year-round.

(A) Statewide minimum length/daily limit, except:

(B) Trout: Daily limit 2; minimum length 14 inches.

(C) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(iv) Salmon:

(A) Open January 1 through July 31:

(I) Daily limit 6; up to 2 may be adults.

(II) Only hatchery Chinook and hatchery coho may be retained.

(B) Open August 1 through December 31:

(I) Daily limit 6; up to 3 may be adults.

(II) Only hatchery Chinook and hatchery coho may be retained.

(d) From the natural gas pipeline crossing to the deadline at the intake to the lower salmon hatchery:

(i) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(ii) April 1 through October 31:

(A) Night closure.

(B) Anti-snagging rule.

(iii) Open September 1 through October 31 for fly fishing only, except: Use of barbed hooks is allowed.

(iv) Game fish: Open year-round.

(A) Statewide minimum length/daily limit, except:

(B) Trout: Daily limit 2; minimum length 14 inches.

(C) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(v) Salmon:

(A) Open January 1 through July 31:

(I) Daily limit 6; up to 2 may be adults.

(II) Only hatchery Chinook and hatchery coho may be retained.

(B) Open August 1 through December 31:

(I) Daily limit 6; up to 3 may be adults.

(II) Only hatchery Chinook and hatchery coho may be retained.

(e) From the Fallert Creek hatchery intake to posted markers approximately 1,400 feet below fishway entrance at the Kalama Falls hatchery:

(i) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(ii) Game fish: Open year-round.

(A) Statewide minimum length/daily limit, except:

(B) Trout: Daily limit 2; minimum length 14 inches.

(C) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(iii) Salmon:

(A) Open January 1 through July 31:

(I) Daily limit 6; up to 2 may be adults.

(II) Only hatchery Chinook and hatchery coho may be retained.

(B) Open August 1 through December 31:

(I) Daily limit 6; up to 3 may be adults.

(II) Only hatchery Chinook and hatchery coho may be retained.

(f) From the posted markers approximately 1,400 feet below the fishway entrance at Kalama Falls hatchery to 1,000 feet above the fishway: Closed waters.

(g) From 1,000 feet above the fishway at the Kalama Falls hatchery, upstream to Summers Creek:

(i) Open year-round.

(ii) Selective gear rules, except: Use of barbed hooks is allowed.

(iii) Game fish: Statewide minimum length/daily limit, except:

(A) Trout: Daily limit 2; minimum length 14 inches.

(B) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(h) From Summers Creek upstream to the intersection of 6000 and 6420 roads: Open year-round:

(i) Fly fishing only, except: Use of barbed hooks is allowed.

(ii) Game fish: Statewide minimum length/daily limit, except:

(A) Trout: Daily limit 2; minimum length 14 inches.

(B) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(i) From the intersection of 6000 and 6420 roads to the 6600 road bridge immediately downstream of Jacks Creek:

(i) Selective gear rules, except: Use of barbed hooks is allowed.

(ii) Open the Saturday before Memorial Day through November 30.

(iii) Game fish: Statewide minimum length/daily limit, except:

(A) Trout: Daily limit 2; minimum length 14 inches.

(B) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(j) From the 6600 road bridge immediately downstream of Jacks Creek to Kalama Falls and tributaries: Closed waters.

(41) **Klickitat River (Klickitat County):**

(a) From the mouth (Burlington Northern Railroad Bridge) to Fisher Hill Bridge:

(i) April 1 through the Friday before Memorial Day:

(A) Anti-snagging rule.

(B) Night closure.

(ii) July 1 through July 31: Night closure.

(iii) August 1 through January 31:

(A) Anti-snagging rule.

(B) Night closure.

(iv) Game fish:

(A) Open Saturday before Memorial Day through January 31.

(B) Statewide minimum length/daily limit, except:

(C) Trout: Daily limit 2; minimum length 14 inches.

(v) Steelhead:

(A) Open Saturday before Memorial Day through June 30: Daily limit 3 hatchery steelhead, minimum length 20 inches.

(B) July 1 through October 31: Closed.

(C) Open November 1 through January 31: Daily limit 3 hatchery steelhead, minimum length 20 inches.

(vi) Salmon:

(A) Open Saturday before Memorial Day through July 31: Daily limit 6; up to 2 adults may be retained. Release wild Chinook.

(B) Open August 1 through January 31: Daily limit 6; up to 2 adults may be retained.

(vii) Salmon and steelhead: Open April 1 to the Friday before Memorial Day for salmon and steelhead on Mondays, Wednesdays, and Saturdays only:

(A) Daily limit 2; no more than 2 hatchery steelhead, or 2 salmon, or one of each, may be retained.

(B) Release wild Chinook.

(b) From Fisher Hill Bridge to the boundary markers above Klickitat Salmon Hatchery, the following waters are closed: From Fisher Hill Bridge to 400 feet above #5 fishway (Lyle Falls fishway), tributaries except Bird, Blockhouse, Bowman, Spring, Outlet creeks and the Little Klickitat River, and the waters from the boundary markers above Klickitat Salmon Hatchery to the boundary markers below the hatchery.

(c) From 400 feet above #5 (Lyle Falls fishway) fishway to the boundary markers below Klickitat Salmon Hatchery:

(i) Open the Saturday before Memorial Day through November 30:

(A) Game fish: Statewide minimum length/daily limit, except:

(B) Trout: Daily limit 2; minimum length 14 inches.

(C) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(ii) Whitefish:

(A) Open December 1 through the last day in February for Whitefish only.

(B) Whitefish gear rules.

(iii) Salmon:

(A) Saturday before Memorial Day through July 31:

(I) Daily limit 6 fish; no more than 2 adults may be retained.

(II) Release wild Chinook.

(B) August 1 through November 30: Daily limit 6 fish; no more than 2 may be adults.

(d) From the boundary markers above Klickitat Salmon Hatchery to the Yakama Indian Reservation boundary:

(i) Game fish open the Saturday before Memorial Day through November 30.

(ii) Game fish: Statewide minimum length/daily limit, except:

(A) Trout: Daily limit 2; minimum length 14 inches.

(B) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(iii) Whitefish:

(A) Open December 1 through the last day in February for whitefish only.

(B) Whitefish gear rules.

(42) **Lacamas Creek (Clark County):**

(a) From the mouth to the footbridge at the lower falls:

(i) Open the Saturday before Memorial Day through August 31.

(ii) Selective gear rules, except: Use of barbed hooks is allowed.

(iii) Game fish: Statewide minimum length/daily limit, except:

(A) Trout: Daily limit 2; minimum length 14 inches.

(B) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(b) From the footbridge at the lower falls upstream: It is permissible to fish up to the base of Lacamas Lake Dam.

(43) **Lacamas Creek, tributary of Cowlitz River (Lewis County):**

(a) Selective gear rules, except: Use of barbed hooks is allowed.

(b) Game fish: Statewide minimum length/daily limit, except:

(i) Trout: Daily limit 2; minimum length 14 inches.

(ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(c) Salmon:

(i) Open August 1 through October 31.

(ii) Daily limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained.

(44) **Lake River (Clark County):**

(a) Open year-round.

(b) Chumming is permissible.

(c) Game fish: Statewide minimum length/daily limit, except:

(i) Trout: Daily limit 2; minimum length 14 inches.

(ii) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(iii) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(iv) Channel catfish: Daily limit 10; no size restriction.

(v) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(45) **Lewis River (Clark County):**

(a) From the mouth to the mouth of the East Fork Lewis River:

(i) Game fish:

(A) Open year-round.

(B) Statewide minimum length/daily limit, except:

(I) Trout: Daily limit 2; minimum length 14 inches.

(II) Steelhead: Daily limit 3 steelhead; minimum length 20 inches.

(ii) Salmon:

- (A) Open January 1 through April 30: Daily limit 6 hatchery Chinook; up to 1 may be an adult.
- (B) Open August 1 through September 30:
 - (I) Daily limit 6; up to 3 adults.
 - (II) Only hatchery Chinook and hatchery coho may be retained.
- (C) Open October 1 through December 31:
 - (I) Daily limit 6; up to 3 adults, of which 1 may be a Chinook.
 - (II) Only Chinook and hatchery coho may be retained.
- (b) From the mouth of the East Fork Lewis River to Johnson Creek.
 - (i) Game fish:
 - (A) Open year-round.
 - (B) Statewide minimum length/daily limit, except:
 - (I) Trout: Daily limit 2; minimum length 14 inches.
 - (II) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (ii) Salmon:
 - (A) Open January 1 through April 30: Daily limit 6 hatchery Chinook; up to 1 may be an adult.
 - (B) Open August 1 through September 30:
 - (I) Daily limit 6; up to 3 adults.
 - (II) Only hatchery Chinook and hatchery coho may be retained.
 - (C) Open October 1 through December 31:
 - (I) Daily limit 6; up to 3 adults, of which 1 may be a Chinook.
 - (II) Only Chinook and hatchery coho may be retained.
 - (c) From Johnson Creek to Colvin Creek:
 - (i) May 1 through May 31: Closed waters.
 - (ii) Those waters shoreward of the cable buoy and corkline at the mouth of the Lewis River Salmon Hatchery fish ladder: Closed waters.
 - (iii) June 1 through November 30 and April 1 through April 30: Anti-snagging rule and night closure.
 - (iv) Game fish:
 - (A) Open June 1 through April 30.
 - (B) Statewide minimum length/daily limit, except:
 - (I) Trout: Daily limit 2; minimum length 14 inches.
 - (II) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (v) Salmon:
 - (A) Open January 1 through April 30: Daily limit 6 hatchery Chinook; up to 1 may be an adult.
 - (B) Open August 1 through September 30:
 - (I) Daily limit 6; up to 3 adults.
 - (II) Only hatchery Chinook and hatchery coho may be retained.
 - (C) Open October 1 through December 31:
 - (I) Daily limit 6; up to 3 adults, of which 1 may be a Chinook.
 - (II) Only Chinook and hatchery coho may be retained.
 - (d) From the mouth of Colvin Creek to the overhead powerlines at Merwin Dam:
 - (i) Open June 1 through October 31 and December 16 through April 30.
 - (ii) Anti-snagging rule and night closure April 1 through April 30 and June 1 through October 31.
 - (iii) Game fish: Statewide minimum length/daily limit, except:
 - (A) Trout: Daily limit 2; minimum length 14 inches.
 - (B) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
 - (iv) Salmon:

- (A) Open January 1 through April 30: Daily limit 6 hatchery Chinook; up to 1 may be an adult.
- (B) Open August 1 through September 30:
- (I) Daily limit 6; up to 3 adults.
 - (II) Only hatchery Chinook and hatchery coho may be retained.
- (C) Open October 1 through October 31:
- (I) Daily limit 6; up to 3 adults, of which 1 may be a Chinook.
 - (II) Only Chinook and hatchery coho may be retained.
- (D) Open December 16 through December 31:
- (I) Daily limit 6; up to 3 adults, of which 1 may be a Chinook.
 - (II) Only Chinook and hatchery coho may be retained.
- (e) From the overhead powerlines below Merwin Dam to Merwin Dam: Closed waters.
- (f) From the cable crossing 1,300 yards below Yale Dam to Yale Dam: Closed waters.
- (g) From the old Lewis River streambed between Swift No. 1 Powerhouse and Swift No. 2 Powerhouse: Closed waters.
- (h) Lewis River Power Canal:
- (i) Open the fourth Saturday in April through October 31.
 - (ii) It is unlawful to fish from a floating device.
 - (iii) Game fish: Statewide minimum length/daily limit, except:
 - (iv) Trout: Daily limit 5; no minimum length.
- (i) From Eagle Cliff Bridge to Muddy River, including all tributaries except Muddy River:
- (i) Selective gear rules.
 - (ii) Open the Saturday before Memorial Day through July 15.
 - (iii) Game fish: Statewide minimum length/daily limit, except:
 - (A) Trout: Daily limit 10; minimum length 8 inches.
 - (B) Release wild trout.
- (j) From the Muddy River to the lower falls and tributaries (including the Muddy River):
- (i) Selective gear rules.
 - (ii) Release all fish.
- ~~((45))~~ **(46) Lewis River, East Fork (Clark/Skamania counties):**
- (a) From the posted markers at the lower end of Big Eddy to 100 feet above Lucia Falls: Closed waters.
 - (b) From 400 feet below to 400 feet above Moulton Falls: Closed waters.
 - (c) From 400 feet below Horseshoe Falls upstream, including tributaries above Horseshoe Falls: Closed waters.
 - (d) From the mouth to 400 feet below Horseshoe Falls:
 - (i) Open the Saturday before Memorial Day through July 15 and September 16 through March 15.
 - (ii) Selective gear rules, except: Use of barbed hooks is allowed.
 - (iii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
 - (iv) Salmon:
 - (A) Open September 16 through December 31.
 - (B) Daily limit 6; up to 2 may be adults.
 - (C) Only hatchery Chinook and hatchery coho may be retained.
 - (e) Tributaries from the mouth to 400 feet below Horseshoe Falls:
 - (i) Selective gear rules.
 - (ii) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.
- ~~((46))~~ **(47) Little Klickitat River (Klickitat County):** Within Goldendale city limits:

(a) Open the fourth Saturday in April through the Friday before Memorial Day to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.

(b) Open the Saturday before Memorial Day through October 31 to all anglers.

(c) Game fish: Statewide minimum length/daily limit, except:

Trout: Limit 5; no minimum length.

~~((47))~~ **(48) Little Washougal River (Clark County):**

(a) Selective gear rules, except: Use of barbed hooks is allowed.

(b) Game fish: Statewide minimum length/daily limit, except:

(i) Trout: Daily limit 2; minimum length 14 inches.

(ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(c) Salmon:

(i) Open August 1 through October 31.

(ii) Daily limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained.

~~((48))~~ **(49) Little White Salmon River (Skamania County):**

(a) From the orange fishing boundary markers at Drano Lake upstream to the intake near the north boundary of the Little White Salmon National Fish Hatchery: Closed waters.

(b) Game fish: Statewide minimum length/daily limit, except:

Trout: Daily limit 5; minimum length 8 inches.

~~((49))~~ **(50) Love Lake (Clark County):** Closed waters.

~~((50))~~ **(51) Mayfield Lake (Reservoir) (Lewis County):**

(a) Open from the Mayfield Dam to Onion Rock Bridge.

(b) From the Tacoma Power safety signs at Onion Rock Bridge to Mossyrock Dam: Closed waters.

(c) Game fish: Statewide minimum length/daily limit, except:

(i) Trout: Daily limit 10; minimum length 8 inches.

(ii) Release wild rainbow trout and wild cutthroat trout.

(iii) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(iv) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(v) Channel catfish: Daily limit 10; no size restriction.

(vi) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(d) Salmon:

(i) Open September 1 through December 31:

(ii) Daily limit 6; minimum length 12 inches.

(iii) Up to 2 may be adults.

(iv) Only hatchery Chinook and hatchery coho may be retained.

~~((51))~~ **(52) Merrill Lake (Cowlitz County):**

(a) Fly fishing only.

(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(c) Release all fish.

~~((52))~~ **(53) Merwin Lake (Reservoir) (Clark/Cowlitz counties):** Landlocked salmon rules.

~~((53))~~ **(54) Mill Creek (Cowlitz County):**

(a) Open the Saturday before Memorial Day through August 31 and November 1 through March 15.

(b) Selective gear rules, except: Use of barbed hooks is allowed.

(c) Game fish: Statewide minimum length/daily limit, except:

(i) Trout: Daily limit 2; minimum length 14 inches.

- (ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
- (d) Salmon:
- (i) Open November 1 through December 31.
- (ii) Daily limit 6; up to 2 may be adults.
- (iii) Only hatchery Chinook and hatchery coho may be retained.
- ~~((54))~~ **(55) Mill Creek (Lewis County):** From the mouth to the hatchery road crossing culvert.
- (a) Selective gear rules, except: Use of barbed hooks is allowed.
- (b) Open the Saturday before Memorial Day through October 31 and December 1 through December 31.
- (c) Anti-snagging rule from December 1 through December 31.
- (d) Night closure from December 1 through December 31.
- (e) Game fish: Statewide minimum length/daily limit, except:
- (i) Trout: Daily limit 2; minimum length 14 inches.
- (ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
- (f) Salmon:
- (i) Open August 1 through October 31 and December 1 through December 31.
- (ii) Daily limit 6; up to 2 may be adults.
- (iii) Only hatchery Chinook and hatchery coho may be retained.
- ~~((55))~~ **(56) Mineral Lake (Lewis County):** Open the fourth Saturday in April through September 30.
- ~~((56))~~ **(57) Olequa Creek (Lewis/Cowlitz counties):**
- (a) From 400 feet below to 200 feet above the temporary weir while the weir is installed in the creek: Closed waters.
- (b) Selective gear rules, except: Use of barbed hooks is allowed.
- (c) Game fish: Statewide minimum length/daily limit, except:
- (i) Trout: Daily limit 2; minimum length 14 inches.
- (ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
- (d) Salmon:
- (i) Open August 1 through October 31.
- (ii) Daily limit 6; up to 2 may be adults.
- (iii) Only hatchery Chinook and hatchery coho may be retained.
- ~~((57))~~ **(58) Ostrander Creek (Cowlitz County):**
- (a) Selective gear rules, except: Use of barbed hooks is allowed.
- (b) Game fish: Statewide minimum length/daily limit, except:
- (i) Trout: Daily limit 2; minimum length 14 inches.
- (ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
- ~~((58))~~ **(59) Outlet Creek (Silver Lake) (Cowlitz County):**
- (a) From the Saturday before Memorial Day through November 30.
- (b) Selective gear rules, except: Use of barbed hooks is allowed.
- (c) Game fish: Statewide minimum length/daily limit, except:
- (i) Trout: Daily limit 2; minimum length 14 inches.
- (ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
- (d) Salmon:
- (i) Open August 1 through November 30.
- (ii) Daily limit 6; up to 2 may be adults.
- (iii) Only hatchery Chinook and hatchery coho may be retained.
- ~~((59))~~ **(60) Rainey Creek (Lewis County):**
- (a) From mouth to Highway 12.
- (b) Game fish: Statewide minimum length/daily limit, except:
- (i) Trout: Daily limit 5; minimum length 8 inches.

(ii) Release wild rainbow and cutthroat trout.

~~((+60+))~~ (61) **Riffe Lake (Reservoir) (Lewis County):**

(a) Open from Mossyrock Dam to Cowlitz Falls Dam:

(b) From Cowlitz Falls Dam downstream to the Lewis County PUD safety signs located approximately 800 feet below the dam: Closed waters.

(c) It is permissible to fish up to the base of Swofford Pond Dam.

(d) Landlocked salmon rules.

~~((+61+))~~ (62) **Rock Creek (Klickitat County):**

(a) From Army Corps of Engineers Park upstream to the source: Closed waters.

(b) Open year-round from the mouth to the Army Corps of Engineers Park. Limits, size restrictions, and gear restrictions are the same as those in the adjacent portion of the Columbia River.

~~((+62+))~~ (63) **Rock Creek (Skamania County):** From the mouth to the falls at approximately river mile one:

(a) Open the Saturday before Memorial Day through March 15.

(b) Game fish: Statewide minimum length/daily limit, except:

(i) Trout: Daily limit 2; minimum length 14 inches.

(ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(c) Salmon:

(i) Open August 1 through December 31.

(ii) Daily limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained.

~~((+63+))~~ (64) **Rowland Lake, North (Klickitat County):** Open the fourth Saturday in April through March 31.

~~((+64+))~~ (65) **Salmon Creek (Clark County):** From the mouth to 182nd Avenue Bridge:

(a) Open the Saturday before Memorial Day through March 15.

(b) Game fish: Statewide minimum length/daily limit, except:

(i) Trout: Daily limit 2; minimum length 14 inches.

(ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(c) Salmon:

(i) Open August 1 through December 31.

(ii) Daily limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook and hatchery coho may be retained.

~~((+65+))~~ (66) **Salmon Creek (Lewis County):**

(a) Selective gear rules, except: Use of barbed hooks is allowed.

(b) Game fish: Statewide minimum length/daily limit, except:

(i) Trout: Daily limit 2; minimum length 14 inches.

(ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(c) Salmon:

(i) Open August 1 through October 31.

(ii) Daily limit 6; up to 2 may be adults.

(iii) Only hatchery Chinook or hatchery coho may be retained.

~~((+66+))~~ (67) **Silver Lake (Cowlitz County):** Game fish: Statewide minimum length/daily limit, except:

(a) Crappie: Daily limit 10; minimum length 9 inches.

(b) Grass carp: No limit and no minimum length.

(c) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

- (d) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.
- (e) Channel catfish: Daily limit 10; no size restriction.
- (f) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.
- ~~((67))~~ (68) **Silver Creek (tributary to Cowlitz River) (Lewis County)**: From the mouth to USFS Road 4778. Selective gear rules.
- ~~((68))~~ (69) **Skamokawa Creek (Wahkiakum County)**:
- (a) Selective gear rules, except: Use of barbed hooks is allowed.
- (b) Open the Saturday before Memorial Day through August 31 and November 1 through March 15.
- (c) Game fish: Statewide minimum length/daily limit, except:
- (i) Trout: Daily limit 2; minimum length 14 inches.
- (ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
- (d) Salmon:
- (i) Open November 1 through December 31.
- (ii) Daily limit 6; up to 2 may be adults.
- (iii) Only hatchery Chinook and hatchery coho may be retained.
- ~~((69))~~ (70) **Skate Creek (tributary to Cowlitz River) (Lewis County)**: Selective gear rules.
- ~~((70))~~ (71) **Spearfish Lake (Klickitat County)**: Open the fourth Saturday in April through March 31.
- ~~((71))~~ (72) **Spirit Lake (Skamania County)**: Closed waters.
- ~~((72))~~ (73) **Spring Creek (Klickitat County)**: From Hill Road upstream to the Goldendale Hatchery: Game fish: Statewide minimum length/daily limit, except: Trout: Limit 5; minimum length 8 inches.
- ~~((73))~~ (74) **Stillwater Creek (Lewis County)**:
- (a) Selective gear rules, except: Use of barbed hooks is allowed.
- (b) Game fish: Statewide minimum length/daily limit, except:
- (i) Trout: Daily limit 2; minimum length 14 inches.
- (ii) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
- (c) Salmon:
- (i) Open August 1 through October 31.
- (ii) Daily limit 6; up to 2 may be adults.
- (iii) Only hatchery Chinook and hatchery coho may be retained.
- ~~((74))~~ (75) **Swift Reservoir (Skamania County)**:
- (a) From dam to posted markers approximately 3/8 mile below Eagle Cliff Bridge:
- (i) Open the Saturday before Memorial Day through November 30.
- (ii) Game fish: Statewide minimum length/daily limit, except:
- (A) Trout: Daily limit 10; minimum length 8 inches.
- (B) Release wild trout.
- (C) Release all steelhead.
- (iii) Salmon:
- (A) Open the Saturday before Memorial Day through November 30.
- (B) Salmon count toward trout daily limit.
- (C) Minimum length 8 inches.
- (D) Maximum length 15 inches.
- (E) No catch record card required.
- (b) From the posted markers approximately 3/8 mile below Eagle Cliff Bridge to the bridge:
- (i) Selective gear rules.
- (ii) Open the Saturday before Memorial Day through July 15.
- (iii) Game fish: Statewide minimum length/daily limit, except:
- (A) Trout: Daily limit 10; minimum length 8 inches.

- (B) Release wild trout.
- (C) Release all steelhead.
- (iv) Salmon:
 - (A) Open the Saturday before Memorial Day through July 15.
 - (B) Landlocked salmon rules.
 - (C) Maximum length 15 inches.

~~((75))~~ **(76) Tilton River (Lewis County):** From the mouth to the West Fork:

- (a) Within posted "Closed Waters" signs around the adult fish release sites: Closed waters.
- (b) Anti-snagging rule from September 1 through October 31.
- (c) Night closure from September 1 through October 31.
- (d) Game fish: Statewide minimum length/daily limit, except: Release wild rainbow and wild cutthroat trout. Open year-round.
- (e) Salmon:
 - (i) Open year-round.
 - (ii) Daily limit 6; up to 2 may be adults.
 - (iii) Only hatchery coho may be retained.

~~((76))~~ **(77) Tilton River, East, North, South and West Forks (Lewis County):** Selective gear rules.

~~((77))~~ **(78) Toutle River (Cowlitz County):** From the mouth to the forks:

- (a) Open the Saturday before Memorial Day through March 15.
- (b) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 2; minimum length 14 inches.

(c) Salmon open August 1 through November 30:

- (i) Daily limit 6; up to 3 may be adults, of which 1 may be a Chinook.
- (ii) Only hatchery Chinook and hatchery coho may be retained.

~~((78))~~ **(79) Toutle River tributaries (unless otherwise listed) (Cowlitz County):**

- (a) Selective gear rules.
- (b) Game fish: Statewide minimum length/daily limit, except: Release wild trout.

~~((79))~~ **(80) Toutle River, North Fork (Cowlitz County):**

- (a) From the mouth to the posted deadline below the fish collection facility:
 - (i) Open the Saturday before Memorial Day through March 15.
 - (ii) September 1 through October 15: Anti-snagging rule and night closure on the North Fork from the confluence with the South Fork to the mouth of Green River.
 - (iii) Selective gear rules, except: Use of barbed hooks is allowed the Saturday before Memorial Day through July 31 and December 1 through March 15.

- (iv) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

(v) Salmon open August 1 through Nov 30:

- (A) Daily limit 6; up to 3 adults, of which 1 may be a Chinook.
- (B) Only hatchery Chinook and hatchery coho may be retained.
- (b) From the posted deadline downstream of the fish collection facility upstream and tributaries: Closed waters.

~~((80))~~ **(81) Toutle River, North Fork tributaries from the mouth to the posted deadline below the fish collection facility (unless otherwise listed) (Cowlitz County):**

- (a) Selective gear rules.
- (b) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout and wild rainbow trout.

~~((+81+))~~ **(82) Toutle River, South Fork (Cowlitz County):**

(a) From the mouth to 4700 Road Bridge:

(i) Open April 16 through the Friday before Memorial Day:

(A) Selective gear rules, except: Use of barbed hooks is allowed.

(B) Game fish: Statewide minimum length/daily limit, except:

(I) Release trout.

(II) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(ii) Open the Saturday before Memorial Day through November 30:

Game fish: Statewide minimum length/daily limit, except:

(A) Trout: Daily limit 2; minimum length 14 inches.

(B) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(iii) Open December 1 through March 15:

(A) Selective gear rules, except: Use of barbed hooks is allowed.

(B) Game fish: Statewide minimum length/daily limit, except:

(I) Trout: Daily limit 2; minimum length 14 inches.

(II) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(C) Salmon:

(I) Open August 1 through November 30.

(II) Daily limit 6; up to 2 may be adults.

(III) Only hatchery Chinook and hatchery coho may be retained.

(b) From 4700 Road Bridge upstream:

(i) Open the Saturday before Memorial Day through March 15.

(ii) From December 1 through March 15: Selective gear rules, except: Use of barbed hooks is allowed.

(iii) Game fish: Statewide minimum length/daily limit, except:

(A) Trout: Daily limit 2; minimum length 14 inches.

(B) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(iv) Salmon:

(A) Open August 1 through November 30.

(B) Daily limit 6; up to 2 may be adults.

(C) Only hatchery Chinook and hatchery coho may be retained.

~~((+82+))~~ **(83) Vancouver Lake ((and all other waters west of Burlington Northern Railroad from the Columbia River drawbridge near Vancouver downstream to Lewis River)) (Clark County):**(a) Open year-round, except Vancouver Lake ((flushing channel and the lake)) shoreline 400 feet ((east)) north and ((west)) south of the flushing channel exit: Closed April 1 through May 31.

(b) Chumming is permissible.

(c) Game fish: Statewide minimum length/daily limit, except:

(i) Trout: Daily limit 2; minimum length 14 inches.

(ii) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(iii) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(iv) Channel catfish: Daily limit 10; no size restriction.

(v) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

~~((+83+))~~ **(84) Walupt Lake (Lewis County):** All inlet streams: Closed waters.~~((+84+))~~ **(85) Washougal River (Clark County):**

(a) From the mouth to the boat ramp at the WDFW county line access site:

(i) From 1,000 feet (or posted markers) below to 200 feet above the temporary weir when the weir is installed in the river: Closed waters.

(ii) Night closure.

(iii) July 1 through October 31: Anti-snagging rule.

(iv) Open April 16 through the Friday before Memorial Day:

(A) Selective gear rules, except: Use of barbed hooks is allowed.

(B) Game fish: Statewide minimum length/daily limit, except: Release all trout.

(v) Open the Saturday before Memorial Day through March 15.

(A) Game fish: Statewide minimum length/daily limit, except:

(B) Trout: Daily limit 2; minimum length 14 inches.

(vi) March 16 through April 15: Closed.

(vii) Steelhead:

(A) Open April 16 through March 15: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(B) March 16 through April 15: Closed.

(viii) Salmon:

(A) Open August 1 through December 31.

(B) Daily limit 6; up to 3 adults may be retained, of which 2 may be Chinook.

(C) Only hatchery Chinook and hatchery coho may be retained.

(b) From the boat ramp at the WDFW county line access site to the bridge at Salmon Falls:

(i) From 1,000 feet (or posted markers) below to 200 feet above the temporary weir when the weir is installed in the river: Closed waters.

(ii) August 1 through October 31:

(A) Anti-snagging rule.

(B) Night closure.

(iii) Game fish:

(A) Open from the Saturday before Memorial Day through March 15.

(B) Game fish: Statewide minimum length/daily limit, except:

(C) Trout: Daily limit 2; minimum length 14 inches.

(D) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(iv) Salmon:

(A) Open August 1 through December 31.

(B) Daily limit 6; up to 3 adults may be retained, of which 2 may be Chinook.

(C) Only hatchery Chinook and hatchery coho may be retained.

(c) From the bridge at Salmon Falls upstream and tributaries: Closed waters.

~~((85))~~ **(86) Washougal River, West (North) Fork (Clark/Skamania counties):**

(a) From the mouth to the water intake at the department hatchery: Closed waters.

(b) From the intake at the department hatchery upstream:

(i) Open the Saturday before Memorial Day through March 15.

(ii) Game fish: Statewide minimum length/daily limit, except:

(A) Trout: Daily limit 2; minimum length 14 inches.

(B) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.

(iii) Salmon:

(A) Open August 1 through December 31.

(B) Daily limit 6; up to 2 may be adults.

(C) Only hatchery Chinook and hatchery coho may be retained.

~~((86))~~ (87) **White Salmon River (Klickitat/Skamania counties):**

(a) From the mouth (Burlington Northern Railroad Bridge) to the county road bridge below the former location of the powerhouse:

- (i) Open year-round.
- (ii) Game fish: Statewide minimum length/daily limit, except: Release wild rainbow and wild cutthroat.
- (iii) July 1 through October 31: Night closure for salmon and steelhead.
- (iv) August 1 through December 31: Anti-snagging rule.
- (v) Salmon and steelhead:
 - (A) Open April 1 through June 30:
 - (I) Daily limit 2; up to 2 salmon, or 2 hatchery steelhead, or one of each, may be retained.
 - (II) Release wild Chinook.
 - (B) Open July 1 through July 31:
 - (I) Daily limit 2; up to 2 salmon.
 - (II) Release wild Chinook. Closed to fishing for or retaining steelhead.
 - (C) Open August 1 through October 31:
 - (I) Daily limit 6; up to 2 adult salmon. Closed to fishing for or retaining steelhead.
 - (II) Only hatchery Chinook and hatchery coho may be retained.
 - (D) Open November 1 through March 31:
 - (I) Daily limit 6; up to 2 salmon, or 2 hatchery steelhead, or one of each, may be retained.
 - (II) Only hatchery Chinook and hatchery coho may be retained.

(b) From the county road bridge below the former location of the powerhouse upstream to Big Brother Falls (river mile 16):

- (i) From Big Brother Falls downstream 400 feet: Closed waters.
- (ii) Game fish: Statewide minimum length/daily limit, except: Release wild rainbow and wild cutthroat trout.
- (iii) Selective gear rules, except: Use of barbed hooks is allowed.
- (iv) Salmon and steelhead:
 - (A) Open Saturday before Memorial Day through July 31:
 - (I) Daily limit 2 fish, up to 2 salmon, or 2 steelhead, or one of each may be retained.
 - (II) Only hatchery salmon and hatchery steelhead may be retained.
 - (B) Open August 1 through October 31:
 - (I) Daily limit 6; up to 2 adult salmon, or 2 steelhead, or one of each may be retained.
 - (II) Only hatchery salmon and hatchery steelhead may be retained.

~~((87))~~ (88) **Wind River (Skamania County):**

(a) From the mouth to the Highway 14 Bridge:

- (i) Open year-round.
- (ii) March 16 through June 30: Night closure.
- (iii) March 16 through June 30: Each angler aboard a vessel may deploy salmon/steelhead angling gear until the salmon/steelhead limit for all anglers aboard has been achieved.
- (iv) March 16 through June 30: Two-pole fishing for salmon/steelhead is permissible so long as the angler possesses a two-pole endorsement.
- (v) July 1 through October 31: Night closure for salmon and steelhead fishing.
- (vi) August 1 through October 31: Anti-snagging rule applies.
- (vii) Game fish: Statewide minimum length/daily limit, except:
 - (A) Release cutthroat trout and wild rainbow trout.

- (B) Steelhead: Open November 1 through March 15; daily limit 3 hatchery steelhead; minimum length 20 inches.
- (viii) Salmon and steelhead:
- (A) Open March 16 through June 30: Daily limit 6; up to 2 adult salmon, or 2 hatchery steelhead, or one of each, may be retained. Release wild Chinook and wild coho.
- (B) Open July 1 through September 30:
- (I) Daily limit 6; up to 2 adult salmon may be retained. Closed to fishing for or retaining steelhead.
- (II) Release wild Chinook and wild coho.
- (C) Open October 1 through October 31:
- (I) Daily limit 6; up to 2 may be adults. Closed to fishing for or retaining steelhead.
- (II) Release wild coho.
- (b) From the Highway 14 Bridge to 400 feet below Shipherd Falls:
- (i) Open year-round.
- (ii) March 16 through June 30: Night closure.
- (iii) July 1 through October 31: Night closure for salmon and steelhead fishing.
- (iv) Anti-snagging rule from May 1 through June 30 and August 1 through October 31.
- (v) Game fish: Statewide minimum length/daily limit, except:
- (A) Release cutthroat trout and wild rainbow trout.
- (B) Steelhead: Open November 1 through March 15; daily limit 3 hatchery steelhead; minimum length 20 inches.
- (vi) Salmon and steelhead:
- (A) Open March 16 through June 30: Daily limit 6; up to 2 adult salmon, or 2 hatchery steelhead, or one of each, may be retained. Release wild Chinook and wild coho.
- (B) Open July 1 through July 31:
- (I) Daily limit 6; up to 2 adult salmon may be retained. Closed to fishing for or retaining steelhead.
- (II) Release wild Chinook and wild coho.
- (C) Open August 1 through October 31:
- (I) Daily limit 6; up to 2 adult salmon may be retained. Closed to fishing for or retaining steelhead.
- (II) Release wild Chinook and wild coho.
- (c) From 400 feet below to 100 feet above Shipherd Falls fish ladder: Closed waters.
- (d) From 100 feet above Shipherd Falls fish ladder to 400 feet below the Coffe Dam:
- (i) Anti-snagging rule.
- (ii) Night closure.
- (iii) Open September 16 through November 30:
- (A) Release all fish.
- (B) Selective gear rules, except: Use of barbed hooks is allowed.
- (iv) Salmon and steelhead:
- (A) Open May 1 through June 30.
- (B) Daily limit 6; up to 2 adult salmon, or 2 hatchery steelhead, or one of each, may be retained.
- (e) From 400 feet below the Coffe Dam to 100 feet above the Coffe Dam: Closed waters.
- (f) From 100 feet above the Coffe Dam to 800 yards downstream from Carson National Fish Hatchery:
- (i) Anti-snagging rule.
- (ii) Night closure.
- (iii) Open September 16 through November 30:

- (A) Release all fish.
- (B) Selective gear rules, except: Use of barbed hooks is allowed.
- (iv) Salmon and steelhead open May 1 through June 30: Daily limit 6; up to 2 adult salmon, or 2 hatchery steelhead, or one of each, may be retained.
- (g) From 800 yards downstream from Carson National Fish Hatchery upstream to Moore Bridge:
 - (i) Open September 16 through November 30.
 - (ii) Release all fish.
 - (iii) Selective gear rules, except: Use of barbed hooks is allowed.
 - (h) From Moore Bridge upstream: Closed waters.
- ~~((88))~~ **(89) Wind River tributaries (Skamania County):** Closed waters.
- ~~((89))~~ **(90) Yale Reservoir (Cowlitz County):** Landlocked salmon rules.
- ~~((90))~~ **(91) Yellowjacket Creek (tributary to Cispus River) (Lewis County):** Selective gear rules.

RDS-6597.1

AMENDATORY SECTION (Amending WSR 25-13-087, filed 6/16/25, effective 7/17/25)

- WAC 220-312-050 Freshwater exceptions to statewide rules—East-side.** (1) **Countywide freshwater exceptions to statewide rules:**
- (a) Irrigation canals, wasteways, drains and the inlets and outlets of all lakes, ponds, and reservoirs in Grant and Adams counties (except Crab Creek, Rocky Ford Creek and Ponds, Columbia Basin Hatchery Creek, Bobcat Creek, Coyote Creek, Frenchman Hills Wasteway and Drains, Hays Creek, Red Rock Creek, Sand Hollow Creek, and Lake Lenore inlet and outlet) are open year-round, statewide lake rules apply to all species.
 - (b) In Adams, Douglas, Franklin, Grant, and Okanogan counties, except Zosel Dam (Okanogan River) and Enloe Dam (Similkameen River): It is permissible to fish up to the base of all dams.
- (2) **Aeneas Lake (Okanogan County):**
- (a) Open the fourth Saturday in April through October 31.
 - (b) Fly fishing only.
 - (c) It is unlawful to fish from a floating device equipped with a motor.
 - (d) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 1; minimum length 18 inches.
- (3) **Ahtanum Creek (Yakima County):** Selective gear rules.
- (4) **Ahtanum Creek, North Fork (Yakima County):**
- (a) From the Grey Rock Trailhead Bridge crossing upstream to Shellneck Creek: Closed waters.
 - (b) Selective gear rules.
- (5) **Ahtanum Creek, Middle Fork (Yakima County):**
- (a) From the A2000 Spur Road Bridge in NE 1/4 of Section 34 upstream to the A2800 Road Bridge at Tree Phones Campground: Closed waters.

- (b) Selective gear rules.
- (6) **Alta Lake (Okanogan County)**: Open the fourth Saturday in April through October 31.
- (7) **Amber Lake (Spokane County)**:
 - (a) Selective gear rules.
 - (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (c) Open March 1 through November 30.
 - (d) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 1; minimum length 18 inches.
- (8) **American River (Yakima County)**:
 - (a) Selective gear rules.
 - (b) From the Highway 410 Bridge at river mile 5.4 to the Mesatchee Creek Trail crossing at river mile 15.8: Closed waters from July 16 through September 15.
- (9) **Amon Wasteway (Benton County)**: Selective gear rules.
- (10) **Andrews Creek (tributary to Chewuch River) (Okanogan County)**: From the mouth to the falls approximately 0.5 miles upstream: Closed waters.
- (11) **Asotin Creek, mainstem and forks (Asotin County)**:
 - (a) Closed waters:
 - (i) South Fork from mouth upstream.
 - (ii) North Fork from USFS border upstream.
 - (b) Game fish: Statewide minimum length/daily limit, except: It is unlawful to fish for steelhead.
 - (c) Selective gear rules.
- (12) **Aspen Lake (Okanogan County)**: Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.
- (13) **Badger Lake (Spokane County)**: Open the fourth Saturday in April through (~~September 30~~) October 31.
- (14) **Banks Lake (Grant County)**:
 - (a) Chumming is permissible.
 - (b) Game fish: Statewide minimum length/daily limit, except:
 - (i) Crappie: Daily limit 10; minimum length 9 inches.
 - (ii) Yellow perch: Daily limit 25.
- (15) **Bayley Lake (Stevens County)**:
 - (a) Inlet stream: Closed waters.
 - (b) Open the fourth Saturday in April through October 31.
 - (c) Fly fishing only.
 - (d) It is unlawful to fish from a floating device equipped with a motor.
 - (e) Release all fish.
- (16) **Bear Creek (tributary to South Fork Tieton River) (Yakima County)**: From the mouth to the falls (approximately 0.75 mile): Closed waters.
- (17) **Bear Lake (Spokane County)**: Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.
- (18) **Beaver Creek (tributary to Methow River) (Okanogan County)**: Closed waters.
- (19) **Beaver Lake (Big) (Okanogan County)**: Open the fourth Saturday in April through October 31.
- (20) **Beaver Lake, (Little)**: Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.
- (21) **Beda Lake (Grant County)**:

(a) Selective gear rules.

(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(c) Game fish: Statewide minimum length/daily limit, except:

Trout: Daily limit 1; minimum length 18 inches.

(22) **Beehive (Lake) Reservoir (Chelan County):**

(a) Open the fourth Saturday in April through October 31.

(b) Game fish: Statewide minimum length/daily limit, except:

Eastern brook trout count as part of trout daily limit.

(23) **Beth Lake (Okanogan County):** Open the fourth Saturday in April through October 31.

(24) **Big Four Lake (Columbia County):**

(a) Fly fishing only.

(b) It is unlawful to fish from any floating device.

(c) Game fish: Statewide minimum length/daily limit, except:

Trout: Daily limit 2; minimum length 14 inches.

(25) **Big Meadow Lake (Pend Oreille County):**

(a) Open the fourth Saturday in April through October 31.

(b) It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

(26) **Big Twin Lake (Okanogan County):**

(a) Open the fourth Saturday in April through October 31.

(b) Selective gear rules.

(c) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(d) Game fish: Statewide minimum length/daily limit, except:

Trout: Daily limit 1; minimum length 18 inches.

(27) **Blackbird Island Pond (Chelan County):** Open July 1 through September 30 for juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.

(28) **Black Canyon Creek (tributary to Methow River) (Okanogan County):** Closed waters.

(29) **Black Lake (Chelan County):** Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.

(30) **Black Lake (Okanogan County):** Selective gear rules.

(31) **Black Lake (Stevens County):** Open the fourth Saturday in April through October 31.

(32) **Blue Lake (Columbia County):** It is unlawful to fish from any floating device.

(33) **Blue Lake (Grant County):** Open the fourth Saturday in April through October 31.

(34) **Blue Lake (near Sinlahekin) (Okanogan County):**

(a) Open the fourth Saturday in April through October 31.

(b) Selective gear rules.

(c) It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

(d) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(e) Game fish: Statewide minimum length/daily limit, except:

Trout: Daily limit 1; minimum length 18 inches.

(35) **Blue Lake (near Wannacut Lake) (Okanogan County):**

(a) Open the fourth Saturday in April through October 31.

(b) Selective gear rules.

(c) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(d) Game fish: Statewide minimum length/daily limit, except:
Trout: Daily limit 1, minimum length 18 inches.

(36) **Bobcat Creek and Ponds (Adams County)**: Open the fourth Saturday in April through September 30.

(37) **Bonaparte Creek (Okanogan County)**: From the mouth to the falls approximately river mile 1.0: Closed waters.

(38) **Bonaparte Lake (Okanogan County)**:

(a) It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

(b) Game fish: Statewide minimum length/daily limit, except:
Eastern brook trout count as part of trout daily limit.

(39) **Boulder Creek and tributaries (Okanogan County)**: From the mouth to the barrier falls at river mile 1.0: Closed waters.

(40) **Box Canyon Creek and tributaries (Kittitas County)**: From mouth (Kachess Reservoir) upstream approximately 2 miles to the 20 foot high waterfall, including that portion of the creek that flows through the dry lake bed: Closed waters.

(41) **Browns Lake (Pend Oreille County)**:

(a) Open the fourth Saturday in April through October 31.

(b) Fly fishing only.

(c) It is unlawful to fish from a floating device equipped with a motor.

(42) **Bumping Lake (Reservoir) (Yakima County)**: Chumming is permissible.

(43) **Buckskin Creek and tributaries (Yakima County)**: From the mouth to the west boundary of Suntides Golf Course: Closed waters.

(44) **Bumping River (Yakima County)**:

(a) It is permissible to fish up to the base of Bumping Dam.

(b) From the mouth to Bumping Reservoir; selective gear rules.

(45) **Burke Lake (Grant County)**: Open March 1 through September 30.

(46) **Buttermilk Creek (tributary to Twisp River) (Okanogan County), including tributaries**:

(a) Open the Saturday before Memorial Day through August 15.

(b) Release all fish.

(c) Selective gear rules.

(47) **Buzzard Lake (Okanogan County)**:

(a) Open the fourth Saturday in April through October 31.

(b) Selective gear rules.

(c) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(d) Game fish: Statewide minimum length/daily limit, except:
Trout: Daily limit 1; minimum length 18 inches.

(48) **Caldwell Lake (Pend Oreille County)**:

(a) Open the fourth Saturday in April through October 31.

(b) Game fish: Statewide minimum length/daily limit, except:
Eastern brook trout count as part of trout daily limit.

(49) **Caliche Lakes, Upper (Grant County)**: Open March 1 through September 30.

(50) **Calispell Creek (Calispell River) (Pend Oreille County)**: From the mouth to Calispell Lake: Open year-round.

(51) **Campbell Lake (Okanogan County)**:

(a) Selective gear rules.

(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(c) Game fish: Statewide minimum length/daily limit, except:
Trout: Daily limit 2; minimum length 14 inches.

- (52) **Carl's Lake (Pend Oreille County)**: Open the fourth Saturday in April through October 31.
- (53) **Cascade Lake (Grant County)**: Open March 1 through September 30.
- (54) **Cattail Lake (Grant County)**: Open the fourth Saturday in April through September 30.
- (55) **Cedar Creek (tributary to Early Winters Creek) (Okanogan County)**:
- (a) From the mouth to Cedar Falls:
 - (i) Open the Saturday before Memorial Day through August 15.
 - (ii) Selective gear rules.
 - (iii) Release all fish.
 - (b) From Cedar Falls upstream including tributaries: Selective gear rules.
- (56) **Cedar Lake (Stevens County)**: Open the fourth Saturday in April through October 31.
- (57) **Chain Lake (Pend Oreille County)**:
- (a) Open the fourth Saturday in April through October 31.
 - (b) Game fish: Statewide minimum length/daily limit, except: Release kokanee.
- (58) **Chapman Lake (Spokane County)**:
- (a) Open the fourth Saturday in April through October 31.
 - (b) Chumming is permissible.
- (59) **Chelan Hatchery Creek (Chelan County)**: Closed waters.
- (60) **Chelan Lake (Chelan County)**:
- (a) Game fish: Statewide minimum length/daily limit, except:
 - (i) Release wild cutthroat trout.
 - (ii) Lake trout: No limit and no size restriction.
 - (b) Salmon: Daily limit 1; minimum length 15 inches.
 - (c) No catch record card required.
- (61) **Chelan Lake tributaries (Chelan County)**:
- (a) Selective gear rules.
 - (b) Game fish: Statewide minimum length/daily limit, except: Release wild cutthroat trout.
- (62) **Chelan River (Chelan County)**: From the railroad bridge to the Chelan PUD safety barrier below the power house:
- (a) Game fish: Statewide minimum length/daily limit, except:
 - (i) Release trout.
 - (ii) Steelhead: Closed to fishing.
 - (b) From the Chelan PUD safety barrier below the power house upstream to Chelan Lake: Closed waters.
- (63) **Chewuch River (Okanogan County)**:
- (a) From the mouth to Eight Mile Creek:
 - (i) Open the Saturday before Memorial Day through August 15.
 - (ii) Selective gear rules.
 - (iii) Release all fish.
 - (b) From the mouth to Pasayten Wilderness boundary falls: Whitefish:
 - (i) Open December 1 through the last day in February for whitefish only.
 - (ii) Whitefish gear rules.
- (64) **Chiwaukum Creek (Chelan County)**:
- (a) From the mouth to Fool Hen Creek, including Fool Hen Creek and tributaries: Closed waters.
 - (b) From Fool Hen Creek upstream and tributaries: Selective gear rules.
- (65) **Chiwawa River (Chelan County)**:

- (a) From the mouth to Buck Creek and tributaries not including Buck Creek: Closed waters.
- (b) From Buck Creek upstream and tributaries (including Buck Creek): Selective gear rules.
- (66) **Chopaka Lake (Okanogan County):**
- (a) Open the fourth Saturday in April through October 31.
- (b) Fly fishing only.
- (c) It is unlawful to fish from a floating device equipped with a motor.
- (d) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 1; minimum length 18 inches.
- (67) **Chumstick Creek (Chelan County):** Closed waters.
- (68) **Clear Lake (Chelan County):**
- (a) Open the fourth Saturday in April through October 31.
- (b) Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.
- (69) **Clear Lake (Spokane County):** Open the fourth Saturday in April through October 31.
- (70) **Cle Elum Lake (Reservoir) (Kittitas County):** Game fish: Statewide minimum length/daily limit, except: Kokanee: Daily limit 5; minimum length 9 inches and maximum length 15 inches.
- (71) **Cle Elum River (Kittitas County):**
- (a) From the mouth to the Green Bridge located approximately 2,000 feet below Cle Elum Dam:
- (i) Open year-round.
- (ii) Selective gear rules.
- (iii) Game fish: Statewide minimum length/daily limit, except: Release rainbow trout and cutthroat trout.
- (iv) It is permissible to fish up to the base of Cle Elum Dam.
- (v) Whitefish:
- (A) Open December 1 through last day in February for whitefish only.
- (B) Whitefish gear rules.
- (b) From the Green Bridge located approximately 2,000 feet below Cle Elum Dam upstream to the dam: Closed waters.
- (c) From above Cle Elum Lake to outlet of Hyas Lake: Selective gear rules.
- (72) **Cliff Lake (Grant County):** Open March 1 through September 30.
- (73) **Coffee Pot Lake (Lincoln County):**
- (a) Open March 1 through September 30.
- (b) Selective gear rules.
- (c) Game fish: Statewide minimum length/daily limit, except:
- (i) Trout: Daily limit 1; minimum length 18 inches.
- (ii) Crappie: Daily limit 10; minimum length 9 inches.
- (74) **Columbia Basin Hatchery Creek (Grant County):**
- (a) Open April 1 through September 30 from the hatchery outflow to the confluence with Rocky Coulee Wasteway.
- (b) Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.
- (75) **Columbia Park Pond (Benton County):** Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.
- (76) **Colville River (Stevens County):** From the mouth to bridge at the town of Valley including Meyers Falls Reservoir: Open year-round.
- (77) **Conconully Lake (Okanogan County):** Open the fourth Saturday in April through October 31.

- (78) **Conconully Reservoir (Okanogan County)**: Open the fourth Saturday in April through October 31.
- (79) **Conger Pond (Pend Oreille County)**: Open the fourth Saturday in April through October 31.
- (80) **Conner Lake (Okanogan County)**:
- (a) Open the fourth Saturday in April through October 31.
 - (b) Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.
- (81) **Cooper River (Kittitas County)**: From the mouth to Cooper Lake: Selective gear rules.
- (82) **Coot Lake (Grant County)**: Open the fourth Saturday in April through September 30.
- (83) **Corral Creek (Benton County)**: Selective gear rules.
- (84) **Cougar Lake (Pasayten Wilderness) (Okanogan County)**: Selective gear rules.
- (85) **Cougar Lake (near Winthrop) (Okanogan County)**:
- (a) Selective gear rules.
 - (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (c) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 2; minimum length 14 inches.
- (86) **Cowiche Creek (Yakima County)**: Selective gear rules.
- (87) **Coyote Creek and Ponds (Adams County)**: Open the fourth Saturday in April through September 30.
- (88) **Crab Creek (Adams/Grant/Lincoln counties)**:
- (a) From the mouth to Morgan Lake Road: Open the Saturday before Memorial Day through September 30.
 - (b) From Morgan Lake Road to O'Sullivan Dam (including Marsh Unit I and II impoundments): Closed waters.
 - (c) From the confluence of the Moses Lake outlets to Sand Dunes Road including tributaries:
 - (i) Open year-round.
 - (ii) Statewide lake rules apply to all species, except:
 - (A) Crappie: Minimum length 9 inches.
 - (B) Crappie and bluegill: Combined limit of 25 fish.
 - (C) Yellow perch: Daily limit 25 fish.
 - (d) From the fountain buoy and shoreline markers of 150 feet down stream of the Alder Street fill to Grant County Road 7 NE:
 - (i) Open year-round.
 - (ii) Statewide lake rules apply to all species, except:
 - (A) Crappie: Daily limit 10; minimum length 9 inches.
 - (B) Bluegill: Daily limit 5; minimum length 8 inches.
 - (C) Yellow perch: Daily limit 25.
 - (e) From Grant County Road 7 NE upstream (including all tributaries, except Goose Creek in the city of Wilbur): Open year-round.
- (89) **Crawfish Lake (Okanogan County)**:
- (a) Open the fourth Saturday in April through October 31.
 - (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (c) Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.
- (90) **Crescent Lake (Pend Oreille County)**: Open the fourth Saturday in April through October 31.
- (91) **Crystal Lake (Grant County)**: Open March 1 through September 30.
- (92) **Cub Creek (tributary to Chewuch River) (Okanogan County)**: From mouth upstream to West Chewuch Road Bridge: Closed waters.

- (93) **Cup Lake (Grant County)**: Open March 1 through September 30.
- (94) **Curl Lake (Columbia County)**:
(a) Open the Saturday before Memorial Day through October 31.
(b) It is unlawful to fish from any floating device.
- (95) **Davis Lake (Ferry County)**: Open the fourth Saturday in April through October 31.
- (96) **Davis Lake (Okanogan County)**:
(a) Selective gear rules.
(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
(c) Game fish: Statewide minimum length/daily limit, except:
Trout: Daily limit 2; minimum length 14 inches.
- (97) **Dayton Pond (Columbia County)**: Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.
- (98) **Deadman Lake (Adams County)**: Open the fourth Saturday in April through September 30.
- (99) **Deep Creek (tributary to Bumping Lake) (Yakima County)**: From the mouth to the waterfall approximately 0.33 mile above the second bridge crossing on USFS Road 1808 (approximately 3.7 miles from the junction of USFS Roads 1800 and 1808): Closed waters.
- (100) **Deep Lake (Grant County)**: Open the fourth Saturday in April through October 31.
- (101) **Deep Lake (Stevens County)**: Open the fourth Saturday in April through October 31.
- (102) **Deer Lake (Columbia County)**:
(a) Open March 1 through November 30.
(b) It is unlawful to fish from any floating device.
- (103) **Deer (Deer Springs) Lake (Lincoln County)**: Open the fourth Saturday in April through September 30.
- (104) **Deer Lake (Stevens County)**: Game fish: Statewide minimum length/daily limit, except:
(a) Eastern brook trout count as part of trout daily limit.
(b) Lake trout: Daily limit 5, no more than 1 over 26 inches may be retained.
- (105) **Delaney Springs (Grant County)**: Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.
- (106) **De Roux Creek (Kittitas County)**: From the mouth to the USFS trail 1392 (De Roux Creek Trail) stream crossing (approximately 1 river mile): Closed waters.
- (107) **Dog Creek (tributary to Chewuch) (Okanogan County)**: From mouth upstream to falls approximately 1.5 miles: Closed waters.
- (108) **Domerie Creek (Kittitas County)**: Selective gear rules.
- (109) **Downs Lake (Lincoln/Spokane counties)**:
(a) Open March 1 through September 30.
(b) Game fish: Statewide minimum length/daily limit, except:
Crappie: Daily limit 10; minimum length 9 inches.
- (110) **Dry Falls Lake (Grant County)**:
(a) Open March 1 through November 30.
(b) Selective gear rules.
(c) It is unlawful to fish from a floating device equipped with an internal combustion motor.
(d) Game fish: Statewide minimum length/daily limit, except:
Trout: Daily limit 1; minimum length 18 inches.
- (111) **Dune Lake (Grant County)**:
(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except:
Trout: Daily limit 1; minimum length 18 inches.

(112) **Dusty Lake (Grant County):**

(a) Open March 1 through November 30.

(b) Selective gear rules.

(c) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(d) Game fish: Statewide minimum length/daily limit, except:

Trout: Daily limit 1; minimum length 18 inches.

(113) **Eagle Creek (tributary to Twisp River) (Okanogan County):**
From mouth upstream to the falls approximately 0.5 miles: Closed waters.

(114) **Early Winters Creek (tributary to Methow River) (Okanogan County):**

(a) From the mouth upstream to Forest Road 300: Closed waters.

(b) From Forest Road 300 upstream; including tributaries except Cedar Creek:

(i) Open the Saturday before Memorial Day through August 15.

(ii) Selective gear rules.

(iii) Release all fish.

(115) **Eightmile Creek (tributary to Chewuch River) (Okanogan County):** From the mouth upstream to Forest Road 5130 Bridge: Closed waters.

(116) **Elbow Lake (Stevens County):**

(a) Open the fourth Saturday in April through October 31.

(b) Game fish: Statewide minimum length/daily limit, except:
Eastern brook trout count as part of trout daily limit.

(117) **Ell Lake (Okanogan County):**

(a) Open the fourth Saturday in April through October 31.

(b) Selective gear rules.

(c) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(118) **Eloika Lake (Spokane County):** Game fish: Statewide minimum length/daily limit, except: Crappie: Daily limit 10; minimum length 9 inches.

(119) **Empire Lake (Ferry County):**

(a) Open the fourth Saturday in April through October 31.

(b) Game fish: Statewide minimum length/daily limit, except:
Eastern brook trout count as part of trout daily limit.

(120) **Entiat River (Chelan County):**

(a) From mouth (railroad bridge) to the boundary marker/markers located approximately 1,500 feet upstream of the upper Roaring Creek Road Bridge (immediately downstream of the Entiat National Fish Hatchery):

(i) Open December 1 through the last day in February for whitefish only.

(ii) Whitefish gear rules.

(b) From the boundary marker/markers located approximately 1,500 feet upstream of the upper Roaring Creek Road Bridge (immediately downstream of the Entiat National Fish Hatchery) to Entiat Falls:

(i) Whitefish:

(ii) Open December 1 through the last day in February for whitefish only.

(iii) Whitefish gear rules.

(c) Entiat River and all tributaries above Entiat Falls: Selective gear rules.

(121) **Ephrata Lake (Grant County):** Closed waters.

- (122) **Esquatzel Coulee (Franklin County):** Open year-round.
- (123) **Esquatzel Coulee, West Branch (Franklin County):** Open year-round.
- (124) **Falls Creek (tributary to Chewuch River) (Okanogan County):** From mouth upstream to the falls approximately .15 miles: Closed waters.
- (125) **Fan Lake (Pend Oreille County):**
(a) Open the fourth Saturday in April through (~~September 30~~) October 31.
- (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (126) **Ferry Lake (Ferry County):** It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.
- (127) **Fiorito Lakes (Kittitas County):** It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (128) **Fish Lake (Okanogan County):** Open the fourth Saturday in April through October 31.
- (129) **Fish Lake (Spokane County):**
(a) Open the fourth Saturday in April through September 30.
(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
(c) Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.
- (130) **Fishhook Pond (Walla Walla County):** It is unlawful to fish from a floating device.
- (131) **Fishtrap Lake (Lincoln/Spokane counties):** Open the fourth Saturday in April through (~~September 30~~) October 31.
- (132) **Forde Lake (Okanogan County):**
(a) Open the fourth Saturday in April through October 31.
(b) Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.
- (133) **Fourth of July Lake (Adams/Lincoln counties):**
(a) Open the Friday after Thanksgiving through March 31.
(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (134) **Frank's Pond (Chelan County):**
(a) Open the fourth Saturday in April through October 31.
(b) Open to juvenile anglers only.
- (135) **Frater Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.
- (136) **Frenchman Hills Wasteway and Drains (Grant County):** Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.
- (137) **Gadwall Lake (Grant County):** Open the fourth Saturday in April through September 30.
- (138) **Garfield Juvenile Pond (Whitman County):** Open to juvenile anglers only.
- (139) **Goat Creek (tributary to Methow River) (Okanogan County):** Closed waters.
- (140) **Gold Creek, Gold Creek Pond and outlet channel (tributary to Keechelus Lake):** Including that portion of Gold Creek that flows through the dry Keechelus Reservoir lakebed: Closed waters.
- (141) **Gold Creek (tributary to Methow River) (Okanogan County):** Closed waters.

(142) **Goose Creek (Lincoln County), within the city limits of Wilbur:** Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.

(143) **Goose Lake, Lower (Grant County):** Game fish: Statewide minimum length/daily limit, except:

(a) Crappie: Daily limit 10; minimum length 9 inches.

(b) Bluegill: It is unlawful to retain more than 5 fish over 6 inches in length.

(144) **Grande Ronde River (Asotin County):**

(a) From the mouth to County Road Bridge, about 2.5 miles upstream:

(i) Open year-round for game fish other than trout and steelhead.

(ii) From August 1 through April 15: Selective gear rules.

(iii) Trout: Open from the Saturday before Memorial Day through October 31.

(iv) Steelhead:

(A) Open January 1 through April 15; daily limit 3 hatchery steelhead; minimum length 20 inches.

(B) August 1 through December 31; release steelhead.

(b) From the County Road Bridge upstream to the Oregon state line:

(i) Open year-round for game fish other than trout and steelhead.

(ii) From August 1 through April 15: Barbless hooks required.

(iii) Trout: Open from the Saturday before Memorial Day through October 31.

(iv) Steelhead: Open August 1 through April 15; daily limit 3 hatchery steelhead; minimum length 20 inches.

(c) All tributaries: Closed waters.

(145) **Green Lakes (Lower and Upper) (Okanogan County):**

(a) Selective gear rules.

(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(c) Game fish: Statewide minimum length/daily limit, except:

(i) Trout: Daily limit 2; minimum length 14 inches.

(ii) Eastern brook trout count as part of trout daily limit.

(146) **Grimes Lake (Douglas County):**

(a) Open June 1 through August 31.

(b) Selective gear rules.

(c) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(d) Game fish: Statewide minimum length/daily limit, except:

Trout: Daily limit 1; minimum length 18 inches.

(147) **Halfmoon Lake (Adams County):** Open the fourth Saturday in April through September 30.

(148) **Hampton Lakes (Lower and Upper) (Grant County):** Open the fourth Saturday in April through September 30.

(149) **H and H Reservoir Number One (Pascal's Pond) (Chelan County):** Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.

(150) **Harris Lake (Grant County):**

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except:

Trout: Daily limit 1; minimum length 18 inches.

(151) **Hatch Lake (Stevens County):** Open the Friday after Thanksgiving through March 31.

(152) **Hays Creek and Ponds (Adams County):** Open the fourth Saturday in April through September 30.

(153) **Headgate Pond (Asotin County)**: Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.

(154) **Hen Lake (Grant County)**: Open the fourth Saturday in April through September 30.

(155) **Hog Canyon Creek (Spokane County)**: From the mouth to Scroggie Road: Closed waters.

(156) **Hog Canyon Lake (Spokane County)**: Open the Friday after Thanksgiving through March 31.

(157) **Homestead Lake (Grant County)**:

(a) Selective gear rules.

(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(c) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 1; minimum length 18 inches.

(158) **Hourglass Lake (Grant County)**: Open the fourth Saturday in April through September 30.

(159) **Hutchinson Lake (Adams County)**: Open the fourth Saturday in April through September 30.

(160) **I-82 Ponds, 1 through 7 (Yakima County)**: It is unlawful to fish from a floating device equipped with an internal combustion motor.

(161) **Icicle River and tributaries (Creek) (Chelan County)**:

(a) From the mouth upstream 800 feet to posted signs: Closed waters.

(b) From posted signs 800 feet upstream of the mouth to 500 feet below Leavenworth National Fish Hatchery: Closed waters.

(c) From 500 feet below Leavenworth National Fish Hatchery to shoreline markers where Cyo Road would intersect the Icicle River at the Sleeping Lady Resort: Closed waters.

(d) From shoreline markers where Cyo Road would intersect the Icicle River at the Sleeping Lady Resort to the Icicle Peshastin Irrigation District footbridge (approximately 750 feet upstream of the "Snow Lakes Trailhead" parking lot): Closed waters.

(e) From the Icicle Irrigation Peshastin District footbridge upstream, and tributaries: Selective gear rules.

(162) **Indian Creek (Yakima County)**: From the mouth to the waterfall approximately six miles upstream including that portion that flows through the dry lake bed of Rimrock Reservoir: Closed waters.

(163) **Ingalls Creek (Chelan County)**: From the mouth to Alpine Lakes Wilderness boundary and tributaries: Closed waters.

(164) **Jameson Lake (Douglas County)**: Open the fourth Saturday in April through October 31.

(165) **Jasmine Creek (Okanogan County)**:

(a) Open year-round to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.

(b) Game fish: Statewide minimum length/daily limit, except: Steelhead: Closed to fishing.

(166) **Jefferson Park Pond (Walla Walla County)**: Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.

(167) **Jolanda, Lake (Chelan County)**: Closed waters.

(168) **Kachess Lake (Reservoir) (Kittitas County)**:

(a) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 2; minimum length 14 inches.

(b) Chumming is permissible.

(169) Kachess River (Kittitas County):

- (a) From Kachess Lake (Reservoir) upstream to the waterfall approximately 0.5 miles above Mineral Creek: Closed waters.
- (b) It is permissible to fish up to the base of Kachess Dam.
- (c) From the mouth to Kachess Dam: Selective gear rules.

(170) Keechelus Lake (Reservoir) (Kittitas County):

- (a) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 2; minimum length 14 inches.
- (b) Chumming is permissible.

(171) Kettle Creek (tributary to American River) (Yakima County): Closed waters.

(172) Kettle River (Stevens County): From Barstow Bridge upstream:

- (a) Selective gear rules, except for juvenile anglers, from the Canadian border upstream to Highway 21 Bridge at Curlew.
- (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (c) Game fish: Statewide minimum length/daily limit, except: Trout: Minimum length 14 inches.
- (d) Whitefish:
 - (i) Open December 1 through the last day in February for whitefish only.
 - (ii) Whitefish gear rules.

(173) Kings Lake and tributaries (Pend Oreille County): Closed waters.

(174) Kiwanis Pond (Kittitas County): Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.

(175) Lake Creek (Okanogan County):

- (a) From the mouth to Black Lake: Closed waters.
- (b) From Black Lake to Three Prong Creek: Closed waters.

(176) Ledbetter Lake (Pend Oreille County): Open the fourth Saturday in April through October 31.

(177) Ledking Lake (Pend Oreille County): Open the fourth Saturday in April through October 31.

(178) Leech Lake (Yakima County):

- (a) Fly fishing only.
- (b) It is unlawful to fish from a floating device equipped with a motor.
- (c) Game fish: Statewide minimum length/daily limit, except: Rainbow trout: Daily limit 1; minimum length 18 inches.

(179) Lemna Lake (Grant County): Open the fourth Saturday in April through September 30.

(180) Lenice Lake (Grant County):

- (a) Open March 1 through November 30.
- (b) Selective gear rules.
- (c) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (d) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 1; minimum length 18 inches.

(181) Lenore Lake (Grant County):

- (a) The waters within a 200 yard radius of the trash rack leading to the irrigation pumping station (on the south end of the lake) and the area approximately 100 yards beyond the mouth of inlet stream to State Highway 17: Closed waters.
- (b) Open March 1 through November 30.
- (c) Selective gear rules.

(d) Game fish: Statewide minimum length/daily limit, except:
Trout: Daily limit 1; minimum length 18 inches.

(182) **Libby Creek (tributary to Methow River) (Okanogan County):**
Closed waters.

(183) **Liberty Lake (Spokane County):** Open March 1 through October 31.

(184) **Lilly Lake (Chelan County):**

(a) Open the fourth Saturday in April through October 31.

(b) Game fish: Statewide minimum length/daily limit, except:
Eastern brook trout count as part of trout daily limit.

(185) **Lions Park Pond (Walla Walla County):** Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.

(186) **Little Bridge Creek (tributary of Twisp River) (Okanogan County):**

(a) Open the Saturday before Memorial Day through August 15.

(b) Release all fish.

(c) Selective gear rules.

(187) **Little Falls Reservoir (Spokane River) (Lincoln County):**
From Little Falls Dam to Long Lake Dam: Landlocked salmon rules.

(188) **Little Lost Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.

(189) **Little Naches River including tributaries (Yakima County):**
Selective gear rules.

(190) **Little Pend Oreille River and tributaries (Stevens County):**
Selective gear rules.

(191) **Little Spokane River and tributaries (Spokane County):**

(a) From the inlet of Chain Lake upstream 0.25 mile to the railroad crossing culvert: Closed waters.

(b) From the SR 291 Bridge upstream:

(i) Open Saturday before Memorial Day through October 31.

(ii) Whitefish:

(A) Open December 1 through the last day in February for whitefish only.

(B) Whitefish gear rules.

(192) **Little Twin Lake (Okanogan County):**

(a) Open the fourth Saturday in April through October 31.

(b) Selective gear rules.

(c) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(d) Game fish: Statewide minimum length/daily limit, except:

(i) Trout: Daily limit 1; minimum length 18 inches.

(ii) Eastern brook trout count as part of trout daily limit.

(193) **Little Twin Lake (Stevens County):** Open the fourth Saturday in April through October 31.

(194) **Little Wenatchee River (Chelan County):**

(a) From the mouth to USFS road 6700 Bridge and tributaries:
Closed waters.

(b) From the USFS road 6700 Bridge upstream including tributaries:
Selective gear rules.

(195) **Long Lake (Ferry County):**

(a) Open the fourth Saturday in April through October 31.

(b) Fly fishing only.

(c) It is unlawful to use flies containing lead.

(d) It is unlawful to fish from a floating device equipped with a motor.

- (196) **Long Lake (Okanogan County)**: Open the fourth Saturday in April through October 31.
- (197) **Long Lake (Lake Spokane) (Spokane County)**: From Long Lake Dam to Nine Mile Dam, including Little Spokane River from the mouth to the SR 291 Bridge: Landlocked salmon rules.
- (198) **Loon Lake (Stevens County)**: Open the fourth Saturday in April through October 31.
- (199) **Lost Lake (Kittitas County)**: Game fish: Statewide minimum length/daily limit, except: Rainbow trout: Daily limit 2; minimum length 14 inches.
- (200) **Lost Lake (Okanogan County)**:
- (a) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (b) It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.
 - (c) Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.
- (201) **Lost River (tributary to Methow River) (Okanogan County)**:
- (a) From the mouth to the mouth of Monument Creek: Closed waters.
 - (b) From the mouth of Monument Creek including tributaries upstream to Deception Creek:
 - (i) Open the Saturday before Memorial Day through August 15.
 - (ii) Selective gear rules.
 - (iii) Game fish: Statewide minimum length/daily limit, except:
 - (A) Trout: Minimum length 14 inches; daily limit 2.
 - (B) Dolly Varden/bull trout may be retained as part of trout daily limit.
- (202) **Lyman Lake (Okanogan County)**: Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.
- (203) **Mad River (Chelan County)**:
- (a) From the mouth to Windy Creek, including Windy Creek and tributaries except Tillicum Creek: Closed waters.
 - (b) From Windy Creek upstream and tributaries: Selective gear rules.
- (204) **Manastash Creek (Kittitas County)**: Selective gear rules.
- (205) **Marshall Lake (Pend Oreille County)**: Open the fourth Saturday in April through October 31.
- (206) **Martha Lake (Grant County)**: Open March 1 through September 30.
- (207) **Mary Ann Lake (Okanogan County)**: Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.
- (208) **Mattoon Lake (Kittitas County)**: It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (209) **McCabe Pond (Kittitas County)**: It is unlawful to fish from any floating device equipped with a motor.
- (210) **McDowell Lake (Stevens County)**:
- (a) Open the fourth Saturday in April through October 31.
 - (b) Fly fishing only.
 - (c) It is unlawful to fish from a floating device equipped with a motor.
 - (d) Release all fish.
- (211) **McManaman Lake (Adams County)**: Open the fourth Saturday in April through September 30.
- (212) **Medical Lake (Spokane County)**:
- (a) Open March 1 through November 30.

- (b) Selective gear rules.
- (c) It is unlawful to fish from a floating device equipped with a motor.
- (d) Game fish: Statewide minimum length/daily limit, except:
Trout: Daily limit 2; minimum length 14 inches.
- (213) **Medical Lake, West (Spokane County)**: Open the fourth Saturday in April through ((~~September 30~~)) October 31.
- (214) **Mercer Creek (Kittitas County)**: Selective gear rules.
- (215) **Merry Lake (Grant County)**:
 - (a) Open March 1 through November 30.
 - (b) Selective gear rules.
 - (c) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (d) Game fish: Statewide minimum length/daily limit, except:
Trout: Daily limit 1; minimum length 18 inches.
- (216) **Methow River (Okanogan County)**:
 - (a) From mouth to County Road 1535 (Burma Road) Bridge: Closed waters.
 - (b) Tributaries from mouth to County Road 1535 (Burma Road) Bridge except Black Canyon Creek:
 - (i) Release all fish, except: Eastern brook trout: No minimum length/daily limit.
 - (ii) Steelhead: Closed to fishing.
 - (c) From County Road 1535 (Burma Road) Bridge to Gold Creek:
 - (i) Open the Saturday before Memorial Day through September 15.
 - (ii) Selective gear rules.
 - (iii) Release all fish.
 - (iv) Steelhead: Closed to fishing.
 - (d) All tributaries from the County Road 1535 (Burma Road) to Gold Creek except Gold Creek:
 - (i) Selective gear rules.
 - (ii) Release all fish, except: Eastern brook trout: No minimum length/daily limit.
 - (iii) Steelhead: Closed to fishing.
 - (e) From Gold Creek to Foghorn Dam:
 - (i) Open the Saturday before Memorial Day through September 30.
 - (ii) Selective gear rules.
 - (iii) Release all fish.
 - (iv) Steelhead: Closed to fishing.
 - (v) Whitefish:
 - (A) Open December 1 through the last day in February for whitefish only.
 - (B) Whitefish gear rules.
 - (f) Methow River tributaries from Gold Creek to Foghorn Dam; except Twisp River, Chewuch River, Libby Creek, and Beaver Creek:
 - (i) Release all fish, except: Eastern brook trout: No minimum length/daily limit.
 - (ii) Steelhead: Closed to fishing.
 - (g) From Foghorn Dam to Weeman Bridge including tributaries:
 - (i) Open the Saturday before Memorial Day through August 15:
 - (A) Release all fish.
 - (B) Selective gear rules.
 - (C) Steelhead: Closed to fishing.
 - (ii) Whitefish:
 - (A) Open December 1 through the last day in February for Whitefish only.
 - (B) Whitefish gear rules.

- (h) From Weeman Bridge to the falls above Brush Creek: Whitefish:
- (i) Open December 1 through the last day in February for whitefish only.
- (ii) Whitefish gear rules.
- (i) Methow River tributaries from Weeman Bridge to the falls above Brush Creek; excluding Lost River, Goat Creek, Early Winters Creek, and Wolf Creek:
- (i) Selective gear rules.
- (ii) Release all fish.
- (iii) Steelhead: Closed to fishing.
- (217) Mill Creek (tributary to the Walla Walla River) (Walla Walla County):**
- (a) From the mouth to Bennington Dam, including tributaries: Closed waters.
- (b) From Bennington Dam upstream excluding tributaries: Selective gear rules.
- (c) All tributaries upstream of Bennington Dam: Closed waters.
- (218) Mineral Creek (tributary to upper Kachess River) (Kittitas County):** From the mouth to the Wilderness Boundary: Closed waters.
- (219) Molson Lake (Okanogan County):** Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.
- (220) Monument Creek (Okanogan County), including tributaries:** Selective gear rules.
- (221) Morgan Lake (Adams County):** Open the fourth Saturday in April through September 30.
- (222) Moses Lake (Grant County):** Game fish: Statewide minimum length/daily limit, except:
- (a) Crappie: Daily limit 10; minimum length 9 inches.
- (b) Bluegill: Daily limit 5; minimum length 8 inches.
- (c) Yellow perch: Daily limit 25.
- (223) Mud Lake (Yakima County):**
- (a) Selective gear rules.
- (b) It is unlawful to fish from a floating device equipped with a motor.
- (c) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 1; minimum length 18 inches.
- (224) Mudgett Lake (Stevens County):** Open the fourth Saturday in April through October 31.
- (225) Muskegon Lake (Pend Oreille County):**
- (a) Open the fourth Saturday in April through October 31.
- (b) Selective gear rules.
- (c) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (d) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 2; minimum length 14 inches.
- (226) Myron Lake (Yakima County):**
- (a) Selective gear rules.
- (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (c) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 2; minimum length 14 inches.
- (227) Mystic Lake (Pend Oreille County):** Open the fourth Saturday in April through October 31.
- (228) Naches River (Yakima/Kittitas counties):**
- (a) From the mouth to Little Naches River:
- (i) Selective gear rules.

- (ii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (iii) Game fish: Statewide minimum length/daily limit, except:
- (A) Trout: Daily limit 2; minimum length 14 inches.
- (B) Release trout from the confluence with Tieton River to the confluence of the Little Naches River and Bumping River (origin of Naches River).
- (b) From the mouth to the Tieton River:
- (i) Whitefish: December 1 through the last day in February for whitefish only.
- (ii) Whitefish gear rules.
- (229) **Naneum Creek and tributaries (Kittitas County)**: Selective gear rules.
- (230) **Naneum Pond (Kittitas County)**: Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.
- (231) **Napeequa River (Chelan County)**: From mouth to Twin Lakes Creek (including Twin Lakes Creek and all tributaries): Closed waters.
- (232) **Nason Creek (Chelan County)**:
- (a) From the mouth to Gaynor Falls and tributaries except White-pine Creek: Closed waters.
- (b) From Gaynor Falls (approximately 0.7 miles upstream of White-pine Creek) upstream and tributaries: Selective gear rules.
- (233) **Nile Creek and tributaries (Yakima County)**: Selective gear rules.
- (234) **No Name Lake (Pend Oreille County)**: Open the fourth Saturday in April through October 31.
- (235) **North Creek (tributary to Twisp River) (Okanogan County)**: From the mouth upstream to Twisp River Road Bridge: Closed waters.
- (236) **North Elton Pond (Yakima County)**:
- (a) Open the Friday after Thanksgiving through March 31.
- (b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (237) **North Potholes Reserve Ponds (Grant County)**: Open March 1 through the day before waterfowl season begins.
- (238) **Nunnally Lake (Grant County)**:
- (a) The outlet stream of Nunnally Lake is closed waters.
- (b) Open March 1 through November 30.
- (c) Selective gear rules.
- (d) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (e) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 1; minimum length 18 inches.
- (239) **Oak Creek and tributaries (Yakima County)**: Selective gear rules.
- (240) **Okanogan River (Okanogan County)**:
- (a) From the mouth to Highway 97 Bridge immediately upstream of the mouth:
Game fish: Open year-round. Statewide minimum length/daily limit, except:
- (i) Release trout.
- (ii) Steelhead: Closed to fishing.
- (b) From Highway 97 Bridge immediately upstream of the mouth to the highway bridge at Malott:
Game fish: Open year-round. Statewide minimum length/daily limit, except:
- (i) Release trout.

(ii) Steelhead: Closed to fishing.

(c) From the highway bridge at Malott to the Highway 97 Bridge at Oroville:

Game fish: Open the Saturday before Memorial Day through September 15. Statewide minimum length/daily limit, except:

(i) Release trout.

(ii) Steelhead: Closed to fishing.

(d) From the Highway 97 Bridge at Oroville upstream to the Zosel Dam: Closed waters.

(e) All Okanogan River tributaries, except Salmon Creek, Jasmine Creek, Bonaparte Creek, and the Similkameen River:

(i) Selective gear rules.

(ii) Game fish: Statewide minimum length/daily limit, except:

(A) Release trout.

(B) Steelhead: Closed to fishing.

(241) **Osoyoos Lake (Okanogan County)**: Game fish: Statewide minimum length/daily limit, except:

(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(c) Channel catfish: Daily limit 10; no size restriction.

(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.

(242) **Palouse River (Whitman County)**: From the mouth to the base of Palouse Falls:

(a) Open year-round for game fish except trout and steelhead.

(b) Trout: Open the Saturday before Memorial Day through October 31.

(c) Steelhead:

(i) Open August 1 through April 15.

(ii) Daily limit 3 hatchery steelhead; minimum length 20 inches.

(d) It is permissible to fish with two poles so long as the angler possesses a valid two-pole endorsement, except for steelhead.

(243) **Palouse River (Whitman County) mainstem above Palouse Falls and tributaries (Washington waters only), except Rock Creek and Hog Canyon Creek**: Open year-round.

(244) **Pampa Pond (Whitman County)**:

(a) Open March 1 through September 30.

(b) It is unlawful to fish from any floating device.

(245) **Park Lake (Grant County)**: Open the fourth Saturday in April through October 31.

(246) **Parker Lake (Pend Oreille County)**: Open the fourth Saturday in April through October 31.

(247) **Pataha Creek (Garfield County)**:

(a) Within the city limits of Pomeroy: Open to juvenile anglers, senior angler, and anglers with a disability who possess a designated harvester companion card only.

(b) From the city limits of Pomeroy upstream: Selective gear rules.

(248) **Pearrygin Lake (Okanogan County)**: Open the fourth Saturday in April through October 31.

(249) **Pend Oreille River (Pend Oreille County)**:

(a) Open year-round.

(b) Game fish: Statewide lake rules.

(c) All sloughs within the boundaries of the Kalispel Reservation, except Calispell Slough: Closed waters.

(250) **Perch Lake (Grant County)**: Open the fourth Saturday in April through September 30.

(251) **Peshastin Creek and all tributaries except Ingalls Creek (Chelan County)**: Closed waters.

(252) **Petit Lake (Pend Oreille County)**:

(a) Open the fourth Saturday in April through October 31.

(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(253) **Phalon Lake (Stevens County)**: Closed waters.

(254) **Phillips Lake (Stevens County)**: Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.

(255) **Pierre Lake (Stevens County)**: It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

(256) **Pillar Lake (Grant County)**: Open the fourth Saturday in April through September 30.

(257) **Ping Pond (Oasis Park Pond) (Grant County)**: Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.

(258) **Pit Lake (Douglas County)**: Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.

(259) **Poacher Lake (Grant County)**: Open the fourth Saturday before April through September 30.

(260) **Potholes Reservoir (Grant County)**: Game fish: Statewide minimum length/daily limit, except:

(a) Crappie: Minimum length 9 inches.

(b) Crappie and bluegill: Combined limit of 25 fish.

(c) Yellow perch: Daily limit 25 fish.

(261) **Potter's Pond (Stevens County)**: Open the fourth Saturday in April through October 31.

(262) **Powerline Lake (Franklin County)**: Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 2; minimum length 14 inches.

(263) **Quail Lake (Adams County)**:

(a) Fly fishing only.

(b) It is unlawful to fish from any floating device equipped with a motor.

(c) Release all fish.

(264) **Quarry Pond (Walla Walla County)**: It is unlawful to fish from any floating device.

(265) **Quincy Lake (Grant County)**: Open March 1 through September 30.

(266) **Rainbow Lake (Columbia County)**:

(a) Open March 1 through November 30.

(b) It is unlawful to fish from any floating device.

(267) **Rat Lake (Okanogan County)**:

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 2; minimum length 14 inches.

(268) **Rattlesnake Creek and tributaries (Yakima County)**:

(a) Selective gear rules.

(b) Release all fish.

- (269) **Red Rock Creek (Grant County)**: Open the Saturday before Memorial Day through September 30.
- (270) **Reflection Pond (Okanogan County)**:
 (a) Open the fourth Saturday in April through October 31.
 (b) Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.
- (271) **Renner Lake (Ferry County)**:
 (a) Open the fourth Saturday in April through October 31.
 (b) Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.
- (272) **Rigley Lake (Stevens County)**:
 (a) Open the fourth Saturday in April through October 31.
 (b) Selective gear rules.
 (c) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 (d) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 2, minimum length 14 inches.
- (273) **Rimrock Lake (Reservoir) (Yakima County)**: Chumming is permissible.
- (274) **Ringold Springs Hatchery Creek (Franklin County)**: Closed waters.
- (275) **Roaring Creek (Entiat River tributary) (Chelan County)**: Closed waters.
- (276) **Rock Creek (Adams/Whitman counties)**:
 (a) From the mouth to the bridge on Jordan Knott Road at Revere:
 (i) Selective gear rules.
 (ii) Release all fish.
 (b) From the bridge on Jordan Knott Road upstream: Open year-round.
- (277) **Rocky Ford Creek and Ponds (Grant County)**:
 (a) Open to fly fishing and fishing from the bank only (no wading).
 (b) Release all fish.
- (278) **Rocky Lake (Stevens County)**: Open the fourth Saturday in April through October 31.
- (279) **Roosevelt Lake (Grant/Ferry/Lincoln/Stevens counties)**: Columbia River from Grand Coulee Dam to U.S. Canadian border including Hawk Creek downstream of the falls at Hawk Creek Campground, Spokane River from 400 feet downstream of Little Falls Dam, Kettle River downstream of Barstow Bridge, and Colville River downstream of S.R. 25 Bridge.
 (a) The following areas are closed waters:
 (i) From the Little Dalles power line crossing upstream approximately one mile to the marked rock point from March 1 through the Friday before Memorial Day.
 (ii) Northport power line crossing upstream to the most upstream point of Steamboat Rock, from March 1 through the Friday before Memorial Day.
 (iii) The Kettle River upstream to Barstow Bridge from March 1 through the Friday before Memorial Day.
 (b) From Grand Coulee Dam to the Little Dalles power line crossing:
 (i) Game fish: Statewide minimum length/daily limit, except:
 (A) Kokanee: Daily limit 6; no more than 2 with intact adipose fins.
 (B) Trout (except kokanee): Daily limit 5; it is unlawful to retain trout with an intact adipose fin.

(C) Walleye: Daily limit 16 fish; no size restrictions.

(ii) Salmon:

(A) Salmon count toward trout daily limit.

(B) No catch record card required.

(c) From the Little Dalles power line crossing to the Canadian border:

(i) Game fish: Statewide minimum length/daily limit, except:

(A) Kokanee: Daily limit 6; no more than 2 with intact adipose fins.

(B) Trout (except kokanee): Daily limit 2; minimum size 18 inches.

(C) Walleye: Daily limit 16; no size restrictions.

(ii) Salmon:

(A) Salmon count toward trout daily limit.

(B) No catch record card required.

(280) **Round Lake (Okanogan County)**: Open the fourth Saturday in April through October 31.

(281) **Royal Lake (Adams County)**: Closed waters.

(282) **Royal Slough (including Marsh Unit IV impoundments) (Adams County)**: Closed waters.

(283) **Rufus Woods Lake (Douglas/Okanogan counties)**:

(a) From Grand Coulee Dam downstream to State Route 155 Bridge: Closed waters.

(b) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 2.

(c) Sturgeon: Closed to fishing.

(d) A nonmember fishing permit issued by the Colville Tribes shall satisfy the license requirement of RCW 77.32.010 on the waters of Lake Rufus Woods and on the north shore of Lake Rufus Woods.

(e) A Colville tribal member identification card satisfies the license requirement of RCW 77.32.010 on all waters of Lake Rufus Woods.

(284) **Sacheen Lake (Pend Oreille County)**: Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.

(285) **Saddle Mountain Lake (Grant County)**: Closed waters.

(286) **Sago Lake (Grant County)**: Open the fourth Saturday in April through September 30.

(287) **Salmon Creek (Okanogan County)**:

(a) From the mouth to Conconully Reservoir:

(i) Selective gear rules.

(ii) Game fish: Statewide minimum length/daily limit, except:

(A) Release trout other than eastern brook trout.

(B) Steelhead: Closed to fishing.

(b) From Conconully Reservoir upstream including tributaries: Selective gear rules.

(288) **San Poil River (Ferry County)**:

(a) From the western shoreline at the mouth of the San Poil Arm (as marked by a regulatory buoy) directly eastward across the San Poil Arm to the eastern shoreline of the San Poil Arm (as marked by a regulatory buoy) upstream to the north shore of the outlet of French Johns Lake (Manila Creek) northeast across the San Poil Arm to the north shore of the outlet of Dick Creek:

(i) Game fish: Open year-round; statewide minimum length/daily limit, except:

(A) Open June 1 through January 31 for kokanee, smallmouth bass, trout, and walleye:

(I) Kokanee: Daily limit 2.

(II) Trout: Daily limit 5; it is unlawful to retain trout with an intact adipose fin.

(III) Walleye: Daily limit 16; no size restrictions.

(IV) Smallmouth bass: Daily limit 10; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(B) Largemouth bass: Daily limit 5; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(ii) Salmon: Open year-round:

(A) Salmon count toward trout daily limit.

(B) No catch record card required.

(iii) Carp: Open year-round.

(b) From the north shore of the outlet of French Johns Lake (Manila Creek) northeast across the San Poil Arm to the north shore of the outlet of Dick Creek to approximately 5 miles upstream from the outlet of French Johns Lake, as marked by regulatory buoys:

(i) Game fish: Open year-round; statewide minimum length/daily limit, except:

(A) Kokanee: Unlawful to fish for or retain.

(B) Trout: Unlawful to fish for or retain.

(C) Open June 1 through January 31 for walleye and smallmouth bass:

(I) Walleye: Daily limit 16; no size restrictions.

(II) Smallmouth bass: Daily limit 10; no minimum length; only 1 smallmouth bass over 14 inches may be retained.

(D) Largemouth bass: Daily limit 5; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.

(ii) Salmon: Open year-round; landlocked salmon rules apply.

(iii) Carp: Open year-round; unlawful to fish for carp with bow and arrow.

(c) The waters from approximately 5 miles upstream from the outlet of French Johns Lake, as marked by regulatory buoys, to all waters north of the regulatory buoy line at or above 1,310 feet mean sea level elevation upstream to the northern reservation boundary are managed under the regulatory authority of the Colville Confederated Tribes.

(289) Sand Hollow Creek (Grant County) including tributaries:

From the mouth (State Route 243) upstream: Open the Saturday before Memorial Day through September 30.

(290) Sarg Hubbard Park Pond (Reflection Pond) (Yakima County):

Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.

(291) Schallow Pond (Okanogan County): Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.

(292) Sedge Lake (Grant County):

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 1; minimum length 18 inches.

(293) Shellneck Creek (Yakima County): Closed waters.

(294) Sherman Creek (Ferry County) and tributaries: From the hatchery boat dock to 400 feet upstream of hatchery water diversion dam: Closed waters.

(295) Shiner Lake (Adams County): Open the fourth Saturday in April through September 30.

(296) **Shoveler Lake (Grant County)**: Open the fourth Saturday in April through September 30.

(297) **Silver Lake (Spokane County)**: Game fish: Statewide minimum length/daily limit, except: Crappie: Daily limit 10; minimum length 9 inches.

(298) **Silver Nail Lake (Okanogan County)**: Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.

(299) **Similkameen River (Okanogan County)**:

(a) From Enloe Dam downstream 400 feet: Closed waters.

(b) From the mouth to Enloe Dam:

(i) Open July 1 through September 15.

(ii) Game fish: Statewide minimum length/daily limit, except:

(A) Release trout.

(B) Steelhead: Closed to fishing.

(iii) Whitefish:

(A) Open December 1 through the last day in February for whitefish only.

(B) Whitefish gear rules.

(c) From Enloe Dam to the Canadian border, including tributaries, except Sinlahekin Creek:

(i) Open the Saturday before Memorial Day through October 31.

(ii) Whitefish:

(A) Open December 1 through the last day in February for whitefish only.

(B) Whitefish gear rules.

(300) **Sinlahekin Creek (Okanogan County)**: From Palmer Lake to Cecile Creek Bridge:

(a) Open the Saturday before Memorial Day through August 31.

(b) Selective gear rules.

(c) Whitefish:

(i) Open December 1 through the last day in February for whitefish only.

(ii) Whitefish gear rules.

(301) **Skookum Lake, North (Pend Oreille County)**: Open the fourth Saturday in April through October 31.

(302) **Skookum Lake, South (Pend Oreille County)**:

(a) Open the fourth Saturday in April through October 31.

(b) It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

(303) **Snake River**:

(a) Tributaries except Palouse River, Tucannon River, Asotin Creek, and Grande Ronde River: Closed waters.

(b) Columbia River rules apply downstream of the Burbank-to-Pasco railroad bridge at Snake River mile 1.5.

(c) Within 400 feet of the base of any dam: Closed waters.

(d) Within a 400 foot radius around the fish ladder entrance at Lyons Ferry Hatchery: Closed waters.

(e) Within a 200 foot radius upstream of the fish ladder exit above Lower Granite Dam: Closed waters.

(f) Within an area 1,200 feet downstream from the base of the west lock gate at Little Goose Dam on the south bank of the Snake River and 100 feet out into the river from the south river bank: Closed waters.

(g) Game fish: Open year-round; statewide minimum length/daily limit, except:

- (i) Trout: Open the Saturday before Memorial Day through October 31.
- (ii) Steelhead:
- (A) Open July 1 through August 31; catch and release only. Barbless hooks required.
- (B) Open September 1 through March 31; Daily limit 3 hatchery steelhead; barbless hooks required.
- (C) April 1 through June 30; closed to fishing.
- (304) **Snipe Lake (Grant County)**: Open the fourth Saturday in April through September 30.
- (305) **Snipes Creek (Benton County)**: Selective gear rules.
- (306) **South Columbia Basin Irrigation PE16.4 spillway at the Ringold Springs access downstream 400' towards the Columbia River. (46°30'20.0"N 119°15'28.7"W) (Franklin County)**: Closed waters.
- (307) **Spectacle Lake (Okanogan County)**: Open April 1 through September 30.
- (308) **Spokane River (Spokane County)**: From Nine Mile Dam upstream to the Idaho/Washington state line:
- (a) Selective gear rules.
- (b) Open the Saturday before Memorial Day through March 15.
- (c) Game fish: Release all fish, except: Hatchery rainbow trout: Daily limit 2.
- (309) **Sprague Lake (Adams/Lincoln counties)**:
- (a) The following waters are closed waters:
- (i) Cow Creek.
- (ii) The marsh at the southwest end of the lake from the lakeside edge of the reeds, including Cow Creek, to Danekas Road.
- (iii) The small bay at the southeast end of the lake.
- (b) All other waters southwest of the southwest tip of Harper Island: Closed from October 1 through April 30.
- (c) Game fish: Statewide minimum length/daily limit except:
- (i) Crappie: Minimum length 9 inches.
- (ii) Crappie and bluegill: Combined limit of 25 fish.
- (310) **Spring Creek (Benton County)**: Selective gear rules.
- (311) **Spring Hill Reservoir (Black Lake, Lower Wheeler Reservoir) (Chelan County)**:
- (a) Open the fourth Saturday in April through October 31.
- (b) Selective gear rules.
- (c) It is unlawful to fish from a floating device equipped with an internal combustion motor.
- (d) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 1, minimum length 18 inches.
- (312) **Spring Lake (Columbia County)**: It is unlawful to fish from any floating device.
- (313) **Spring Lakes (Upper and Lower) (Grant County)**: Open March 1 through September 30.
- (314) **Springdale Pond (Lucky Duck Pond) (Stevens County)**: Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.
- (315) **Spruce Creek (tributary to South Fork Tieton River) (Yakima County)**: Closed waters.
- (316) **Starvation Lake (Stevens County)**: Open the fourth Saturday in April through October 31.
- (317) **Starzman Lakes (Okanogan County)**: Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.

- (318) **Stehekin River (Chelan County)**: From the mouth (Powerline crossing) upstream and tributaries:
- (a) Selective gear rules.
 - (b) Game fish: Statewide minimum length/daily limit, except: Release wild cutthroat.
- (319) **Stratford/Brook Lake (Grant County)**: Open March 1 through September 30.
- (320) **Sugarloaf Lake (Okanogan County)**: Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.
- (321) **Sullivan Creek and tributaries (Pend Oreille County)**:
- (a) Game fish: Statewide minimum length/daily limit, except: Release cutthroat trout.
 - (b) Selective gear rules.
- (322) **Sullivan Lake (Pend Oreille County)**: Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 2; minimum length 14 inches.
- (323) **Summit Lake (Okanogan County)**: Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.
- (324) **Summit Lake (Stevens County)**: Open the fourth Saturday in April through October 31.
- (325) **Swan Lake (Ferry County)**: It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.
- (326) **Swauk Creek and tributaries (Kittitas County)**: Selective gear rules.
- (327) **Taneum Creek and tributaries (Kittitas County)**: Selective gear rules.
- (328) **Teal Lakes (North and South) (Grant/Adams counties)**: Open the fourth Saturday in April through September 30.
- (329) **Teanaway River (Kittitas County), and tributaries except North Fork**: Selective gear rules.
- (330) **Teanaway River, North Fork (Kittitas County)**:
- (a) From the mouth to Beverly Creek and tributaries; including Beverly Creek:
 - (i) Selective gear rules.
 - (ii) Game fish: Statewide minimum length/daily limit, except: Release trout.
 - (b) From Beverly Creek to the impassable waterfall at the end of USFS Road 9737: Closed waters.
- (331) **Tern Lake (Grant County)**:
- (a) Selective gear rules.
 - (b) Game fish: Statewide minimum length/daily limit, except: Trout: Daily limit 1; minimum length 18 inches.
- (332) **Thirtymile Creek (tributary to Chewuch River) (Okanogan County)**: From mouth upstream to falls (approximately 700 feet): Closed waters.
- (333) **Tieton River (Yakima County)**:
- (a) It is permissible to fish up to the base of Tieton (Rimrock) Dam.
 - (b) Selective gear rules apply.
- (334) **Tieton River, North Fork (Yakima County)**:
- (a) From mouth to USFS Road 740 Bridge:
 - (i) Open the Saturday before Memorial Day through August 15.
 - (ii) Selective gear rules.
 - (b) The Clear Lake spillway channel: Closed waters.

(c) From the USFS Road 740 Bridge to Clear Lake Dam: Closed waters.

(d) The mainstem and tributaries including that portion of the river that flows through the dry lakebed of Rimrock Reservoir, upstream of Clear Lake:

(i) Open the Saturday before Memorial Day through August 15.

(ii) Selective gear rules.

(335) **Tieton River, South Fork (Yakima County)**: From the bridge on USFS Road 1200 to bridge on USFS road 1070: Closed waters.

(336) **Tillicum Creek (tributary to Mad River) (Chelan River)**:

(a) From mouth to the intersection of USFS 5800 and USFS 5808: Closed waters.

(b) From the intersection of USFS 5800 and USFS 5808 upstream (upstream 2.25 miles) including tributaries: Selective gear rules.

(337) **Touchet River and tributaries (Columbia/Walla Walla counties)**:

(a) From the mouth to the confluence of the North and South Forks:

(i) All tributaries: Closed waters.

(ii) Game fish: Open the Saturday before Memorial Day through April 15; statewide minimum length/daily limit, except:

(A) November 1 through April 15: Release all fish except steelhead.

(B) August 1 through April 15: Hatchery steelhead daily limit 3, barbless hooks required.

(b) From the confluence of the North and South Forks upstream including both forks, Robinson Fork, and Wolf Fork:

(i) All other tributaries: Closed waters.

(ii) Open the Saturday before Memorial Day through August 31.

(iii) Selective gear rules.

(338) **Trout Lake (Ferry County)**: Open the fourth Saturday in April through October 31.

(339) **Tucannon River (Columbia County)**:

(a) All tributaries are closed waters, except Pataha Creek.

(b) Mouth upstream to Tucannon Hatchery Road Bridge:

(c) Game fish: Open the Saturday before Memorial Day through April 15; statewide minimum length/daily limit, except:

(i) November 1 through April 15: Release all fish except steelhead.

(ii) August 1 through April 15: Hatchery steelhead daily limit 3, barbless hooks required.

(d) Tucannon Hatchery Bridge to 500 feet above intake for Rainbow Lake: Closed waters.

(e) 500 feet above intake for Rainbow Lake to Cow Camp Bridge:

(i) Open the Saturday before Memorial Day through August 31.

(ii) Selective gear rules.

(f) Cow Camp Bridge upstream: Closed waters.

(340) **Tucquala Lake (Kittitas County)**:

(a) Open the Saturday before Memorial Day through October 31.

(b) Statewide stream rules apply.

(341) **Twentymile Creek (tributary to Chewuch River) (Okanogan County)**: From the mouth upstream to falls (approximately 0.75 miles): Closed waters.

(342) **Twin Lakes, tributaries, and Twin Lakes Creek (outlet stream) to the confluence with the Napeequa River (Chelan County)**: Closed waters.

(343) **Twisp River (Okanogan County)**:

- (a) Mouth to War Creek:
 - (i) Open the Saturday before Memorial Day through August 15.
 - (ii) Selective gear rules.
 - (iii) Release all fish.
- (b) Twisp River tributaries from War Creek upstream except North Creek and North Fork Twisp River:
 - (i) Selective gear rules.
 - (ii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
 - (iii) Release all fish.
- (c) From War Creek upstream: Closed waters.
- (344) **Twisp River, North Fork (Okanogan County)**: From mouth to falls including tributaries: Closed waters.
- (345) **Umtanum Creek (Kittitas County)**: Selective gear rules.
- (346) **Union Creek (Yakima County)**: From the mouth to the falls: Closed waters.
- (347) **Upper Wheeler Reservoir (Chelan County)**:
 - (a) Open the fourth Saturday in April through October 31.
 - (b) Fly fishing only.
 - (c) It is unlawful to fish from a floating device equipped with a motor.
 - (d) Release all fish.
- (348) **Vic Meyers (Rainbow) Lake (Grant County)**:
 - (a) Open the fourth Saturday in April through September 30.
 - (b) Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.
- (349) **Walla Walla River (Walla Walla County)**: From mouth to Washington/Oregon stateline:
 - (a) All tributaries except Touchet River and Mill Creek: Closed waters.
 - (b) Game fish: Open year-round; statewide minimum length/daily limit, except for trout and steelhead:
 - (i) Trout: Open the Saturday before Memorial day through October 31; statewide minimum length/daily limit.
 - (ii) Steelhead:
 - (A) Open the Saturday before Memorial Day through July 31; daily limit 2 hatchery steelhead.
 - (B) Open August 1 through April 15; daily limit 3 hatchery steelhead, barbless hooks required.
- (350) **Wannacut Lake (Okanogan County)**: Open the fourth Saturday in April through October 31.
- (351) **Wapato Lake (Chelan County)**: Open the fourth Saturday in April through October 31.
- (352) **Ward Lake (Ferry County)**:
 - (a) Open the fourth Saturday in April through October 31.
 - (b) Game fish: Statewide minimum length/daily limit, except: Eastern brook trout count as part of trout daily limit.
- (353) **Warden Lake (Grant County)**: Open the fourth Saturday in April through September 30.
- (354) **Warden Lake, South (Grant County)**: Open the fourth Saturday in April through September 30.
- (355) **Washburn Island Pond (Okanogan County)**:
 - (a) Open April 1 through September 30.
 - (b) An internal combustion motor may be attached to a floating device, but cannot be used.
- (356) **Washburn Lake (Okanogan County)**:
 - (a) Open the fourth Saturday in April through October 31.

(b) Game fish: Statewide minimum length/daily limit, except:
Trout: Daily limit 1; minimum length 18 inches.

(c) Selective gear rules.

(d) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(357) **Watson Lake (Columbia County):**

(a) Open March 1 through November 30.

(b) It is unlawful to fish from any floating device.

(358) **Wenaha River tributaries:**

(a) Open the Saturday before Memorial Day through August 31.

(b) Selective gear rules.

(359) **Wenas Creek (Yakima County):** From the mouth to Wenas Lake, including tributaries: Selective gear rules.

(360) **Wenatchee Lake (Chelan County):**

(a) Selective gear rules.

(b) Game fish: Statewide minimum length/daily limit, except:

(i) Release trout.

(ii) Steelhead: Closed to fishing.

(iii) Kokanee: Closed to fishing.

(361) **Wenatchee River (Chelan County):**

(a) From the mouth to the Icicle Road Bridge: Game fish: Closed to fishing.

(b) From Icicle Road Bridge upstream to Lake Wenatchee: Closed waters.

(362) **Whitepine Creek (Chelan County):** From the mouth to Whitepine Creek Falls (1 mile upstream of mouth) and tributaries: Closed waters.

(363) **White River (Chelan County):** From the mouth to White River Falls and tributaries, except Napeequa River: Closed waters.

(364) **Widgeon Lake (Grant County):** Open the fourth Saturday in April through September 30.

(365) **Williams Lake (Spokane County):** Open the fourth Saturday in April through (~~September 30~~) October 31.

(366) **Williams Lake (Stevens County):** Open the Friday after Thanksgiving through March 31.

(367) **Wilson Creek (Kittitas County):** From BNSF railroad bridge upstream: Selective gear rules.

(368) **Winchester Wasteway (Grant County) (that portion within the Winchester Game Reserve):** Open March 1 through September 30.

(369) **Wolf Creek (Methow River tributary) (Okanogan County):** Closed waters.

(370) **Yakima River (Yakima County):**

(a) Downstream of Highway 240 Bridge: Columbia River rules apply.

(b) From the Highway 240 Bridge to 400 feet downstream of the Horn Rapids (Wanawish) Dam:

(i) Open March 1 through October 31.

(ii) Chumming is permissible.

(iii) Game fish: Statewide minimum size/daily limit, except: Release trout.

(iv) Barbless hooks required for salmon and steelhead.

(v) Salmon: Open September 15 through October 31.

(A) Daily limit 6; up to 2 adults may be retained.

(B) Release all salmon other than Chinook and coho.

(C) Night closure.

(c) From 400 feet downstream of the Horn Rapids (Wanawish) Dam to the dam: Closed waters.

- (d) From the Horn Rapids (Wanawish) Dam to 200 feet downstream of the USBR Chandler Powerhouse:
- (i) Open March 1 through October 31.
 - (ii) Chumming is permissible.
 - (iii) Game fish: Statewide minimum size/daily limit, except: Release trout.
 - (iv) Barbless hooks required for salmon and steelhead.
 - (v) Salmon: Open September 15 through October 31.
 - (A) Daily limit 6; up to 2 adults may be retained.
 - (B) Release all salmon other than Chinook and coho.
 - (C) Night closure.
- (e) From 200 feet downstream of the USBR Chandler Powerhouse to 200 feet upstream of the Chandler Powerhouse:
- (i) Open March 1 through August 31.
 - (ii) Chumming is permissible.
 - (iii) Game fish: Statewide minimum size/daily limit, except: Release trout.
 - (iv) Barbless hooks required for steelhead.
 - (v) September 1 through October 31: Closed waters.
- (f) From 200 feet upstream of the Chandler Powerhouse to the downstream side of the westbound I-82 Bridge in Prosser:
- (i) Open March 1 through October 31.
 - (ii) Chumming is permissible.
 - (iii) Game fish: Statewide minimum size/daily limit, except: Release trout.
 - (iv) Barbless hooks required for salmon and steelhead.
 - (v) Salmon: Open September 15 through October 31.
 - (A) Daily limit 6; up to 2 adults may be retained.
 - (B) Release all salmon other than Chinook and coho.
 - (C) Night closure.
- (g) From the downstream side of the westbound I-82 Bridge in Prosser to the Grant Avenue Bridge in Prosser:
- (i) Open March 1 through October 31.
 - (ii) Chumming is permissible.
 - (iii) Fishing from a floating device is prohibited September 15 through November 15.
 - (iv) Game fish: Statewide minimum size/daily limit, except: Release trout.
 - (v) Barbless hooks required for salmon and steelhead.
 - (vi) Salmon: Open September 15 through November 15.
 - (A) Daily limit 6; up to 2 adults may be retained.
 - (B) Release all salmon other than Chinook and coho.
 - (C) Night closure.
- (h) From Grant Avenue Bridge to Prosser Dam: Closed waters.
- (i) From Prosser Dam to Highway 223 Bridge:
- (i) Open March 1 through October 31.
 - (ii) Game fish: Statewide minimum size/daily limit, except: Release trout.
 - (iii) Barbless hooks required for steelhead.
- (j) From Highway 223 Bridge to 400 feet below the Sunnyside (Parker) Dam:
- (i) Selective gear rules.
 - (ii) Game fish: Statewide minimum length/daily limit, except: Trout: Minimum length 14 inches.
 - (iii) Whitefish:
 - (A) Open December 1 through the last day in February for whitefish only.

(B) Whitefish gear rules.

(k) From 400 feet below the Sunnyside (Parker) Dam to the dam:
Closed waters.

(l) From the Sunnyside (Parker) Dam to the Yakima Avenue-Terrace
Heights Bridge:

(i) Selective gear rules.

(ii) Game fish: Statewide minimum length/daily limit, except:

Trout: Minimum length 14 inches.

(iii) Whitefish:

(A) Open December 1 through the last day in February for white-
fish only.

(B) Whitefish gear rules.

(m) From Yakima Avenue-Terrace Heights Bridge upstream 400 feet:
Closed waters.

(n) From 400 feet upstream of the Yakima Avenue-Terrace Heights
Bridge to 3,500 feet below Roza Dam:

(i) Selective gear rules.

(ii) Game fish: Statewide minimum length/daily limit, except:

Trout: Minimum length 14 inches.

(iii) Whitefish:

(A) Open December 1 through the last day in February for white-
fish only.

(B) Whitefish gear rules.

(o) From 3,500 feet below Roza Dam to Roza Dam: Closed waters.

(p) From Roza Dam to the U.S. Bureau of Reclamation restricted
area signs: Open year-round.

(i) Selective gear rules.

(ii) Internal combustion motors are prohibited.

(iii) Game fish: Statewide minimum length/daily limit, except:

Release trout.

(iv) Whitefish: December 1 through the last day in February:

Whitefish gear rules.

(q) From the U.S. Bureau of Reclamation restricted area signs to
the boat launch ramp on the Roza Access Area (approximately 1.3 river
miles): Open year-round.

(i) Selective gear rules.

(ii) Game fish: Statewide minimum length/daily limit, except: Re-
lease trout.

(iii) Whitefish: December 1 through the last day in February:

Whitefish gear rules.

(r) From the boat launch ramp on the Roza Access Area (approx-
imately 1.3 river miles) to 400 feet below Easton Dam; including the
portion of Wilson Creek from the mouth upstream to the BNSF railroad
bridge: Open year-round.

(i) Selective gear rules.

(ii) Game fish: Statewide minimum length/daily limit, except: Re-
lease trout.

(iii) Whitefish: December 1 through the last day in February:

Whitefish gear rules.

(s) From 400 feet below Easton Dam to the dam: Closed waters.

(t) From Easton Dam to the base of Keechelus Dam including Easton
Lake:

(i) Selective gear rules.

(ii) Game fish: Statewide minimum length/daily limit, except: Re-
lease rainbow and cutthroat trout.

(371) **Yakima Sportsmen's Park Ponds (Yakima County):** Open to juvenile anglers, senior anglers, and anglers with a disability who possess a designated harvester companion card only.

(372) **Yocum Lake (Pend Oreille County):**

(a) Open the fourth Saturday in April through October 31.

(b) It is unlawful to use lead weights or lead jigs that measure 1.5 inches or less along the longest axis.

(c) It is unlawful to fish from a floating device equipped with an internal combustion motor.