

Title 232 WAC

GAME COMMISSION

Chapters

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- 232-14** State hydraulic code guidelines.
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Reviser's note: Regulations pertaining to game and game fish open and closed areas; seasons and bag and catch limits are customarily promulgated by the game commission as temporary regulations. See chapter 232-24 WAC.

DISPOSITION OF CHAPTERS FORMERLY CODIFIED IN THIS TITLE

Chapter 232-20

GAME MANAGEMENT UNIT AREAS

- 232-20-010 Game management unit descriptions. [Order 276 (uncodified), filed 8/1/68; Temp regulation No. 216-A, filed 8/16/63; Temporary regulation 203, filed 8/4/62; Temporary regulation 189, filed 8/18/61; Temporary regulation 173-B, filed 8/10/60.] For later promulgation, see chapter 232-24 WAC.

Chapter 232-12 WAC

PERMANENT REGULATIONS

WAC

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232-12-010	Definition of terms. [Statutory Authority: RCW 77.12.040. 79-08-066 (Order 137), § 232-12-010, filed 7/23/79; Order 2, § 232-12-010, filed 4/20/70; Regulation 1, effective 1/1/64; Regulation 2, filed 4/14/60, 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-001.	232-12-105	
232-12-015	Classification of game fish. [Order 59, § 232-12-015, filed 9/4/74; Order 33, § 232-12-015, filed 7/10/72; Order 19, § 232-12-015, filed 9/2/71; Order 2, § 232-12-015, filed 4/20/70; Order 58, filed 9/11/69.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-019.	232-12-110	
232-12-020	Definition of eastern and western Washington counties. [Regulation 2, effective 1/1/64; Regulation 5, filed 4/14/60 and 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-019.	232-12-111	
232-12-030	Classification of wild birds. [Order 81, § 232-12-030, filed 5/26/76; Regulation 3, effective 1/1/64; Regulation 55, filed 9/14/61; Regulation 53, filed 5/16/61; Regulation 3, filed 4/14/60 and 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-004.	232-12-120	
232-12-040	Classification of wild animals. [Statutory Authority: RCW 77.12.040. 80-09-029 (Order 150), § 232-12-040, filed 7/9/80; Order 7, § 232-12-040, filed 7/23/70; Order 2, § 232-12-040, filed 4/20/70; Order 4, § 232-12-040, filed 7/31/69, effective 10/10/69; Regulation 4, filed 5/17/68; Regulation 4, filed 6/21/67, 5/31/66, 1/1/64; Order, filed 4/14/60 and 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-007.	232-12-130	
232-12-050	Game importer's license and fee—Permit required to import. [Regulation 5, effective 1/1/64; Regulation 6, filed 4/14/60 and 3/21/60.] Repealed by Order 80, filed 4/22/76.	232-12-135	
232-12-060	Report and permit required to import and retain game carcasses. [Regulation 6, effective 1/1/64; Regulation 7, filed 4/14/60 and 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-021.	232-12-140	
232-12-065	Bobcat, Canada lynx and river otter pelt tagging requirements. [Statutory Authority: RCW 77.12.040. 78-02-055 (Order 114), § 232-12-065, filed 1/20/78.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-024.	232-12-150	
232-12-070	Game farmer license provisions. [Statutory Authority: RCW 77.12.040. 79-08-066 (Order 137), § 232-12-070, filed 7/23/79; Order 95, § 232-12-070, filed 1/14/77; Regulation 7, effective 1/1/64; Regulation 52, filed 5/16/61; Regulation 8, filed 4/14/60 and	232-12-160	
			3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-027.
			Game farmer invoice requirements. [Regulation 8, effective 1/1/64; Regulation 9, filed 4/14/60 and 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-031.
			Acquisition of game by game farmer. [Regulation 9, effective 1/1/64; Regulation 10, filed 4/14/60 and 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-034.
			Shooting preserves—Licensing—Permits—Operations. [Order 98, § 232-12-100, filed 7/15/77; Regulation 10, filed 6/21/67; Regulation 10, effective 1/1/64; Regulation 46, filed 4/14/60; Regulation 51, filed 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-037.
			Shooting preserve for wild animals. [Order 26, § 232-12-105, filed 1/14/72.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-037.
			Permit for holding field trials. [Regulation 11, effective 1/1/64; Regulation 23, filed 4/14/60; Regulation 24, filed 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-041.
			Limitation on possession of raptors. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-111, filed 6/1/81. Formerly WAC 232-12-233.] Repealed by 82-04-034 (Order 177), filed 1/28/82. Statutory Authority: RCW 77.12.040.
			Use of game for training dogs or for field trials—Tagging requirements. [Regulation 12, effective 1/1/64; Regulation 24, filed 4/14/60; Regulation 25, filed 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-044.
			Unlawful firearms for hunting. [Statutory Authority: RCW 77.12.040. 80-05-022 (Order 146), § 232-12-130, filed 4/11/80; 79-08-066 (Order 137), § 232-12-130, filed 7/23/79; Order 110, § 232-12-130, filed 10/27/77; Order 2, § 232-12-130, filed 4/20/70; Regulation 13, filed 6/21/67; Regulation 13, filed 8/24/65; Regulation 13, effective 1/1/64; Regulation 34, filed 4/14/60; Regulations 36 and 46, filed 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-047.
			Muzzle-loading rifles. [Order 56, § 232-12-135, filed 7/11/74; Order 2, § 232-12-135, filed 4/20/70.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-051.
			Bow and arrow requirements. [Order 80, § 232-12-140, filed 4/22/76; Regulation 14, filed 6/21/67; Regulation 14, effective 1/1/64; Regulation 57, filed 8/1/63; Regulation 54, filed 7/3/61; Regulation 35, filed 4/14/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-054.
			Hunting from aircraft, boats, automobiles, etc.—Unlawful. [Order 2, § 232-12-150, filed 4/20/70; Regulation 15, effective 1/1/64; Regulation 38, filed 4/14/60; Regulation 39, filed 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-057.
			Big game supplemental tag—Tagging requirements. [Order 2, § 232-12-160, filed 4/20/70; Regulation 16, filed 6/21/67; Regulation 16, effective 1/1/64; Regulation 45, filed 4/14/60; Regulation 50, filed

- 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-061.
- 232-12-170 Holding game animals, fur-bearing animals or game birds in captivity, unlawful. [Order 80, § 232-12-170, filed 4/22/76; Order 68, § 232-12-170, filed 7/21/75; Order 14, § 232-12-170, filed 5/27/71; Order 2, § 232-12-170, filed 4/20/70; Regulation 17, effective 1/1/64; Regulations 10 and 11, filed 4/14/60 and 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-064 and 232-12-074.
- 232-12-171 Commercial use of wildlife prohibited. [Order 95, § 232-12-171, filed 1/14/77.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-071.
- 232-12-173 Catching, killing, taking, or holding protected wildlife in captivity, unlawful. [Order 14, § 232-12-173, filed 5/27/71.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-071.
- 232-12-175 Pursuit of bear without taking or killing. [Order 2, § 232-12-175, filed 4/20/70.] Repealed by Order 14, filed 5/27/71.
- 232-12-180 Time limit for possession of game—Extensions. [Regulation 18, effective 1/1/64; Regulation 20, filed 4/14/60; Regulation 21, filed 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-287.
- 232-12-190 Tag required for storing or processing game. [Regulation 19, effective 1/1/64.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040.
- 232-12-200 Transportation of game taken by another. [Regulation 20, effective 1/1/64; Regulation 21, filed 4/14/60; Regulation 22, filed 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040.
- 232-12-201 Checking stations—Inspection of game and licenses. [Statutory Authority: RCW 77.12.040. 79-08-066 (Order 137), § 232-12-201, filed 7/23/79.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-081.
- 232-12-205 Director empowered to alter seasons. [Statutory Authority: RCW 77.12.040. 78-11-056 (Order 126), § 232-12-205, filed 10/25/78.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-084.
- 232-12-210 Tagging requirements of game taken by another—Ownership. [Order 62, § 232-12-210, filed 10/9/74; Regulation 21, effective 1/1/64; Regulation 22, filed 4/14/60; Regulation 23, filed 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-077.
- 232-12-211 Requirements to possess Indian caught steelhead. [Order 62, § 232-12-211, filed 10/9/74.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-157.
- 232-12-212 Commercial buying and processing of steelhead trout. [Order 98, § 232-12-212, filed 7/15/77; Order 72, § 232-12-212, filed 8/22/75; Order 62, § 232-12-212, filed 10/9/74.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-091.
- 232-12-213 Records for purchase and receipt of steelhead trout. [Order 88, § 232-12-213, filed 9/13/76.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-094.
- 232-12-214 Transportation of steelhead trout. [Order 88, § 232-12-214, filed 9/13/76.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-097.
- 232-12-215 Proper marking on packages and containers of steelhead trout. [Order 88, § 232-12-215, filed 9/13/76.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040.
- 232-12-220 Possession of game unlawful. [Order 38, § 232-12-220, filed 4/12/73; Regulation 22, effective 1/1/64; Regulation 47, filed 4/14/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040.
- 232-12-230 Falconry and captive propagation of raptors permitted. [Order 88, § 232-12-230, filed 9/13/76; Order 68, § 232-12-230, filed 7/21/75; Order 50, § 232-12-230, filed 1/21/74, effective 3/1/74; Order 2, § 232-12-230, filed 4/20/70; Regulation 23, effective 1/1/64.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-101.
- 232-12-231 Falconry definitions. [Order 88, § 232-12-231, filed 9/13/76; Order 50, § 232-12-231, filed 1/21/74, effective 3/1/74.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-104.
- 232-12-232 Falconry permits required. [Order 88, § 232-12-232, filed 9/13/76; Order 50, § 232-12-232, filed 1/21/74, effective 3/1/74.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-107.
- 232-12-233 Limitation on possession of raptors. [Order 88, § 232-12-233, filed 9/13/76; Order 68, § 232-12-233, filed 7/21/75; Order 50, § 232-12-233, filed 1/21/74, effective 3/1/74.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-111.
- 232-12-234 Permit required for capture, importation, exportation, and transfer of raptors. [Order 88, § 232-12-234, filed 9/13/76; Order 68, § 232-12-234, filed 7/21/75; Order 52, § 232-12-234, filed 5/27/74.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-114.
- 232-12-235 Marking and identification of raptors required. [Order 88, § 232-12-235, filed 9/13/76.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-117.
- 232-12-236 Falconry reports required. [Order 88, § 232-12-236, filed 9/13/76; Order 68, § 232-12-236, filed 7/21/75; Order 50, § 232-12-236, filed 1/21/74, effective 3/1/74.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-121.
- 232-12-237 Methods of capture and prohibitions in taking raptors. [Order 88, § 232-12-237, filed 9/13/76; Order 68, § 232-12-237, filed 7/21/75; Order 50, § 232-12-237, filed 1/21/74, effective 3/1/74.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-101 and 232-12-124.
- 232-12-238 Revocation, modifications or suspension of falconry permits. [Order 88, § 232-12-238, filed 9/13/76; Order 50, § 232-12-238, filed 1/21/74, effective 3/1/74.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-127.
- 232-12-240 Permit to kill game—Game damage. [Statutory Authority: RCW 77.12.040. 78-02-055 (Order 114), § 232-12-240, filed 1/20/78; Order 7, § 232-12-240, filed 7/23/70; Regulation 24, effective 1/1/64; Regulation 18, filed 4/14/60; Regulation 19, filed

- 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040.
- 232-12-250 Beaver tag required. [Order 16, § 232-12-250, filed 6/30/71; Regulation 25, effective 1/1/64; Regulation 58, filed 8/1/63.] Repealed by 80-13-012 (Order 152), filed 9/8/80. Statutory Authority: RCW 77.12.040.
- 232-12-255 Permits for controlled hunts. [Order 2, § 232-12-255, filed 4/20/70.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-131.
- 232-12-260 Compensation to landowner for beaver pelts. [Regulation 26, effective 1/1/64; Regulation 25, filed 4/14/60; Regulation 26, filed 3/21/60.] Repealed by 80-15-063 (Order 155), filed 10/16/80. Statutory Authority: RCW 77.12.040.
- 232-12-270 Affidavit required for transportation and possession of beaver pelts—Tagging requirements and fee. [Regulation 27, effective 1/1/64; Regulation 26, filed 4/14/60; Regulation 27, filed 3/21/60.] Repealed by 80-15-063 (Order 155), filed 10/16/80. Statutory Authority: RCW 77.12.040.
- 232-12-280 Report required of licensed trappers. [Regulation 28, effective 1/1/64; Regulation 27, filed 4/14/60; Regulation 28, filed 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-134.
- 232-12-281 Copying. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-281, filed 6/1/81. Formerly WAC 232-12-816.] Repealed by 82-04-034 (Order 177), filed 1/28/82. Statutory Authority: RCW 77.12.040.
- 232-12-290 Trapping in muskrat houses unlawful. [Regulation 29, effective 1/1/64; Regulation 28, filed 4/14/60; Regulation 30, filed 3/21/60.] Repealed by Order 2, filed 4/20/70.
- 232-12-294 Definitions—Hydraulic project permits. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-294, filed 6/1/81.] Repealed by 83-09-026 (Order 205), filed 4/14/83. Statutory Authority: RCW 75.20.100 and 77.12.010 and chapter 34.04 RCW. Later promulgation, see WAC 232-14-010.
- 232-12-300 Edible flesh of game species unlawful for trap bait. [Order 59, § 232-12-300, filed 9/4/74; Regulation 30, effective 1/1/64; Regulation 29, filed 4/14/60; Regulation 31, filed 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-137.
- 232-12-310 Wild animal trapping. [Order 59, § 232-12-310, filed 9/4/74; Order 2, § 232-12-310, filed 4/20/70; Regulation 31, filed 6/21/67; Regulation 31, effective 1/1/64; Regulation 30, filed 4/14/60; Regulation 32, filed 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-141.
- 232-12-315 Planting or releasing fish in state waters. [Regulation 54, filed 1/25/67.] Repealed by Order 2, filed 4/20/70.
- 232-12-320 Use of live fish for bait unlawful. [Regulation 32, effective 1/1/64; Regulation 12, filed 4/14/60; Regulation 13, filed 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-144.
- 232-12-330 Use of artificial lights in fishing unlawful. [Regulation 33, effective 1/1/64; Regulation 13, filed 4/14/60; Regulation 14, filed 3/21/60.] Repealed by 78-11-057 (Order 127), filed 10/25/78. Statutory Authority: RCW 77.12.040.
- 232-12-340 Maximum number of fishing lines and hooks—Snagging and gaffing fish unlawful. [Order 75, § 232-12-340, filed 10/17/75; Order 46, § 232-12-340, filed 9/13/73; Order 11, § 232-12-340, filed 4/9/71; Order 7, § 232-12-340, filed 7/23/70; Order 2, § 232-12-340, filed 4/20/70; Regulation 34, effective 1/1/64; Regulation 14, filed 4/14/60; Regulation 15, filed 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-147.
- 232-12-350 Definition of fly fishing. [Statutory Authority: RCW 77.12.040. 78-02-055 (Order 114), § 232-12-350, filed 1/20/78; Order 2, § 232-12-350, filed 4/20/70; Regulation 35, effective 1/1/64; Regulation 15, filed 4/14/60; Regulation 16, filed 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-350.
- 232-12-355 Juvenile fishing and catch limits. [Order 2, § 232-12-355, filed 4/20/70.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-154.
- 232-12-360 Steelhead fishing permit punch card requirements. [Statutory Authority: RCW 77.12.040. 79-08-066 (Order 137), § 232-12-360, filed 7/23/79; Order 75, § 232-12-360, filed 10/17/75; Order 62, § 232-12-360, filed 10/9/74; Order 19, § 232-12-360, filed 9/2/71; Regulation 36, effective 1/1/64; Regulation 56, filed 10/13/61; Regulation 33, filed 4/14/60; Regulation 35, filed 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-157.
- 232-12-365 Fishing guide reports. [Order 80, § 232-12-365, filed 4/22/76.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-161.
- 232-12-370 Fishing near dams, fish traps and hatcheries unlawful. [Regulation 37, effective 1/1/64; Regulation 16, filed 4/14/60; Regulation 17, filed 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-164.
- 232-12-373 Unlawful to fish in irrigation ditches or canals when closure notice posted. [Order 56, filed 9/11/68.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-164.
- 232-12-380 Hunting and fishing contests. [Order 98, § 232-12-380, filed 7/15/77; Regulation 38, effective 1/1/64; Regulation 17, filed 4/14/60; Regulation 18, filed 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-167.
- 232-12-390 Domestic animals unattended on department lands. [Regulation 39, effective 1/1/64; Regulation 40, filed 4/14/60; Regulation 42, filed 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-174.
- 232-12-400 Vehicles—Usage of well defined roads on department of game lands. [Order 68, § 232-12-400, filed 7/21/75; Regulation 40, effective 1/1/64; Regulation 41, filed 4/14/60; Regulation 43, filed 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-177.
- 232-12-405 Livestock grazing on department of game lands. [Statutory Authority: RCW 77.12.040. 78-02-055 (Order 114), § 232-12-405, filed 1/20/78.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-181.
- 232-12-410 Colockum airstrip—Authorized use only. [Regulation 41, effective 1/1/64.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-184.
- 232-12-420 Access areas—Other department lands—Wildlife agent to control traffic thereon. [Order 2, § 232-12-420, filed 4/20/70; Regulation 42, effective 1/1/64; Regulation 42, filed 4/14/60; Regulation 47, filed

- 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-187.
- 232-12-430 Three convictions forfeits privileges. [Regulation 43, effective 1/1/64; Regulation 31, filed 4/14/60; Regulation 33, filed 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-191.
- 232-12-435 Procedure—Petitions for reissuance of hunting license—Time period for petition—Juvenile applicants. [Order 86, § 232-12-435, filed 7/15/76.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040.
- 232-12-440 Forfeiture of privileges—Subsequent convictions. [Regulation 44, effective 1/1/64; Regulation 32, filed 4/14/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040.
- 232-12-450 Application for hearing. [Regulation 45, effective 1/1/64; Regulation 48, filed 4/14/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040.
- 232-12-460 Notification of decision. [Regulation 46, effective 1/1/64; Regulation 49, filed 4/14/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040.
- 232-12-470 Petitions—Consideration by commission. [Regulation 47, effective 1/1/64; Regulation 50, filed 4/14/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-207.
- 232-12-480 Petitions—Form—Scheduling—Ruling. [Regulation 48, effective 1/1/64; Regulation 51, filed 4/14/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-221.
- 232-12-490 Possession of game off an Indian reservation legally possessed on reservation. [Statutory Authority: RCW 77.12.040. 79-07-010 (Order 134), § 232-12-490, filed 6/8/79; Order 92, § 232-12-490, filed 10/13/76; Order 2, § 232-12-490, filed 4/20/70; Regulation 49, effective 1/1/64; Regulation 19, filed 4/14/60; Regulation 20, filed 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-224.
- 232-12-500 Firearm safety license requirement for juveniles. [Statutory Authority: RCW 77.12.040. 79-08-066 (Order 137), § 232-12-500, filed 7/23/79; Order 52, § 232-12-500, filed 5/27/74; Regulation 50, effective 1/1/64; Regulation 43, filed 4/14/60; Regulation 48, filed 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-227.
- 232-12-510 Requirements of license dealers. [Statutory Authority: RCW 77.12.040. 79-02-008 (Order 129), § 232-12-510, filed 1/10/79; Regulation 51, effective 1/1/64; Regulation 39, filed 4/14/60; Regulation 40, filed 3/21/60.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-241.
- 232-12-520 Hunting restrictions. [Order 2, § 232-12-520, filed 4/20/70; Regulation 52, effective 1/1/64.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-244.
- 232-12-530 Transmission lines—Unlawful hunting. [Order 2, § 232-12-530, filed 4/20/70; Regulation 53, effective 1/1/64.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-247.
- 232-12-540 Juvenile fishing and catch limits. [Temporary Regulation No. 184, filed 4/14/61; Regulation 159, filed 3/21/60.] Now codified as WAC 232-24-010.
- 232-12-550 Collection of rock hound materials from department lands—Restrictions. [Order 92, § 232-12-550, filed 10/13/76; Regulation 55, § 232-12-550, filed 5/17/68 and 6/7/68.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-251.
- 232-12-570 Discharge of litter on department lands—Unlawful. [Order 2, § 232-12-570, filed 4/20/70.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-254.
- 232-12-580 Registration of snowmobiles. [Emergency and Permanent Order 580, § 232-12-580, filed 1/20/70.] Repealed by Order 16, filed 6/30/71.
- 232-12-630 Control of unattended decoys. [Order 2, § 232-12-630, filed 4/20/70.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-257.
- 232-12-640 Live decoys unlawful. [Order 20, § 232-12-640, filed 9/2/71.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-261.
- 232-12-650 Baiting of migratory game birds unlawful. [Order 20, § 232-12-650, filed 9/2/71.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-264.
- 232-12-655 Definitions—Hydraulic project permits. [Statutory Authority: RCW 77.12.040. 79-08-066 (Order 137), § 232-12-655, filed 7/23/79.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-194.
- 232-12-660 Managed marine mammals protected. [Order 20, § 232-12-660, filed 9/2/71.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040.
- 232-12-670 Deleterious species designated. [Order 45, § 232-12-670, filed 9/13/73; Order 20, § 232-12-670, filed 9/2/71.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040.
- 232-12-675 Conditions for issuance of permits for planting of game fish, aquatic plants, release of wild animals or wild birds, and construction of enhancement facilities. [Order 86, § 232-12-675, filed 7/15/76.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-271.
- 232-12-676 Conditions for issuance of permits for scientific study, collection, release and research. [Order 86, § 232-12-676, filed 7/15/76.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-274.
- 232-12-680 Rare and endangered species designated. [Order 21, § 232-12-680, filed 9/16/71.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040.
- 232-12-690 Taxidermy records. [Statutory Authority: RCW 77.12.040. 80-05-022 (Order 146), § 232-12-690, filed 4/11/80; Order 80, § 232-12-690, filed 4/22/76; Order 38, § 232-12-690, filed 4/12/73.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-277.
- 232-12-700 Taxidermy tagging. [Order 38, § 232-12-700, filed 4/12/73.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-277.
- 232-12-710 Taxidermy purchasing and selling. [Statutory Authority: RCW 77.12.040. 80-05-022 (Order 146), § 232-12-710, filed 4/11/80; Order 38, § 232-12-710, filed 4/12/73.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040.
- 232-12-802 Definitions. [Order 42, § 232-12-802, filed 7/19/73.] Repealed by 81-22-002 (Order 174), filed 10/22/81. Statutory Authority: RCW 77.12.040.

- 232-12-808 Public records available. [Order 42, § 232-12-808, filed 7/19/73.] Repealed by 81-22-002 (Order 174), filed 10/22/81. Statutory Authority: RCW 77.12.040.
- 232-12-812 Inspection and copying hours. [Order 42, § 232-12-812, filed 7/19/73.] Repealed by 81-22-002 (Order 174), filed 10/22/81. Statutory Authority: RCW 77.12.040.
- 232-12-816 Copying. [Statutory Authority: RCW 77.12.040. 79-08-066 (Order 137), § 232-12-816, filed 7/23/79; Order 42, § 232-12-816, filed 7/19/73.] Repealed by 81-12-029 (Order 165), filed 6/1/81. Statutory Authority: RCW 77.12.040. Later promulgation, see WAC 232-12-281.
- 232-12-818 Exemptions. [Order 42, § 232-12-818, filed 7/19/73.] Repealed by 81-22-002 (Order 174), filed 10/22/81. Statutory Authority: RCW 77.12.040.
- 232-12-822 Protection of public records. [Order 42, § 232-12-822, filed 7/19/73.] Repealed by 81-22-002 (Order 174), filed 10/22/81. Statutory Authority: RCW 77.12.040.
- 232-12-826 Address for request. [Order 42, § 232-12-826, filed 7/19/73.] Repealed by 81-22-002 (Order 174), filed 10/22/81. Statutory Authority: RCW 77.12.040.

WAC 232-12-001 Definition of terms. Definitions used in rules of the commission are defined in RCW 77.08.010. In addition, unless the context clearly requires otherwise:

(1) Snagging, gaffing, or spearing means: An effort to impale game fish in a part of its body other than its mouth by use of hooks or other devices.

(2) A valid license, permit, tag, stamp or punchcard means: A license, permit, tag, stamp, or punchcard that was issued to the bearer for the current season by the commission and is required to hunt, fish or possess wildlife and has not been altered except as provided by rule of the commission.

(3) Hook means: One single, double, or treble hook.

(4) Barbless hook means: A single, pointed hook from which all barbs have been filed off, pinched down, removed or deleted when manufactured.

(5) Falconry means: Possession, control, or use of a raptor for the purpose of hunting and free flight training.

(6) Hunting or fishing contests mean: Hunting for wild animals or wild birds or fishing for game fish under a competitive arrangement that offers a prize. The assignment of an ornamental or symbolic award shall not be considered a prize.

(7) Anadromous game fish means:

(a) Steelhead trout, *Salmo gairdnerii*

(b) Searun cutthroat, *Salmo clarkii*

(c) Searun Dolly Varden, *Salvelinus malma*

(8) Handgun means: Any pistol, revolver or short firearm with a barrel length of less than sixteen inches and does not have a shoulder stock.

(9) A lure means: A manufactured article with one or more hooks attached, utilized for attraction or enticement of game fish.

(10) Bait means: A natural substance, fresh or processed, utilized for attraction or enticement of wildlife and game fish. [Statutory Authority: RCW 77.12.040. 81-22-002 (Order 174), § 232-12-001, filed 10/22/81; 81-12-029 (Order 165), § 232-12-001, filed 6/1/81. Formerly WAC 232-12-010.]

WAC 232-12-004 Classification of wild birds. (1) Game birds include the family *Anatidae* or waterfowl commonly known as geese, brant, swan, surface-feeding ducks, diving ducks and mergansers; the *Rallidae* commonly known as rails, gallinules and coots; Common, Wilson's or jacksnipe; the *Columbidae* commonly known as doves and pigeons. Wild turkeys of the species *Meleagris gallopavo*; whitetailed ptarmigan; sage grouse (sage hen), sharp-tailed grouse, blue grouse, spruce grouse (franklin grouse) and ruffed grouse, of the family *Tetraonidae*; ring-necked, Chinese, Mongolian, Mutant and all other pheasant of the genus *Phasianus*; and Reeves pheasant of the species *Syrmaticus reevesi*; gray or Hungarian partridge[;][,] *Perdix perdix*[,] chukar partridge, and all other partridges of the genus *Alectoris*; Chilean tinamou of the genus *Nothoprocta*; bobwhite quail and all other quail of the genus *Colinus*; California quail and all other quail of the genus *Lophortyx*; mountain quail and all other quail of the genus *Oreortyx*; scaled quail and other quail of the genus *Callipepla*.

(2) Predatory birds include magpie, crow, English sparrow and starling. [Statutory Authority: RCW 77.12.040. 81-22-002 (Order 174), § 232-12-004, filed 10/22/81; 81-12-029 (Order 165), § 232-12-004, filed 6/1/81. Formerly WAC 232-12-030.]

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 232-12-007 Classification of wild animals. Certain wild animals are classified as:

(1) Game animals include deer of the genus *Odocoileus*, commonly known as whitetail, blacktail, and mule deer; elk, *Cervus elaphus* including Roosevelt and Rocky Mountain races; moose, *Alces alces*; antelope, *Antilocapra americana*; mountain sheep, *Ovis canadensis*; mountain goat, *Oreamnos americanus*; black bear, *Ursus americanus*; cougar, *Felis concolor*; bobcat, *Lynx rufus*; raccoon, *Procyon lotor*; cottontail rabbit, *Sylvilagus floridanus*, and *nuttallii*; snowshoe hare, *Lepus americanus*; black-tailed jackrabbit, *Lepus californicus*; white-tailed jackrabbit, *Lepus townsendii*; bullfrog, *Rana catesbeiana*; beaver, *Castor canadensis*, muskrat, *Ondatra zibethicus*; mink, *Mustela vison*, except legally acquired, captive-bred mink; otter (river), *Lutra canadensis*; marten, *Martes americana*; Canada lynx, *Lynx canadensis*; badger, *Taxidea taxus*; weasel, *Mustela erminea* and *frenata*; and fox, *Vulpes fulva*, except legally acquired, captive-bred silver fox.

(2) Furbearing animals include beaver, *Castor canadensis*; muskrat, *Ondatra zibethicus*; mink, *Mustela vison*, except legally acquired, captive-bred mink; otter (river), *Lutra canadensis*; marten, *Martes americana*; Canada lynx, *Lynx canadensis*; bobcat, *Lynx rufus*; badger, *Taxidea taxus*; raccoon, *Procyon lotor*[,] weasel, *Mustela [Mustella] erminea* and *frenata*; and fox, *Vulpes fulva*, except legally acquired, captive-bred silver fox. [Statutory Authority: RCW 77.12.040. 82-19-026 (Order 192), § 232-12-007, filed 9/9/82; 81-22-002

(Order 174), § 232-12-007, filed 10/22/81; 81-12-029 (Order 165), § 232-12-007, filed 6/1/81. Formerly WAC 232-12-040.]

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 232-12-011 Wildlife classified as protected wildlife. Protected wildlife includes all birds not classified as game birds, predatory birds or endangered species and; fur seal, *Callorhinus ursinus*; fisher, *Martes pennanti*; wolverine, *Gulo luscus*; gray squirrel, *Sciurus griseus* and *carolinensis*; Douglas squirrel, *Tamiasciurus douglasii*; red squirrel, *Tamiasciurus hudsonicus*; flying squirrel, *Glaucomys sabrinus*; golden-mantled ground squirrel, *Callospermophilus saturatus*; chipmunks, *Eutamias*, all species found wild in Washington; cony or pika, *Ochotona princeps*; hoary marmot, *Marmota caligata* and *olympus*; pigmy rabbit, *Sylvilagus idahoensis*; fox squirrel, *Sciurus niger*; all wild turtles not otherwise classed as endangered species; mammals of the order *Cetacea* including whales, porpoises and mammals of the suborder *Pinnipedia* not otherwise designated as endangered species. This section shall not apply to hair seals and sea lions which are threatening to damage or are damaging commercial fishing gear being utilized in a lawful manner or when said mammals are damaging or threatening to damage commercial fish being lawfully taken with commercial gear. [Statutory Authority: RCW 77.12.040. 82-19-026 (Order 192), § 232-12-011, filed 9/9/82; 81-22-002 (Order 174), § 232-12-011, filed 10/22/81; 81-12-029 (Order 165), § 232-12-011, filed 6/1/81.]

WAC 232-12-014 Wildlife classified as endangered species. Endangered species include: Columbian white-tailed deer, *Odocoileus virginianus leucurus*; Mountain caribou, *Rangifer tarandus*; Blue whale, *Balaenoptera musculus*; Bowhead whale, *Balaena mysticetus*; Finback whale, *Balaenoptera physalus*; Gray whale, *Eschrichtius gibbosus*; Humpback whale, *Megaptera novaeangliae*; Right whale, *Balaena glacialis*; Sei whale, *Balaenoptera borealis*; Sperm whale, *Physeter catodon*; Wolf, *Canis lupus*; Peregrine falcon, *Falco peregrinus*; Aleutian Canada goose, *Branta canadensis leucopareia*; Brown pelican, *Pelecanus occidentalis*; Leatherback sea turtle, *Dermochelys coriacea*; Grizzly bear, *Ursus arctos horribilis*; Sea Otter, *Enhydra lutris*; White pelican, *Pelecanus erythrorhynchos*; Sandhill crane, *Grus canadensis*; Snowy plover, *Charadrius alexandrinus*; Upland sandpiper, *Bartramia longicauda*. [Statutory Authority: RCW 77.12.040. 82-19-026 (Order 192), § 232-12-014, filed 9/9/82; 81-22-002 (Order 174), § 232-12-014, filed 10/22/81; 81-12-029 (Order 165), § 232-12-014, filed 6/1/81.]

WAC 232-12-017 Deleterious exotic wildlife. Deleterious exotic wildlife includes:

- (1) Walking catfish, *Clarias batrachus*

- (2) Mongoose, all forms of the genus *Herpestes*
- (3) Grass carp, *Ctenopharyngodon idella*
- (4) African clawed frog, *Xenopus laevis*
- (5) Wild boar, *Sus scrofa* and hybrids involving the species *Sus scrofa*
- (6) Collared peccary (javelina), *Dicotyles tajacu*

It is unlawful to import or possess live specimens of deleterious exotic wildlife. [Statutory Authority: RCW 77.12.040. 81-22-002 (Order 174), § 232-12-017, filed 10/22/81; 81-12-029 (Order 165), § 232-12-017, filed 6/1/81.]

WAC 232-12-019 Classification of game fish. As provided in RCW 77.12.020 and in addition to those species identified in RCW 77.08.020 the following species of the class *Osteichthyes* are classified as game fish:

Scientific Name	Common Name
<i>Salvelinus confluentus</i>	Bull Trout
<i>Esox lucius</i>	Northern Pike

[Statutory Authority: RCW 77.12.020 and 77.12.040. 83-21-003 (Order 218), § 232-12-019, filed 10/6/83. Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-019, filed 6/1/81. Formerly WAC 232-12-015.]

WAC 232-12-021 Import and retention of nonresident wildlife. It is unlawful:

(1) To import or possess wildlife, taken in another state or country, into Washington unless the wildlife was acquired lawfully. Proof of legal acquisition must be retained during the period of retention of the edible parts.

(2) For a person who imports mountain sheep, mountain goat, cougar or bear to fail to report such importation to the department in writing within ten days of the importation. The report must contain the name and address of the importer, the location where the wildlife is being held and general information describing where and how the wildlife was obtained. [Statutory Authority: RCW 77.12.040. 82-04-034 (Order 177), § 232-12-021, filed 1/28/82; 81-12-029 (Order 165), § 232-12-021, filed 6/1/81. Formerly WAC 232-12-060.]

WAC 232-12-024 Tagging requirements for bobcat, Canada lynx and river otter. It is unlawful to possess or export from the state of Washington, bobcat, Canada lynx or river otter pelts or parts thereof taken in Washington unless they have a department identification tag attached to them.

Pelts of bobcat, lynx and river otter must be tagged within ten days after the close of the appropriate hunting or trapping season.

Bobcat, Canada lynx or river otter taken outside Washington and imported into the state, must be identified by a tag from the state or country of origin and accompanied by an invoice or declaration specifying the number of pelts in the shipment. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-024, filed 6/1/81. Formerly WAC 232-12-065.]

WAC 232-12-027 Game farm license provisions. It is unlawful to operate a game farm except under the following provisions:

(1) Game farms licensed prior to July 1, 1981, may continue to possess, propagate, sell and transfer wildlife they lawfully possess on July 1, 1981, by virtue of their license or permit issued by the department. Transfers of wildlife other than those species listed under 2(a), (b), (c), or (d) are restricted to licensed game farms authorized by written permit to possess said wildlife.

(2) Game farms licensed after July 1, 1981, may purchase, possess, propagate, sell or transfer the following wildlife:

(a) Game animals – bullfrog, *Rana catesbeiana*

(b) Fur-bearing animals – muskrat, *Ondatra zibethicus* and beaver, *Castor canadensis*

(c) Game birds – Pheasant, of the genus *Phasianus* and *Syrmaticus reevesi*; wild turkeys of the species *Meleagris gallopavo*; Hungarian partridge of the genus *Perdix*; chukar partridge of the genus *Alectoris*; quail, of the genus *Lophortyx*, *Colinus*, and *Oreortyx*; waterfowl of the family *Anatidae*, and tinamou of the genus *Nothoprocta*

(d) Game fish – trout and Atlantic salmon

(3) Application for a game farm license shall be made on a form provided by the department.

(4) The director may issue a license, if after investigation, the applicant meets the requirements of subsection (1) or (2) above and complies with the following criteria:

(a) The applicant is the owner or tenant of or has a possessory interest in the lands, waters, and riparian rights shown in the application.

(b) The rearing and holding facilities are adequate and structurally sound to prevent the egress of game farm wildlife.

(c) Operating conditions are clean and humane.

(d) No hazards to state wildlife exist from the operation.

(e) The license covers only the immediate premises and areas described on the application where game birds, game fish, or game animals will be held.

(f) Such other restrictions as the director may require.

(5) Holders of a game farm license must make annual reports on the last day of January to the director on forms to be furnished by the department.

(6) A game farm license is not required for captive-bred mink, *Mustela vison*, and captive-bred silver fox, *Vulpes fulva*, lawfully acquired from a licensed breeder or fur farm and held for fur farming purposes. [Statutory Authority: RCW 77.12.040. 82-19-026 (Order 192), § 232-12-027, filed 9/9/82; 81-22-002 (Order 174), § 232-12-027, filed 10/22/81; 81-12-029 (Order 165), § 232-12-027, filed 6/1/81. Formerly WAC 232-12-070.]

WAC 232-12-031 Game farm invoice requirements. It is unlawful for a licensed game farm to transfer wildlife unless the wildlife is accompanied by an invoice which must include the name and address of the game farm, date of transfer, number and species transferred,

and the name and address of transferee. The invoice is the transferee's permit to hold such game in captivity and must be retained during the time such wildlife is in his possession. Game farms must retain a copy of all invoices on the licensed premise for a period of two years from date of transaction and must send a copy of the invoice or a list of transferees and species transferred to the department with the game farm's annual report. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-031, filed 6/1/81. Formerly WAC 232-12-080.]

WAC 232-12-034 Acquisition of wildlife by game farmer. A game farmer may acquire wildlife only from a licensed game farm or other lawful source. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-034, filed 6/1/81. Formerly WAC 232-12-090.]

WAC 232-12-037 Shooting preserves—Licensing—Permits—Operations. A game farm licensed under the provisions of chapter 77.12 RCW may function as a private shooting preserve and dispose of game birds produced or acquired by releasing them on the designated preserve for hunting. The permittee must abide by the following rules:

(1) Each person desiring to operate a private shooting preserve must make application to the department on forms supplied by the department.

(2) The department shall investigate the property described in the application and determine the number of wild game birds produced annually on the proposed shooting preserve area.

(3) Private shooting preserves must contain a minimum of one hundred acres to a maximum of one thousand acres in a contiguous block. The land must be owned or leased by the applicant for a minimum of five years, and cannot contain lakes or ponds in excess of two acres of surface water or be within one-half mile of bodies of water in excess of two acres.

(4) Shooting preserves may not be located on land having a projected fall population of wild upland game birds in excess of twenty birds per one hundred acres.

(5) Shooting preserves may not be located within one mile of a public hunting area owned or controlled by the department, except lands controlled by year-to-year agreement.

(6) The boundary of shooting preserves must be posted by the permittee with signs approved by the director in such manner as he may direct.

(7) The permittee shall release not less than one game bird per acre, annually.

(8) Game birds taken from a private shooting preserve must be marked and accompanied by an invoice showing the permittee's name, address, date of sale, number and species sold and the name and address of the hunter. Said invoice shall be retained by the hunter during the time such species are in his possession.

(9) During September or October each year, the permittee must deliver to the department the number of live game birds determined under subsection (2) or pay the

department the fair market value for the specified number of game birds sixteen weeks of age. Game birds delivered to the department must be sixteen weeks of age, fully feathered and in sound and healthy condition as determined by the department. [Statutory Authority: RCW 77.12.040. 82-04-034 (Order 177), § 232-12-037, filed 1/28/82; 81-12-029 (Order 165), § 232-12-037, filed 6/1/81. Formerly WAC 232-12-100.]

WAC 232-12-041 Permit for holding field trials.

(1) Except as authorized by permit issued by the director it is unlawful to hold field trials for hunting dogs during the months of April, May, June, and July. Field trials on department lands or those involving use of live wildlife may not be held without a permit.

(2) Applications for a field trial permit must be filed with the department at least thirty days before the proposed date for holding such trials. The application shall state the time and place the field trials will be held, the names of sponsors and persons who will conduct the trials, and such other information as the director may require. [Statutory Authority: RCW 77.12.040. 82-04-034 (Order 177), § 232-12-041, filed 1/28/82; 81-12-029 (Order 165), § 232-12-041, filed 6/1/81. Formerly WAC 232-12-110.]

WAC 232-12-044 Use of game birds for training dogs, field trials--Marking requirements. It is unlawful to possess game birds acquired from a licensed game farmer for the purpose of training dogs, field trials, or hunting unless the birds are marked in the following manner:

(1) Captive reared waterfowl shall be physically marked in the following manner:

(a) Removal of the hind toe from the right foot.

(b) Pinioning of a wing: *Provided*, That this method shall be the removal of the metacarpal bones of one wing or a portion of the metacarpal bones which renders the bird permanently incapable of flight.

(c) Banding of one metatarsus with a seamless metal band.

(d) Tattooing of a readily discernible number or letter or combination thereof on the web of one foot.

(2) All other game birds shall be physically marked by removal of the first joint of the outside toe on the right foot prior to four weeks of age or marked by a band purchased from the department. [Statutory Authority: RCW 77.12.040. 83-12-055 (Order 206), § 232-12-044, filed 6/1/83; 81-22-002 (Order 174), § 232-12-044, filed 10/22/81; 81-12-029 (Order 165), § 232-12-044, filed 6/1/81. Formerly WAC 232-12-120.]

WAC 232-12-047 Unlawful firearms for hunting. It is unlawful to hunt any big game with:

(1) A fully automatic firearm.

(2) A handgun, except deer, bear, or cougar may be hunted with:

(a) A 41 magnum, 44 magnum, 44 automatic magnum, or 45 Winchester magnum provided it:

(i) Has a minimum barrel length of 6 inches; and

(ii) Uses a centerfire cartridge which is loaded with a mushrooming or expanding type bullet of 100 grains or heavier bullet weight.

(b) Any handgun .240 caliber or larger provided it:

(i) Has a minimum barrel length of 6 inches; and

(ii) Uses a centerfire cartridge with a minimum overall length (including bullet) of at least 2 inches and is loaded with a mushrooming or expanding type bullet of 100 grains or heavier bullet weight.

(3) A rifle with a bore diameter less than .240 of an inch (6mm), or barrel length less than 16 inches.

(4) A rifle cartridge with a bullet weighing less than 85 grains, or that develops less than 900 foot pounds of energy at 100 yds.

(5) A rifle cartridge containing a bullet other than a mushrooming or expanding type designed for big game hunting.

(6) A shotgun, provided that a 20 gauge, or larger shotgun, using shells loaded with slugs or buckshot size #1 or larger, may be used to hunt deer and bear.

(7) A muzzle-loader that does not meet the definition as provided in WAC 232-12-051.

It is unlawful to hunt game birds with a shotgun capable of holding more than three shells.

It is unlawful to hunt game birds or game animals, except bullfrogs, in a manner other than with a firearm, a bow and arrow, or by falconry.

It is unlawful to hunt game animals or game birds with a shotgun larger than 10 gauge.

It is unlawful to hunt game birds with a rifle or pistol, with the exception of blue grouse, spruce grouse and ruffed grouse.

It is unlawful to hunt wildlife with a crossbow. [Statutory Authority: RCW 77.12.040. 83-01-006 (Order 198), § 232-12-047, filed 12/2/82; 82-04-034 (Order 177), § 232-12-047, filed 1/28/82; 81-22-002 (Order 174), § 232-12-047, filed 10/22/81; 81-12-029 (Order 165), § 232-12-047, filed 6/1/81. Formerly WAC 232-12-130.]

WAC 232-12-051 Muzzle-loading rifles. (1) It is unlawful to carry or possess any firearm during special primitive muzzle-loading seasons which does not meet the following definition of muzzle-loader: Muzzle-loader means a single or double barrel wheel lock, matchlock, flintlock or percussion rifle with exposed ignition in which the black powder and ball or bullet must be loaded from the muzzle. If the rifle has a removable breech plug, such removal must require the use of tools. Minimum barrel length is 20 inches and minimum caliber is 40, such measurement to be taken from land to land in the barrel. Ignition is to be wheel lock, matchlock, flintlock, or percussion using original style percussion caps that fit on the nipple and are exposed to the elements. Sights must be metal. Telescopic sights or sights containing glass are prohibited.

(2) This section shall not apply to the carrying of a muzzle-loading pistol.

(3) This section shall not apply to persons lawfully hunting game birds with a shotgun.

(4) Only one barrel of a double barrel muzzle-loader may be loaded at one time while hunting in a special primitive muzzle-loading season. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-051, filed 6/1/81. Formerly WAC 232-12-135.]

WAC 232-12-054 Bow and arrow requirements. (1) It is unlawful for any person to hunt big game animals with a bow that possesses less than 40 pounds of pull measured at twenty-eight inches or less draw length.

(2) It is unlawful to hunt big game animals with any arrows other than those having sharp broadhead blade or blades at least seven-eighths inches wide. The broadhead must be unbarbed and completely closed at the back end of the blade or blades by a smooth, unbroken surface starting at maximum blade width forming a smooth line toward the feather end of the shaft and such line shall not angle toward the point.

(3) It is unlawful for any person to carry or have in his possession any firearm while in the field archery hunting, during the bow and arrow season specified for that area.

(4) It is unlawful to shoot at wildlife with an arrow from a vehicle or from, across or along the maintained portion of a public highway.

(5) It is unlawful to use any device secured to or supported by the bow for the purpose of maintaining the bow at a firing position. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-054, filed 6/1/81. Formerly WAC 232-12-140.]

WAC 232-12-057 Hunting with aid of aircraft, boats or other vehicles. (1) It is unlawful to use aircraft to spot, locate or report the location of wildlife for the purpose of hunting; except as authorized by a permit issued by the director.

(2) It is unlawful to hunt wildlife from a vehicle, aircraft, except as authorized by a permit issued by the director, or from a boat propelled by motor unless the motor of such boat has been completely shut off and its progress has ceased.

(3) It is unlawful to use a vehicle, aircraft, or motor-propelled boat for the purpose of pursuing, concentrating, or harassing any wild animal or wild bird.

(4) It is unlawful to hunt big game on the day one was airborne in an aircraft, except on a regularly scheduled commercial airline flight. [Statutory Authority: RCW 77.12.040. 82-04-034 (Order 177), § 232-12-057, filed 1/28/82; 81-12-029 (Order 165), § 232-12-057, filed 6/1/81. Formerly WAC 232-12-150.]

WAC 232-12-061 Tagging requirements. It is unlawful for a person who kills a big game animal or turkey to fail to immediately cut out and completely remove from their tag the designated notches corresponding to the day and month of the kill for that species. A person who kills such animal or bird, shall immediately attach their notched tag to the carcass of such animal or bird. That tag must remain attached to

the carcass while it is being transported and must remain with the wildlife during the period of retention of the edible parts. [Statutory Authority: RCW 77.12.040. 81-22-002 (Order 174), § 232-12-061, filed 10/22/81; 81-12-029 (Order 165), § 232-12-061, filed 6/1/81. Formerly WAC 232-12-160.]

WAC 232-12-064 Holding live wildlife in captivity. It is unlawful to take from the wild, hold in captivity, or possess live wild animals, wild birds, or game fish unless such capture, holding or possession is authorized by a license or permit issued by the department, except it is lawful to keep game fish alive on stringers, in live wells or other containers while fishing. [Statutory Authority: RCW 77.12.040. 82-04-034 (Order 177), § 232-12-064, filed 1/28/82; 81-12-029 (Order 165), § 232-12-064, filed 6/1/81. Formerly WAC 232-12-173.]

WAC 232-12-071 Buying or selling game unlawful. Unless prohibited by federal regulations, nonedible parts of wild animals, game birds or game fish lawfully taken may be offered for sale, sold, purchased or traded, EXCEPT,

It is unlawful to offer for sale, sell, purchase or trade cougar, mountain sheep, mountain goat, velvet antlers of deer or elk or the gall bladder, claws and teeth of bear, except those claws and teeth permanently attached to a full bear skin or mounted bear, unless the offer for sale, sale, purchase or trade is authorized by a written permit issued by the director. [Statutory Authority: RCW 77.12.040. 82-04-034 (Order 177), § 232-12-071, filed 1/28/82; 81-12-029 (Order 165), § 232-12-071, filed 6/1/81. Formerly WAC 232-12-171.]

WAC 232-12-074 Retention of game. After August 1 of each year, it is unlawful to possess the edible parts of game animals or game birds taken during the preceding open season unless the department is notified in writing of the species, quantity and location of such wildlife. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-074, filed 6/1/81.]

WAC 232-12-077 Wildlife taken by another. It is unlawful to possess wildlife taken during the open season by another unless it is accompanied by a statement which shows the name, address, hunting, fishing or other license or permit number and signature of the taker, the date, county and game management unit where taken. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-077, filed 6/1/81. Formerly WAC 232-12-210.]

WAC 232-12-081 Checking stations—Inspection of game and licenses. Hunters and fishermen occupying a motor vehicle approaching or entering a check station established by a wildlife agent must stop and produce for inspection:

- (1) Wildlife in their possession;
- (2) Licenses, permits, tags, stamps or punchcards required under Title 77 RCW or rules adopted thereunder.

[Statutory Authority: RCW 77.12.040. 82-15-014 (Order 186), § 232-12-081, filed 7/12/82; 81-12-029 (Order 165), § 232-12-081, filed 6/1/81. Formerly WAC 232-12-201.]

WAC 232-12-084 Director empowered to alter seasons. In accordance with the provisions of RCW 77.04-.020 and 77.12.150, the authority of the commission is delegated to the director during the period from November 1 to March 31 of each year to close or shorten seasons for game fish. After a season has been closed or shortened, the director may reopen it, and establish daily, weekly, or season bag limits for that season. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-084, filed 6/1/81. Formerly WAC 232-12-205.]

WAC 232-12-087 Requirements to possess Indian caught anadromous game fish or roe. It is unlawful for a person other than a treaty Indian to buy, sell or possess anadromous game fish lawfully taken by a treaty Indian unless said fish are accompanied by a written statement showing taker's name, address, tribal affiliation and treaty fish identification card number, number of fish, date and location where taken. Provisions of this regulation shall not apply to anadromous game fish purchased from a department licensed fish buyer. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-087, filed 6/1/81.]

WAC 232-12-091 Commercial buying and processing of anadromous game fish or roe. (1) It is unlawful to buy, sell or possess with intent to sell anadromous game fish or roe, without having in possession a valid department fish buyer's permit and comply with the following provisions:

(a) A department fish buyer's permit is valid for a year (May 1 to April 30).

(b) Fish buyer's permits must be obtained by applying to the Department of Game, 600 North Capitol Way, Olympia, Washington 98504.

(c) The fish buyer's permit, or a copy, must be in possession of a person buying anadromous game fish or roe.

(d) Fish buyer's permits are not transferable.

(e) Fish buyer's permits authorize a person to buy only anadromous game fish or roe taken by treaty Indians possessing valid federal or tribal fishing identification cards during lawful open seasons.

(2) It is unlawful for a person possessing or buying anadromous game fish or roe from a treaty Indian to not comply with the following:

(a) Fill out a department steelhead receiving ticket including name of seller, tribal affiliation, treaty fishing identification card number, numbers of fish or skeins of roe, marine area or river where caught, and signature of the person directly receiving the fish.

(b) Transmit the fish tickets daily to the department.

(c) Retain a copy of the steelhead receiving ticket with the anadromous game fish or roe as long as the fish are in possession.

(3) Transactions involving the possession or sale of treaty caught anadromous game fish between two or more licensed buyers, the recipients of said fish must possess a copy of the original fish receiving ticket and sales invoice.

(4) This section does not apply to a person who buys lawfully caught treaty Indian anadromous game fish for personal consumption. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-091, filed 6/1/81. Formerly WAC 232-12-212.]

WAC 232-12-094 Records for purchase and receipt of anadromous game fish and roe. (1) Department fish buyer permittees must keep a record of the number of anadromous game fish and skeins of roe received or purchased.

(2) A record of all sales of anadromous game fish and roe must be maintained by licensed fish buyers for three years and are subject to inspection by a wildlife agent. Records of sales must include:

(a) Name and address of the purchaser or consignee.

(b) Number and pounds of each sale.

(c) Date of delivery. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-094, filed 6/1/81. Formerly WAC 232-12-213.]

WAC 232-12-097 Transportation of anadromous game fish and roe. (1) It is unlawful to ship or transport game fish and roe by a private or common carrier unless accompanied by an invoice which includes:

(a) The name and address of the consignor and consignee.

(b) Pounds and number of anadromous game fish and skeins of roe in the shipment.

(c) The date of shipment.

(2) Containers of anadromous game fish and roe transported must be clearly and conspicuously marked indicating the contents. A copy of the invoice shall be forwarded by the carrier to the Department of Game, 600 North Capitol Way, Olympia, Washington 98504, within seven days of said shipment. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-097, filed 6/1/81. Formerly WAC 232-12-214.]

WAC 232-12-099 Treaty Indian fishing gear identification. It is unlawful for a treaty Indian to operate or fish with a gill net capable of taking anadromous game fish without having attached to one end of the float line a metal tag 3/4 of an inch by 4 inches with the following numbering system:

(1) The first digit shall indicate the treaty area, the second digit the tribe within the treaty area, and the third through the seventh digits shall be the last five numbers of the fisherman's Bureau of Indian Affairs identification number. [Statutory Authority: RCW 77.12.040. 82-11-099 (Order 184), § 232-12-099, filed 5/19/82.]

WAC 232-12-101 Falconry and captive propagation of raptors permitted. (1) The director may issue permits for the taking and possession of a raptor for the purpose

of falconry, captive live propagation, and for the possession, transfer, use and disposition of adult birds and progeny thereof, except for those species restricted by the state or that appear on the federal endangered species list. The director may issue a permit under WAC 232-12-274 for the taking or possession of raptor eggs. However, a federally threatened or endangered raptor held legally before November 10, 1978, and their progeny that have not been intentionally released to the wild may be retained for falconry use under these regulations. Such permits will be restricted to residents of the state of Washington.

(2) It is unlawful to take or possess a raptor or raptor eggs without a permit from the director. It is unlawful to violate the conditions of a permit issued under this rule. [Statutory Authority: RCW 77.12.040. 82-04-034 (Order 177), § 232-12-101, filed 1/28/82; 81-12-029 (Order 165), § 232-12-101, filed 6/1/81. Formerly WAC 232-12-230 and 232-12-237.]

WAC 232-12-104 Falconry definitions. (1) "Raptor" means a migratory bird of the family *Accipitridae* other than the bald eagle (*Haliaeetus leucocephalus*), or the family *Falconidae*, or the great horned owl (*Bubo virginianus*), of the family *Strigidae*.

(2) "Captive-bred raptor" means the progeny of a mating of raptors in captivity.

(3) "Take" means to trap or capture or attempt to trap or capture a raptor from the wild.

(4) "Falconry" means the possession and use of raptors for the purpose of hunting or free flight training. [Statutory Authority: RCW 77.12.040. 82-04-034 (Order 177), § 232-12-104, filed 1/28/82; 81-12-029 (Order 165), § 232-12-104, filed 6/1/81. Formerly WAC 232-12-231.]

WAC 232-12-107 Falconry permits required. It is unlawful for a person to possess a raptor for the purpose of falconry or to engage in the practice of falconry without first obtaining and having upon his person a valid Washington state "falconry permit."

(1) The requirements for each such permit shall be stated on each permit application. The limitations on the use of these permits shall be stated on each such permit.

(2) Falconry permits shall be issued only to applicants who have successfully passed a supervised examination with a score of at least eighty percent and who have raptor housing facilities and falconry equipment approved by the director. The requirements for such facilities and equipment shall be stated on each falconry permit application.

(3) The department may periodically inspect the falconry facilities, equipment and raptors of a holder of a falconry permit at reasonable times.

(4) It is unlawful for a holder of a falconry permit to have in his possession or under his control, or to capture or attempt to capture, a species or number of raptors specifically prohibited by the director.

(5) It is unlawful for a person to possess a bald eagle, vulture, osprey, or owl, except the great horned owl, for falconry. [Statutory Authority: RCW 77.12.040. 82-04-

034 (Order 177), § 232-12-107, filed 1/28/82; 81-12-029 (Order 165), § 232-12-107, filed 6/1/81. Formerly WAC 232-12-232.]

WAC 232-12-114 Permit required for capture, importation, exportation, and transfer of raptors. (1) It is unlawful for any person to take a raptor without first having in his possession and upon his person a valid "raptor capture permit."

(2) "Raptor capture permits" may be issued by the director to holders of valid falconry permits. Additional requirements of each permit shall be stated on the permit. Additional limitation on the use of each permit shall be stated on each permit.

(3) A permittee, after capturing or acquiring a raptor, shall immediately fill out and mark the appropriate dates on the "raptor capture permit." Such permit must be returned to the department within five days of capture or acquisition. A person who captures a raptor shall report such capture to the department within five days of the time of capture.

(4) It is unlawful for a person to import into or export out of the state of Washington any raptor for falconry or propagation purposes without first obtaining a "raptor importation or exportation permit." "Raptor importation or exportation permits" may be issued by the director for the transfer of raptors into and out of the state of Washington. "Temporary" importation or exportation permits may be issued to licensed falconers for raptors brought into or removed from the state on a temporary basis. Additional requirements and limitations for each permit shall be stated on each permit.

(5) It is unlawful to transfer ownership or possession of a raptor without first notifying the department and registering the proposed transfer with the department. Permanent exportation of a raptor will also require a transfer of raptor permit. It is lawful for a permittee to give temporary care of any raptor to another permittee holding a general or masters permit for up to thirty days without prior notification or registration, if written authorization from the registered owner accompanies the bird, and a copy thereof is submitted to the department within three days of each such transfer. [Statutory Authority: RCW 77.12.040. 82-04-034 (Order 177), § 232-12-114, filed 1/28/82; 81-12-029 (Order 165), § 232-12-114, filed 6/1/81. Formerly WAC 232-12-234.]

WAC 232-12-117 Marking and identification of raptors required. (1) It is unlawful for a person to have in his possession or under his control any raptor that does not bear an identifying United States Fish and Wildlife Service Band. It is unlawful to possess captive bred raptors after the 35th day of age without such identifying band. It is unlawful to hold raptors taken under a valid permit without an identifying band after fifteen days from capture.

(2) It is unlawful to remove or replace a raptor band without the approval of or under the supervision of the director.

(3) It is unlawful to possess a raptor band that has been altered. [Statutory Authority: RCW 77.12.040. 82-04-034 (Order 177), § 232-12-117, filed 1/28/82; 81-12-029 (Order 165), § 232-12-117, filed 6/1/81. Formerly WAC 232-12-235.]

WAC 232-12-121 Falconry reports required. (1) A person holding a "falconry permit" shall submit by May 31 of each year an annual report on forms supplied by the department, disclosing such information as the department deems necessary for the proper management of raptors and the regulation of falconry.

(2) A person shall report to the department, the loss, death, or release of their raptor possessed by him within five days of each loss, death or release. The carcasses of any dead raptors shall be delivered to the nearest department office, unless authorized to be retained by the department. [Statutory Authority: RCW 77.12.040. 82-04-034 (Order 177), § 232-12-121, filed 1/28/82; 81-12-029 (Order 165), § 232-12-121, filed 6/1/81. Formerly WAC 232-12-236.]

WAC 232-12-124 Methods of capture and prohibitions in taking raptors. (1) It is unlawful for a person to remove more than one immature raptor from a nest.

(2) It is unlawful to trap a raptor originally taken after it attains adult plumage at any time of the year except as provided in subsection (6) of this section.

(3) It is unlawful to remove any immature raptor from a nest unless one or more live, immature raptors remain in the nest after such removal.

(4) It is unlawful to possess or use a trap, snare, net, harnessed bait bird or other implement that is employed in an attempt to capture a raptor without said equipment being legibly marked with the name and address of the user.

(5) It is unlawful for a person to leave unattended a trap, snare, harnessed bait bird, or other implement that is set for the purpose of capturing a raptor, except for the Swedish goshawk-type trap.

(6) It is unlawful for a person, other than the permittee, to retrap a marked raptor, which has been reported as lost, unless prior permission has been authorized by the director. [Statutory Authority: RCW 77.12.040. 82-04-034 (Order 177), § 232-12-124, filed 1/28/82; 81-12-029 (Order 165), § 232-12-124, filed 6/1/81. Formerly WAC 232-12-233 and 232-12-237.]

WAC 232-12-127 Revocation, modifications or suspension of falconry permits. A permit issued hereunder may be revoked, modified or suspended by the director for cause as provided in WAC 232-12-197. Cause shall include, but is not limited to, the failure to provide adequate falconry facilities and equipment or the failure to provide adequate care, feed or maintenance for a raptor or for inhumane treatment of a raptor. [Statutory Authority: RCW 77.12.040. 82-04-034 (Order 177), § 232-12-127, filed 1/28/82; 81-12-029 (Order 165), § 232-12-127, filed 6/1/81. Formerly WAC 232-12-238.]

WAC 232-12-131 Permits for special hunting seasons. (1) Holders of valid hunting licenses may apply for permits for special hunting seasons as prescribed by the commission.

(2) It is unlawful for a person receiving a special hunting season elk permit to apply for such a permit for the next two years. A person applying for an elk permit during that period will be disqualified for an additional two years, in addition to any other penalty provided by law.

(3) It is unlawful for a person receiving a special hunting season goat permit to apply for such a permit for the next five years. A person applying for a goat permit during that period will be disqualified for an additional five years, in addition to any other penalty provided by law.

(4) It is unlawful for a person receiving a special hunting season permit for mountain sheep to apply for another permit for that species if they are successful in taking a mountain sheep. A person who receives a special permit for mountain sheep and is unsuccessful in taking a sheep may reapply after waiting for five years. A person applying for a permit during that period will be disqualified for an additional five years, in addition to any other penalty provided by law.

(5) It is unlawful for a person receiving a moose permit to apply for another permit for that species. [Statutory Authority: RCW 77.12.040. 82-04-034 (Order 177), § 232-12-131, filed 1/28/82; 81-12-029 (Order 165), § 232-12-131, filed 6/1/81. Formerly WAC 232-12-255.]

WAC 232-12-134 Report required of licensed trappers. It is unlawful for a licensed trapper to fail to report to the department, within thirty days after the close of the trapping season, on a form supplied by the department, the number of each species of animal taken. [Statutory Authority: RCW 77.12.040. 81-22-002 (Order 174), § 232-12-134, filed 10/22/81; 81-12-029 (Order 165), § 232-12-134, filed 6/1/81. Formerly WAC 232-12-280.]

WAC 232-12-137 Unlawful to use game species for trapping. It is unlawful to use game birds, game fish or game animals for bait in trapping, EXCEPT

(1) Nonedible parts of game birds, game fish and game animals may be used when they are buried or remain concealed from plain view.

(2) Game bird feathers may be used as an attractor. [Statutory Authority: RCW 77.12.040. 83-15-060 (Order 211), § 232-12-137, filed 7/20/83; 81-22-002 (Order 174), § 232-12-137, filed 10/22/81; 81-12-029 (Order 165), § 232-12-137, filed 6/1/81. Formerly WAC 232-12-300.]

WAC 232-12-141 Wild animal trapping. It is unlawful to trap for wild animals:

(1) With a steel trap having a jaw spread exceeding seven and one-half inches, except that an instant kill trap having a jaw spread exceeding seven and one-half inches is lawful when set beneath the water surface.

(2) With a No. 3 size or larger steel trap if it does not have spacing of at least three-sixteenth of one inch when the trap is sprung and when the set is not capable of drowning the trapped animal.

(3) Unless traps or devices are checked and animals removed within seventy-two hours. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-141, filed 6/1/81. Formerly WAC 232-12-310.]

WAC 232-12-144 Possession of live fish for bait while fishing. It is unlawful to use or possess live fish for bait while fishing for game fish. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-144, filed 6/1/81. Formerly WAC 232-12-320.]

WAC 232-12-147 Maximum number of fishing lines and hooks—Snagging and gaffing fish unlawful. It is unlawful to:

(1) Fish for game fish or attempt to take game fish in a manner other than with one line which must be under the immediate control of the angler.

(2) Fish for game fish with a line having attached to it more than 2 hooks or lures.

(3) Snag or attempt to snag game fish.

A gaff or landing net may be used to land game fish lawfully hooked.

Fresh water ling may be taken during the open season set for that species by use of set lines and multiple hooks as prescribed in current season's regulations. Set lines must have securely affixed a metal tag legibly stating the fisherman's name and address. [Statutory Authority: RCW 77.12.040. 81-22-002 (Order 174), § 232-12-147, filed 10/22/81; 81-12-029 (Order 165), § 232-12-147, filed 6/1/81. Formerly WAC 232-12-340.]

WAC 232-12-151 Fly fishing rules. It is unlawful to fish for game fish in waters designated as "fly fishing only" with the use of:

(1) A fixed spool reel.

(2) Fishing line other than conventional fly line, except monofilament line may be used as backup line if it is attached to not less than twenty-five feet of fly line at the terminal end.

(3) Weight attached to the leader or line.

(4) Bait.

(5) A lure other than a dry fly, bucktail fly, wet fly, nymph or streamer, with a single pointed hook. [Statutory Authority: RCW 77.12.040. 82-04-034 (Order 177), § 232-12-151, filed 1/28/82; 81-12-029 (Order 165), § 232-12-151, filed 6/1/81. Formerly WAC 232-12-350.]

WAC 232-12-154 Juvenile fishing waters. It is unlawful for a person fourteen years of age or older to fish any waters restricted to juvenile fishing only. [Statutory Authority: RCW 77.12.040. 81-22-002 (Order 174), § 232-12-154, filed 10/22/81; 81-12-029 (Order 165), § 232-12-154, filed 6/1/81. Formerly WAC 232-12-355.]

WAC 232-12-157 Steelhead fishing punchcard. (1) It is unlawful for a person, except a treaty Indian possessing a valid federal or treaty fishing identification card, to fish for steelhead trout without having in their immediate possession a valid steelhead fishing punchcard.

(2) Upon retaining a steelhead trout over twenty inches in length, the holder of a steelhead fishing punchcard must immediately remove from the card one punch and enter on the corresponding space the date of the catch and the river code number as listed on the punchcard[, except in waters designated as "selected fishery," "catch and release" or "fly fishing only—barbless hooks" by the commission, it is not necessary to remove a punch from the steelhead punchcard, if the fish is released].

(3) Every person possessing a steelhead fishing punchcard must, by June 1, following the period for which it was issued, return that punchcard to an authorized license dealer or the department. [Statutory Authority: RCW 77.12.020 and 77.12.040. 83-21-003 (Order 218), § 232-12-157, filed 10/6/83. Statutory Authority: RCW 77.12.040. 82-22-032 (Order 195), § 232-12-157, filed 10/27/82; 81-22-002 (Order 174), § 232-12-157, filed 10/22/81; 81-12-029 (Order 165), § 232-12-157, filed 6/1/81. Formerly WAC 232-12-360.]

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 232-12-161 Fishing guide reports. It is unlawful for a licensed fishing guide to fail to report to the department by the 10th day of each month the numbers of steelhead fishermen guided the previous month, the rivers fished, the date and number of steelhead caught. Reports must be submitted regardless of whether or not guiding was conducted. Such report form shall be supplied by the department and signed by the guide. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-161, filed 6/1/81. Formerly WAC 232-12-365.]

WAC 232-12-164 Fishing near dams—Department facilities. Except as provided in current season game fish regulations, it is unlawful to fish within four hundred feet downstream from man-made dams, fish ladders or other obstructions, or in facilities used by the department for rearing, holding, or passage of fish. It is unlawful to fish in an irrigation canal or ditch, when the area is posted as closed waters. [Statutory Authority: RCW 77.12.040. 81-22-002 (Order 174), § 232-12-164, filed 10/22/81; 81-12-029 (Order 165), § 232-12-164, filed 6/1/81. Formerly WAC 232-12-370.]

WAC 232-12-167 Hunting and fishing contest rules. A person wishing to conduct a hunting or fishing contest must file an application for a contest permit with the department thirty days prior to the start of the contest.

It is unlawful to:

(1) Charge a fee for entrance to a hunting or fishing contest or request a donation to promote such a contest for a commercial purpose.

(2) Offer or accept prizes or trophies, as a result of a hunting or fishing contest, which have a total retail value of more than four hundred dollars. [Statutory Authority: RCW 77.12.040. 82-04-034 (Order 177), § 232-12-167, filed 1/28/82; 81-12-029 (Order 165), § 232-12-167, filed 6/1/81. Formerly WAC 232-12-380.]

WAC 232-12-174 Domestic animals on department lands. It is unlawful to allow domesticated animals to be unattended on, or to permit livestock to graze upon land under the control of the department without a written permit from the director. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-174, filed 6/1/81. Formerly WAC 232-12-390.]

WAC 232-12-177 Vehicles using department lands. It is unlawful to operate a motor driven vehicle on lands owned, controlled or managed by the department except on such land or roads as may be authorized by the director. [Statutory Authority: RCW 77.12.040. 82-04-034 (Order 177), § 232-12-177, filed 1/28/82; 81-12-029 (Order 165), § 232-12-177, filed 6/1/81. Formerly WAC 232-12-400.]

WAC 232-12-181 Livestock grazing on department of game lands. It is unlawful to graze livestock on lands owned, or managed by the department under lease or agreement without obtaining a land use agreement from the department. It shall be unlawful to fail to follow or carry out any of the requirements or provisions of the land use agreement.

All persons wishing to apply for a land use agreement should contact the Washington Department of Game, 600 North Capitol Way, Olympia, Washington 98504.

Policies and general provisions that shall apply to all land use agreements include:

(1) Department is authorized to negotiate land use agreements for grazing. The department shall advertise and sell the license to use department lands for grazing at public auction to the highest bidder. The department is authorized to reject any and all bids if it is determined to be in the best interest of the department to do so.

(2) The director may approve a land use agreement where a comprehensive grazing management plan has been developed by the department. The commission, may review each land use agreement to determine whether the grazing will benefit wildlife or improve public hunting, fishing, or recreation without adverse impact on wildlife.

(3) While each agreement shall contain terms and conditions peculiar to that use of the land, the following general terms shall be included in all such agreements:

(a) The term of the agreement shall be limited to five years.

(b) A full grazing plan shall be part of the land use agreement. That plan shall establish the number and kind of animals that will graze and the area managed under the land use agreement.

(c) The department shall retain the right to alter provisions of the plan to reduce acreage available or the number of animals using the area when such change is, in the judgment of the department, required to benefit fish or wildlife management, public hunting and fishing, or other recreational uses.

(d) Holders of agreements shall be required to report monthly to the department the number of animals grazing and the area actually grazed, as well as the expected grazing animals and area for the following month.

(e) Holders of agreements shall be required to maintain all fences to protect adjacent lands from livestock trespass.

(f) All lands covered by any agreement shall at all times be open to the public for lawful hunting and fishing, and other approved recreational uses.

(g) The holder of the agreement shall agree to indemnify the department from liability which may arise out of the exercise of the privileges granted in the agreement.

(h) Holders of agreements shall forfeit their rights under the agreement if they fail to meet any of the terms and conditions of the agreement. Grazing of animals in excess of allowable amounts will result in forfeiture of the grazing agreement and obligate the responsible agreement holder to pay the department for the excess use.

(i) The holder of the agreement shall not transfer the rights contained in the agreement to another person without prior approval from the commission.

(j) The holder of the agreement shall not permit livestock owned by another person to graze upon department lands under the agreement without the approval of the commission. [Statutory Authority: RCW 77.12.040. 82-04-034 (Order 177), § 232-12-181, filed 1/28/82; 81-12-029 (Order 165), § 232-12-181, filed 6/1/81. Formerly WAC 232-12-405.]

WAC 232-12-184 Aircraft--Authorized use on department lands. Except as authorized by the director or the director of the department of natural resources, it is unlawful to land aircraft on lands owned, leased or controlled by the department, except in the case of a bona fide emergency. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-184, filed 6/1/81. Formerly WAC 232-12-410.]

WAC 232-12-187 Access areas--Other department lands--Wildlife agent to control traffic thereon. It is unlawful to use department owned or controlled lands or waters in a manner or for a purpose contrary to signs or notices posted on those lands or to refuse or neglect to obey directions regarding use of such property by a wildlife agent. It is unlawful to use department owned or controlled lands or waters for a commercial purpose without a permit issued by the director. [Statutory Authority: RCW 77.12.040. 82-04-034 (Order 177), § 232-12-187, filed 1/28/82; 81-12-029 (Order 165), § 232-12-187, filed 6/1/81. Formerly WAC 232-12-420.]

WAC 232-12-189 Duplicate licenses, tags, etc.-- Rules for issuance. Application for replacement of licenses, permits, tags, stamps or punchcards required by chapter 77.32 RCW, which have been lost, mutilated, or stolen, must be made on a form supplied by the department.

All applicable information indicated on the form must be provided and the form must be notarized.

Duplicate licenses, permits, tags, stamps and punchcards may be issued only at department offices or by department employees authorized by the director. [Statutory Authority: RCW 77.12.040. 81-22-002 (Order 174), § 232-12-189, filed 10/22/81.]

WAC 232-12-191 Three convictions forfeits privileges. A person who has been convicted of three violations of the game code of the state of Washington or rules of the commission within a ten year period, shall not be issued another license, permit, tag, stamp or punch card for any activity described in chapter 77.32 RCW until those privileges are restored by the commission. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-191, filed 6/1/81. Formerly WAC 232-12-430.]

WAC 232-12-194 Procedure--Petitions for reissuance of hunting license--Time period for petition--Juvenile applicants. (1) A petition for reissuance of a license revoked under the terms of RCW 77.21.020 or 77.21.030 generally will not be considered by the commission until passage of at least one year from the date the license privilege was revoked.

(2) An applicant for reissuance of a license who is under the age of eighteen years shall be accompanied by a parent, family member over the age of eighteen years, or legal guardian in any appearance before the commission for purposes of requesting reissuance of a hunting license.

(3) Reissuance hearings for a person under the age of fourteen years shall be conducted by the commission in executive session.

(4) Upon motion of an applicant or a commission member, reissuance hearing for persons over the age of fourteen years may be conducted by the commission in executive session.

(5) Applications for reissuance of a license shall be made in writing and filed with the director. The application shall state the relief sought and grounds therefor. As soon as practicable, the director shall note the application for hearing at a regularly scheduled meeting of the commission, and give reasonable notice to the applicant by mail of the date, time and place of hearing. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-194, filed 6/1/81. Formerly WAC 232-12-435.]

WAC 232-12-197 Procedures to review administrative license decisions. The following procedure applies to all administrative decisions of the department which suspend, revoke, cancel, condition, refuse to issue or renew, or otherwise which adversely affect any license,

permit, or administrative approval issued by the department. However, the procedures here do not apply to petitions for reissuance of hunting licenses revoked pursuant to RCW 77.21.020 or 77.21.030. Suspensions of licenses by the director pursuant to RCW 77.21.020 and 77.21.030 are covered by subsection (7) of this section.

(1) Any license, permit or administrative approval issued by the department may be suspended, revoked, cancelled, conditioned, or its issuance or reissuance denied, for cause. Cause is a general term, necessarily discretionary. The following typically may result in adverse administrative action: Failure to submit full, complete, or timely information required by law; failure to submit a timely or complete application for license renewal; violation of the terms or conditions of a license or permit; violations of game laws or rules or regulations or violation of a particularly crucial or important requirement of law; failure to qualify under the requirements for issuance of a license or permit; failure to give evidence of a continued ability to comply with license terms and conditions or agency rules and regulations; violations of RCW 77.21.020 and 77.21.030.

(2) Any person who, upon proper application, is denied a requested license or permit, refused reissuance of a requested license or permit or contests a condition placed in a granted license, permit or administrative approval, or who has a license, permit or administrative approval suspended, revoked, or cancelled is entitled to an opportunity for a hearing contesting the administrative action, pursuant to the Administrative Procedure Act, chapter 34.04 RCW. No administrative action towards an existing or continuing license shall be final without first affording at least twenty days notice of the agency's action and affording an opportunity for a hearing prior to the effective date of the action. To obtain a hearing, a written request must be filed with the director within ten days of receipt of the contested administrative decision. The request for hearing shall clearly state the relief sought and the grounds therefor.

(3) Upon receipt of the written request for administrative hearing, the director may appoint a hearing examiner to conduct further proceedings, including setting a time and place for hearing. Generally, the provisions of the uniform procedures rules, chapter 1-08 WAC, will apply to the hearing, unless here modified or modified by agreement of the parties.

(4) A hearing examiner will take evidence and otherwise conduct a hearing. Upon receipt of all proof and argument, written findings of fact, conclusions of law and proposed order will be issued by the examiner, with copies mailed to each party and attorney of record, if any.

(5) Within ten days of receipt of findings of fact, conclusions of law and the examiner's proposed order, an aggrieved party may file with the director exceptions to the order and written argument in support of the exceptions. Replies to the exceptions, if any, shall be filed within ten days of receipt of the exceptions. The director will personally consider the record submitted and issue a final decision in writing, which shall be served by mail

on all parties and attorneys of record, if any. The director's decision is a final decision for purposes of appeal to the superior court pursuant to RCW 34.04.130.

(6) There are no special rules of appearance before the department, except those specified in the Executive Conflict of Interest Act, chapter 42.18 RCW, and chapter 1-08 WAC.

(7) The department may take immediate administrative action, without affording an opportunity to prior hearing, in those instances constituting an emergency as further described in RCW 34.04.170(2). Additionally, pursuant to RCW 77.21.020 and 77.21.030, the director will immediately suspend hunting privileges upon receipt of information showing a hunting violation or accident. The occurrence of a violation or accident may be contested by the license holder. If uncontested, the director's suspension will result in revocation of the license, subject to the right to request reissuance, as specified in WAC 232-12-194. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-197, filed 6/1/81.]

WAC 232-12-207 Petitions--Consideration by commission. A petition requesting the promulgation, amendment or repeal of any rule, regulation or order of the commission may be made in writing to the director and shall state that the same is made pursuant to this regulation. Such petition shall set forth the proposed rule in full or the existing rule with amendment, as the case may be, and shall include a statement of all reasons why said rule should be adopted, amended or repealed.

All petitions shall be considered by the director who may in his discretion note the petition for consideration at a regular meeting of the commission. The director shall notify the petitioning party of the disposition of the petition within a reasonable time. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-207, filed 6/1/81. Formerly WAC 232-12-470.]

WAC 232-12-221 Petitions--Form--Scheduling--Ruling. Petitioners for declaratory rulings by the commission shall set forth the rule or statute brought into issue by the petition, the facts relied upon by the applicant, the prayer of the petitioner and shall generally conform to the form of complaints at law.

The petition shall be submitted to the director who may in his discretion place the petition on the agenda of the commission at one of its regular meetings and shall give reasonable notice to the petitioner of the time and place for hearing by the commission. Petitioner may appear and present argument to the commission at any such hearing.

The commission after hearing, shall issue a binding declaratory rule, a nonbinding declaratory rule or notify the petitioner that no declaratory rule is to be issued.

The director shall notify the petitioner of action taken with reference to the petition. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-221, filed 6/1/81. Formerly WAC 232-12-480.]

WAC 232-12-224 Possession of wildlife off an Indian reservation legally possessed on reservation. It is

unlawful for an enrolled tribal member who has lawfully acquired possession of wildlife, with the exception of game fish, from an Indian reservation to possess that wildlife off the reservation for any purpose other than personal use. Wildlife taken from an Indian reservation must be accompanied by a permit issued by the department or appropriate tribal authority prior to being transported off the Indian reservation. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-224, filed 6/1/81. Formerly WAC 232-12-490.]

WAC 232-12-227 Hunter education training program requirements. (1) The director may designate a state coordinator for the purpose of administering the hunter education program. The state coordinator shall be responsible for the certification of volunteer instructors and the development of instructional materials, training aids, operating policies and procedures necessary to comply with the provisions of this section and RCW 77.32.155.

(2) It is unlawful for any person under the age of eighteen to purchase a hunting license in the state of Washington without having completed a course involving at least eight hours of instruction in conservation, safety and sportsmanship.

(3) Upon satisfactory completion of these requirements, each student shall be issued a certificate of accreditation signed by an authorized instructor or the designated state coordinator.

(4) It is unlawful for a license dealer to sell a hunting license to a person under eighteen years of age unless a hunter education certificate issued to said person is presented at the time of purchase. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-227, filed 6/1/81. Formerly WAC 232-12-500.]

WAC 232-12-241 Requirements of license dealers. (1) The director may deputize persons, firms or corporations as license dealers in such numbers as deemed necessary, for the purpose of issuing licenses, permits, tags, stamps, and punchcards.

(2) All persons, firms or corporations so deputized shall provide the director with a good and sufficient bond in such amount as the director shall determine, such bond to guarantee full and complete payment for all licenses, permits, tags, stamps, and punchcards sold or not remitted by the dealer.

(3) License dealers shall remit all moneys collected from the sale of licenses, permits, tags, stamps, and punchcards by the 10th day of the following month in which the licenses are sold.

(4) License dealers must issue licenses, permits, tags, stamps, and punchcards in accordance with instructions provided by the department in the license dealer's manual.

(5) All records held pursuant to the statutes and regulations dealing with license dealers must be open to inspection by a wildlife agent or department designee at reasonable times. [Statutory Authority: RCW 77.12.040. 81-12-002 (Order 174), § 232-12-241, filed

10/22/81; 81-12-029 (Order 165), § 232-12-241, filed 6/1/81. Formerly WAC 232-12-510.]

WAC 232-12-244 Hunting restrictions. It is unlawful to hunt wild birds except with a shotgun containing size 4 or smaller bird shot, or wild animals during open seasons for elk in areas where elk may reasonably be expected unless:

(1) Proper licenses, tags, permits, stamps and firearms for hunting elk are in possession.

(2) Proper licenses, tags, permits, stamps and firearms for hunting deer or elk are in possession if the elk and deer seasons are open concurrently. [Statutory Authority: RCW 77.12.040. 82-04-034 (Order 177), § 232-12-244, filed 1/28/82; 81-12-029 (Order 165), § 232-12-244, filed 6/1/81. Formerly WAC 232-12-520.]

WAC 232-12-24401 Closure of all lands within the Colville Indian Reservation to the trapping and hunting of all wild animals, blue grouse, ruffed grouse, Franklin grouse, sharp-tailed grouse, sage hen grouse, and mourning doves. It is unlawful to trap or hunt wild animals, blue grouse, ruffed grouse, Franklin grouse, sharp-tailed grouse, sage hen grouse and mourning doves within the Colville Indian Reservation boundaries. [Statutory Authority: RCW 77.12.040. 83-09-022 (Order 201), § 232-12-24401, filed 4/14/83.]

WAC 232-12-247 Transmission lines--Unlawful hunting. It is unlawful to shoot at wild animals or wild birds while they are on a telephone or electrical transmission line, or the pole, crossarm or insulator thereof. [Statutory Authority: RCW 77.12.040. 82-04-034 (Order 177), § 232-12-247, filed 1/28/82; 81-12-029 (Order 165), § 232-12-247, filed 6/1/81. Formerly WAC 232-12-530.]

WAC 232-12-251 Removal of minerals, wood and artifacts from department lands. It is unlawful to remove petrified wood, minerals, fossils, wood products or artifacts from department lands unless such removal is authorized by a permit issued by the director. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-251, filed 6/1/81. Formerly WAC 232-12-550.]

WAC 232-12-254 Discharge of litter on department lands--Unlawful. It is unlawful for any person to throw, to drop, or to leave any discarded object, garbage, debris, or waste upon any of the properties owned, leased or controlled by the department except into a litter or garbage receptacle or container installed for that purpose on such property. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-254, filed 6/1/81. Formerly WAC 232-12-570.]

WAC 232-12-257 Control of unattended decoys. It is unlawful to leave duck or goose decoys unattended on lands or water owned, leased or controlled by the department. Duck or goose decoys left unattended in excess of one hour may be removed by a wildlife agent.

[Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-257, filed 6/1/81. Formerly WAC 232-12-630.]

WAC 232-12-261 Live decoys unlawful. It is unlawful to hunt waterfowl with the use or aid of live birds as decoys. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-261, filed 6/1/81. Formerly WAC 232-12-640.]

WAC 232-12-264 Baiting of game birds--Unlawful. It is unlawful to hunt game birds by the aid of baiting, or in a baited area. As used in this section "baiting" or "baited area" means the placing, exposing, depositing, distributing or scattering of corn, wheat or other grain, or feed so as to constitute for such birds a lure or attraction to, on or over areas where hunters are attempting to take them. This shall not prohibit hunting of game birds, on or over standing crops, flooded crop lands, grain crops properly harvested on the field where grown or grains found scattered as the result of normal agricultural planting or harvesting. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-264, filed 6/1/81. Formerly WAC 232-12-650.]

WAC 232-12-267 Field identification of wildlife. It is unlawful to possess wildlife in the field or to transport wildlife unless:

(1) Feathered heads are left attached to all game birds,

(2) Heads of big game animals accompany the carcass. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-267, filed 6/1/81.]

WAC 232-12-271 Conditions for issuance of permits for aquatic plants or releasing of wildlife. It is unlawful to plant or release wildlife or aquatic plants in the state without a permit from the director.

(1) Application for a permit must be made on a form provided by the department. It must be submitted thirty days prior to acquisition of the wildlife or aquatic plants intended for release or planting, and must provide all information indicated.

(2) Permits will only be issued if the department determines there will be no adverse impact on the wildlife or wildlife habitat of the state.

(3) Thirty days prior to planting or release of wildlife or aquatic plants they must be made available for department inspection. If the department is not satisfied, the wildlife or aquatic plants are disease free, they shall not be released or planted in the state. Director approval for release or planting may be withdrawn for cause.

(4) A person intending to release wildlife in the state shall report immediately to the department the outbreak of any disease among the wildlife intended to be released. If such outbreak presents a threat to the wildlife of the state, the director may immediately order such action as necessary including quarantine and destruction of stock, sterilization of enclosures and facilities, cessation of activities, and disposal of wildlife in a manner satisfactory to the department.

(5) Wildlife covered by a permit issued under this regulation shall not be branded, tattooed, tagged, fin clipped or otherwise marked for identification without approval of the director. [Statutory Authority: RCW 77.12.040. 82-04-034 (Order 177), § 232-12-271, filed 1/28/82; 81-12-029 (Order 165), § 232-12-271, filed 6/1/81. Formerly WAC 232-12-675.]

WAC 232-12-274 Conditions for issuance of permits for scientific collection, research or display. It is unlawful to collect, conduct research, or publicly display wildlife without a permit from the director.

(1) Application for permits for scientific collection, research or public display purposes must be submitted to the department thirty days prior to the date such collection or display commenced.

(2) Each request must provide the following information:

(a) Qualifications of the person requesting the permit;

(b) An objective(s) for the proposed project including definition or conclusion toward which efforts are to be directed;

(c) Identification of the user(s) of the information and how the findings will be implemented;

(d) A plan of action, the organizational framework and logical sequence of events that will lead to attainment of the study objective; and

(e) A location of the study area.

(3) A final report must be submitted to the department upon completion of the research, collection or public display. Interim reports may be required.

(4) Permits will not be granted for request which do not in the opinion of the department beneficially increase the data base, avoid unnecessary duplication or conflicts with existing scientific information or address goals which will maximize the resource or avoid damage to the resource.

(5) Continuing research or other scientific projects may be extended annually by concurrence of the director.

(6) It is unlawful for a permittee to fail to comply with the conditions of a permit issued for scientific collections, research or public display. [Statutory Authority: RCW 77.12.040. 82-04-034 (Order 177), § 232-12-274, filed 1/28/82; 81-12-029 (Order 165), § 232-12-274, filed 6/1/81. Formerly WAC 232-12-676.]

WAC 232-12-277 Taxidermy and furdealing records. (1) It is unlawful for a licensed taxidermist or furdealer upon receiving wildlife for mounting, tanning, storage or processing to fail to record the owner's name and address, date received, and other information as required by the department, in a ledger supplied by the department. Such record must be maintained for a minimum of two years or as long as the wildlife is retained by the taxidermist or furdealer.

(2) All records and wildlife held pursuant to the statutes or regulations dealing with taxidermy or furdealing must be open to inspection by a wildlife agent at reasonable times. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-277, filed 6/1/81.]

Formerly WAC 232-12-690, 232-12-700, and 232-12-710.]

WAC 232-12-284 Bighorn sheep—Branding requirements. (1) For the purpose of this regulation, horns shall be defined as the permanent, paired, hollow sheath of bighorn sheep attached to the bony core and skull.

(2) It is unlawful for a person who kills or possesses a bighorn sheep taken in Washington to fail, within ten days after acquisition, to present the horns for inspection and branding at a game department regional office. A department employee shall permanently brand an identification number on one of the horns.

(3) It is unlawful for any person to possess the horns of a bighorn sheep taken in Washington without a number so branded.

(4) It is unlawful for any person who transfers ownership or possession of the horns of a bighorn sheep to which an identification number has been branded to fail to give written notice of the transfer to the department within ten days after the transfer. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-284, filed 6/1/81.]

WAC 232-12-287 Possession of dead wildlife. Except as authorized by permit of the director, it is unlawful to possess wildlife found dead. Nothing in this regulation will prohibit the possession of naturally shed antlers of deer and elk. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-287, filed 6/1/81. Formerly WAC 232-12-180.]

WAC 232-12-291 Hunting before or after hours. It is unlawful to hunt wild animals or wild birds contrary to posted or official daily hunting hours in current season regulations. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-291, filed 6/1/81.]

WAC 232-12-800 Purpose. The purpose of this chapter shall be to insure compliance by the department of game with the provisions of chapter 1, Laws of 1973 (Initiative 276), Disclosure—Campaign finances—Lobbying—Records; and in particular with sections 25-32 of that act, dealing with public records. [Order 42, § 232-12-800, filed 7/19/73.]

WAC 232-12-804 Description of central and field organization of the department of game. The headquarters of the department of game, the director and the administrative staff is located at 600 No. Capitol Way, Olympia, Washington, 98504. In addition, the department has six regional offices, each of which supervises department activities within its respective area. Their locations are:

Region 1	North 8702 Division Street Spokane, WA 99218
Region 2	1540 Alder Street N.W. Ephrata, WA 98823
Region 3	2802 Fruitvale Blvd. Yakima, WA 98902

Subregional office	Wenatchee District Office 3860 Chelan Highway North Wenatchee, WA 98801
Region 4	509 Fairview Ave. North Seattle, WA 98109
Region 5	5405 N.E. Hazel Dell Ave. Vancouver, WA 98663
Region 6	905 E. Heron Aberdeen, WA 98520

[Statutory Authority: RCW 77.12.040, 81-22-002 (Order 174), § 232-12-804, filed 10/22/81; Order 42, § 232-12-804, filed 7/19/73.]

WAC 232-12-806 Operations and procedures. The department of game is that public service agency whose purpose is to preserve, protect, perpetuate and enhance wildlife through regulations and sound continuing programs, to provide the maximum amount of wildlife-oriented recreation for the people of the state.

As established in 1933, the present state game commission consists of six members appointed by the governor. They serve a term of six years each and terms are so arranged that appointments of two members expire every two years. By law, three commissioners are from eastern Washington and three from western Washington. The commission establishes regulations, sets overall policies, and appoints the director of game. The director is in charge of the department and directly responsible to the game commission. Aside from director, director's secretary, and commission secretary, all department personnel are hired through the merit system administered by the state department of personnel.

Organization of the game department is of the line and staff type. Two assistant directors aid in operation and administration. Also on the staff are six division chiefs who head up areas of program responsibility. Completing the staff is a planning group responsible for integrating division activities, evaluating programs and projects, and projecting future need and demand.

The key line officers are the regional supervisors who head up administration and plan implementation in each of the state's eight management regions. Each regional supervisor maintains a local office and is assisted by a supervisory staff. Regions are divided into districts and a wildlife agent is responsible for all game department activities within a particular district.

The six game department divisions which carry out all details necessary to implement a plan for perpetual use of game species are as follows:

Game management division is responsible for direct manipulation of pressure upon game animals and birds, and has management authority over a wide variety of nongame animals and birds, including fur-bearing animals and control of game damage. To carry out field research and provide local game management, there is at least one game biologist stationed in each of the eight management regions.

Fishery management division is responsible for research, propagation and planting of all game fish in

Washington. The authority to improve and conserve game fish habitat also falls within their jurisdiction.

Division of wildlife management is charged with community relations and enforcement of all game laws and regulations. Employing about 100 wildlife agents, the primary function of this division's personnel is prevention of game violations and community relations on an individual basis.

Environmental management division is not only responsible for land acquisition and operation of the state's 36 wildlife-recreation areas, but also for detailed game and fish species research and mitigation of wildlife losses caused by the construction of hydroelectric projects.

Engineering and construction division is responsible for the design, construction and maintenance of the game department's fifty million dollars worth of installations and equipment. Hatcheries, game farms, wildlife-recreation area facilities, public access areas, fish protective screens - all of these must be planned, built and maintained so that the department may effectively accomplish its goals.

Fiscal and management services division maintains all accounting and bookkeeping records, prepares payrolls, and maintains cost account records for the entire game department operation. Public information, environmental education and personnel are also functions under this division. License sales are an important component of departmental functioning since the department's operating revenue comes primarily from the sale of hunting and fishing licenses. To properly serve the sporting public, approximately 900 license dealerships are located statewide. All are directly accountable to this division for license sales and receipts.

The organization and management system of the Washington state game department - under game commission policy direction - is a team effort that directs all programs and employees toward the common goal of an agency responsive to public need in preserving and enhancing the wildlife resources while providing recreation opportunity.

The director of game has two staffs. One consists of divisional chiefs or can be considered his Olympia staff, who develop plans and programs which, after approved, are instituted into field operations. The director's field staff consists of eight regional supervisors, who are responsible for implementation of all departmental plans, programs and policies.

From studies of field personnel, regional supervisors make recommendations to the director and state game commission regarding hunting and fishing seasons, land acquisitions and local management programs. Altogether, the department employs about 450 permanent, and 60-70 temporary personnel. Seasonal peak needs in game farm and hatchery operations account for most temporary employment.

The game commission through public meetings establishes all rules and regulations that govern departmental activities. This includes hunting and fishing seasons, land acquisitions, rules and regulations, local management programs, and coordination with other federal, state, county, or city programs. The game commission is

required by law to hold four statutory meetings which occur on the first Mondays of January, April, July, and October of each year. In addition, they hold other meetings to meet the needs of the public and will average 12 to 13 meetings per year. These meetings are announced ahead of time as required by law. The additional meetings beyond those required by statute are held in various communities throughout the state to give the commission a broad view of public interest. [Order 42, § 232-12-806, filed 7/19/73.]

WAC 232-12-809 Definition of eastern and western Washington. For purposes of all rules of the commission, eastern and western Washington are defined as:

Eastern Washington - all lands lying east of the summit of the Cascade Mountains and east of the Big White Salmon River in Klickitat County.

Western Washington - all lands lying west of the summit of the Cascade Mountains and west of and including the Big White Salmon River in Klickitat County. [Statutory Authority: RCW 77.12.040. 82-11-099 (Order 184), § 232-12-809, filed 5/19/82.]

WAC 232-12-810 Public records officer. The department public records are in charge of a public records officer designated by the director. The person so designated is located in the administrative office of the department, 600 No. Capitol Way, Olympia, Washington. The public records officer is responsible for the following: The implementation of the department's rules and regulations regarding release of public records, regarding the administration or enforcement of chapter 1, Laws of 1973 and these rules, coordinating the staff of the department in this regard, and generally insuring compliance by the staff with the public records and disclosure requirements of chapter 1, Laws of 1973. [Statutory Authority: RCW 77.12.040. 81-22-002 (Order 174), § 232-12-810, filed 10/22/81; Order 42, § 232-12-810, filed 7/19/73.]

WAC 232-12-813 Copying. No fee shall be charged for the inspection of public records. The department shall charge a fee of twenty-five cents per page for providing copies of public records, and two dollars for certification if requested. [Statutory Authority: RCW 77.12.040. 82-04-034 (Order 177), § 232-12-813, filed 1/28/82.]

WAC 232-12-814 Requests for public records. In accordance with requirements of chapter 1, Laws of 1973 that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied or copies of such records may be obtained, by members of the public, upon compliance with the following procedures:

(1) A request shall be made in writing addressed to attention of the department of game public records officer. The request shall include the following information:

(a) The name of the person requesting the record[;]

(b) The calendar date on which the request was made;

(c) The nature of the request; and an appropriate description of the record requested.

(2) In all cases in which a member of the public is making a request, it is the obligation of the public records officer or staff member to whom [a] request is made to assist the member of the public in appropriately identifying the public record requested.

(3) No public record shall be allowed to be removed from a department office by anyone other than an officially authorized person. [Statutory Authority: RCW 77.12.040. 81-22-002 (Order 174), § 232-12-814, filed 10/22/81; Order 42, § 232-12-814, filed 7/19/73.]

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 232-12-820 Review of denials of public records requests. (1) A person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement by the public records officer or other staff member which constituted or accompanied the denial.

(2) Upon receiving a written request for review of a decision denying a public record, the public records officer or other staff member denying the request shall immediately refer it to the director. The director shall consider the matter and within two business days either affirm or reverse such denial. [Statutory Authority: RCW 77.12.040. 81-22-002 (Order 174), § 232-12-820, filed 10/22/81; Order 42, § 232-12-820, filed 7/19/73.]

WAC 232-12-824 Records index. The department of game, pursuant to RCW 42.17.260(3) amended at [by] chapter 294, Laws of 1975 1st ex. sess., hereby formally declares that to fully maintain the RCW 42.17.260(2) proscribed [prescribed] current index would unduly burden the agency's operations. No central or routing file currently exists.

The agency does fully maintain an index describing administrative staff manuals and instructions to staff which affect a member of the public. The index includes:

(1) Statements of policy and interpretations of policy which have been adopted by the agency

(2) Planning policies and goals and interim and final decisions

(3) Factual staff reports and studies, factual consultant reports and studies, scientific reports and studies, and other factual information derived from test studies, reports and surveys

(4) Correspondence and materials referred to therein by or with the agency relating to regulatory, supervisory or enforcement responsibilities of the agency whereby the agency determines or opines upon or is asked to opine upon the rights of the state, the public, and private parties. [Statutory Authority: RCW 77.12.040. 81-22-002 (Order 174), § 232-12-824, filed 10/22/81; Order

81, § 232-12-824, filed 5/26/76; Order 42, § 232-12-824, filed 7/19/73.]

Chapter 232-14 WAC

STATE HYDRAULIC CODE GUIDELINES

WAC

232-14-010 Hydraulic code guidelines.

WAC 232-14-010 Hydraulic code guidelines. The State Hydraulic Code, RCW 75.20.100, is jointly administered by the departments of fisheries and game, by law separate agencies. That code requires that prior to construction or other work that will use, divert, obstruct, or change the natural flow or bed of any river or stream or that will utilize any of the waters of the state or materials from the stream beds, that written approval be obtained from the directors of the departments of fisheries and game. Rules establishing procedures for obtaining a hydraulic approval and explaining criteria, policies and procedures typically utilized by the departments of fisheries and game in administering the hydraulic code have been jointly promulgated by the two agencies. The body of the regulations is codified as WAC 220-110-010 *et. seq.*, which can be found under rules and regulations codified for the department of fisheries. Those rules, chapter 220-110 WAC, are here adopted by reference and also made a part of Title 232 WAC. [Statutory Authority: RCW 75.20.100, 77.12.010 and chapter 34.04 RCW. 83-09-026 (Order 205), § 232-14-010, filed 4/14/83. Formerly WAC 232-12-294.]

Chapter 232-16 WAC

GAME RESERVES

WAC

232-16-010 Establishment of game reserves.
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 232-16-560 Badger Island Game Reserve.
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 232-16-590 Carnation Farms Game Reserve.
 232-16-600 North Potholes Game Reserve.
 232-16-620 Lake Tennant Game Reserve.

232-16-630 Rocky Ford Springs Game Reserve.
 232-16-640 Winchester Wasteway Game Reserve.
 232-16-650 Harris Lake Game Reserve.
 232-16-660 Frenchmen Hills Wasteway Game Reserve.
 232-16-670 Lower Crab Creek Game Reserve.
 232-16-680 Lenice Lake Game Reserve.
 232-16-690 Bayview Game Reserve.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

232-16-020 Auburn Game Farm. [Order, filed 7/29/64; Resolution 1 (part), filed 3/21/60.] Repealed by 82-16-014 (Order 188), filed 7/26/82. Statutory Authority: RCW 77.12.040.
 232-16-030 Bellingham Golf and Country Club. [Resolution 1 (part), filed 3/21/60.] Abolished by order, filed 9/11/64.
 232-16-040 Boy Scout Game Reserve. [Resolution 1 (part), filed 3/21/60.] Abolished by order, filed 9/11/64.
 232-16-060 Chehalis River wildlife project. [Order, filed 7/29/64; Resolution 26, filed 3/21/60.] Repealed by Order 68, filed 7/21/75.
 232-16-090 Colville State Game Farm. [Order, filed 7/29/64; Resolution 1 (part), filed 3/21/60.] Repealed by 82-16-014 (Order 188), filed 7/26/82. Statutory Authority: RCW 77.12.040.
 232-16-100 Conconully Reservoir Game Reserve. [Order, filed 7/29/64; Resolution 139 (part), filed 3/21/60.] Repealed by 80-09-029 (Order 150), filed 7/9/80. Statutory Authority: RCW 77.12.040.
 232-16-110 Deer Lake Game Reserve. [Temporary Regulation 198, filed 10/12/61 and Temporary Regulation 194, filed 9/18/61.] Abolished by order, filed 9/11/64.
 232-16-150 Flat Point Game Reserve. [Order, filed 7/29/64; Resolution 118 (part), filed 3/21/60.] Repealed by 83-15-059 (Order 210), filed 7/20/83. Statutory Authority: RCW 77.12.040.
 232-16-160 Ford's Prairie Game Reserve. [Resolution 1 (part), filed 3/21/60.] Abolished by order, dated 8/21/63, filed 7/29/64.
 232-16-170 Gloyd Seep Game Reserve. [Order, filed 7/29/64; Temporary Regulation 194, filed 9/18/61.] Repealed by 83-15-059 (Order 210), filed 7/20/83. Statutory Authority: RCW 77.12.040.
 232-16-180 Goat Island Game Reserve. [Resolution 118, filed 3/21/60.] Abolished by order, filed 9/11/64.
 232-16-190 Green Lake Island Game Reserve. [Order, filed 7/29/64; Resolution 124 (part), filed 3/21/60.] Repealed by 83-15-059 (Order 210), filed 7/20/83. Statutory Authority: RCW 77.12.040.
 232-16-210 Horseshoe Lake Game Reserve. [Order, filed 7/29/64; Resolution 71, filed 3/21/60.] Repealed by Order 86, filed 7/15/76.
 232-16-220 Kennewick Game Farm Reserve. [Order, filed 7/29/64; Resolution 168 (part), filed 3/21/60.] Repealed by 82-16-014 (Order 188), filed 7/26/82. Statutory Authority: RCW 77.12.040.
 232-16-230 Lake Sixteen Game Reserve. [Order, filed 7/29/64; Resolution 152 (part), filed 3/21/60.] Repealed by 83-15-059 (Order 210), filed 7/20/83. Statutory Authority: RCW 77.12.040.
 232-16-240 Lewisville Game Preserve. [Order, filed 7/29/64; Resolution 1 (part), filed 3/21/60.] Repealed by 83-15-059 (Order 210), filed 7/20/83. Statutory Authority: RCW 77.12.040.
 232-16-255 Little Pend Oreille Game Reserve. [Temporary Regulation 248, filed 6/27/66; Temporary Regulation 247, filed 10/8/65.] Repealed by 80-15-064 (Order 156), filed 10/16/80. Statutory Authority: RCW 77.12.040.
 232-16-260 Mount Baker Game Reserve. [Order 59, § 232-16-260, filed 9/4/74; Order, filed 7/29/64; Resolution 7 (part), filed 3/21/60.] Repealed by 83-15-059 (Order 210), filed 7/20/83. Statutory Authority: RCW 77.12.040.

- 232-16-290 North Edmonds District. [Order, filed 7/29/64; Resolution 1 (part), filed 3/21/60.] Repealed by Order 3, filed 4/20/70.
- 232-16-300 Sanders Game Reserve. [Order, filed 7/29/64; Resolution 99, filed 3/21/60.] Repealed by Order 68, filed 7/21/75.
- 232-16-310 San Juan Island biological station. [Resolution 1 (part), filed 3/21/60.] Abolished by order, filed 9/11/64.
- 232-16-320 Schmittens Pond Game Reserve. [Resolution 42, filed 3/21/60.] Abolished by order, filed 9/11/64.
- 232-16-330 Skagit Country Club Game Reserve. [Resolution 1 (part), filed 3/21/60.] Abolished by order, filed 9/11/64.
- 232-16-350 Snoqualmie Falls Game Reserve. [Order, filed 7/29/64; Resolution 53, filed 3/21/60.] Repealed by 83-15-059 (Order 210), filed 7/20/83. Statutory Authority: RCW 77.12.040.
- 232-16-365 Spokane River Game Reserve. [Temporary Regulation 240, filed 8/16/65.] Repealed by 81-18-025 (Order 169), filed 8/26/81. Statutory Authority: RCW 77.12.040.
- 232-16-370 Sportsman Lake Game Reserve. [Resolution 118 (part), filed 3/21/60.] Abolished by order, dated 8/23/62, filed 7/29/64.
- 232-16-390 Lake Stevens Game Reserve. [Order, filed 7/29/64; Resolution 1 (part), filed 3/21/60.] Repealed by 83-15-059 (Order 210), filed 7/20/83. Statutory Authority: RCW 77.12.040.
- 232-16-430 Tjossem Mill Pond Game Preserve. [Order, filed 7/29/64; Resolution 1 (part), filed 3/21/60.] Repealed by Order 3, filed 4/20/70.
- 232-16-460 Washington (Lake) closed area. [Order, filed 7/29/64; Resolution 121 (part), filed 3/21/60.] Repealed by Order 3, filed 4/20/70.
- 232-16-470 Wickwood Game Reserve. [Resolution 53, filed 3/21/60.] Abolished by order, filed 9/11/64.
- 232-16-490 Willapa Bay Game Reserve. [Order, filed 7/29/64; Resolution 1 (part), filed 3/21/60.] Repealed by 80-15-064 (Order 156), filed 10/16/80. Statutory Authority: RCW 77.12.040.
- 232-16-500 Wilson Creek Game Reserve. [Order, filed 7/29/64; Resolution 99, filed 3/21/60.] Repealed by 83-15-059 (Order 210), filed 7/20/83. Statutory Authority: RCW 77.12.040.
- 232-16-510 Wisner Lake Game Reserve. [Order, filed 7/29/64; Temporary Regulation (part), 9/6/60.] Repealed by 83-15-059 (Order 210), filed 7/20/83. Statutory Authority: RCW 77.12.040.
- 232-16-520 Wishkaw Watershed Game Reserve. [Resolution 1 (part), filed 3/21/60.] Abolished by order, filed 9/11/64.
- 232-16-530 Yakima Game Farm Reserve. [Resolution 71, filed 3/21/60.] Abolished by order, filed 9/11/64.
- 232-16-550 Yakima Sportsman's Park Reserve. [Order, filed 7/29/64; Resolution 1 (part), filed 3/21/60.] Repealed by Order 68, filed 7/21/75.
- 232-16-580 Hover Game Reserve. [Temporary Regulation 256 (part), filed 9/8/66.] Repealed by Order 3, filed 4/20/70.

WAC 232-16-010 Establishment of game reserves. The following described lands in the state of Washington have heretofore been established as game reserves by action of the state game commission. These reserves were in force on July 13, 1964 and will remain in force until further changed by the state game commission. [Rules (part), filed 7/29/64; Rules (part), filed 3/21/60.]

WAC 232-16-050 Byron Game Reserve. That part of the Byron Ponds segment of the Sunnyside Game Range (department of game lands) east of the Mabton

Pressure Pipeline, legally described as that part of the W.1/2 of Section 12 that is north of U.S. Highway No. 410 and the SW1/4 of the NE1/4 and the N.1/2 of the NW1/4 of the SE1/4 of Section 12; and that part of Section 11 east of the Mabton pressure pipeline and north of U.S. Highway No. 410; that part of Section 2 that is east of said pipeline; all of the above sections being in Twp. 8N., R.23E.W.M. [Order, filed 7/29/64; Resolution 168, filed 3/21/60.]

WAC 232-16-070 Arthur S. Coffin Game Reserve. Arthur S. Coffin Game Reserve shall include those lands within the following described boundary: Beginning at the point where the Brewton Road crosses the south line of Section 19, Twp. 20, N., R.21E.W.M.; thence northwesterly along the Brewton Road to the Colockum Pass Road in Section 13, Twp. 20n., R.20E.; thence northerly on the Colockum Pass Road to its junction with the Naneum Lookout Road in Section 13, Twp. 20N., R.20E.; thence westerly along the Naneum Lookout Road to where it crosses the Bonneville Power Line right of way in Section 16, Twp. 20N., R.20E.; thence southwesterly along the power line to the Colockum Wildlife Recreation Area boundary on the south line of Section 20, Twp. 20N., R.20E.; thence easterly along the south line of Sections 20, 21, 22, 23, 24, Twp. 20N., R.20E., and Section 19, Twp. 20N., R.21E.W.M. to the Brewton Road and the point of beginning. [Statutory Authority: RCW 77.12.040. 79-10-166 (Order 143), § 232-16-070, filed 10/3/79; Order 9, § 232-16-070, filed 9/25/70; Order, filed 7/29/64; Temporary Regulation 194, filed 9/18/61; Resolution 152, filed 3/21/60.]

WAC 232-16-080 Columbia River Game Reserve. It shall be unlawful to hunt migratory waterfowl, coot and jacksnipe on or within the following described areas:

Section 1. Asotin County - the Snake River and those lands lying within one-quarter mile of the Snake River between the Clarkston Country Club pumping station in the SW1/4 of Sec. 19, Twp. 11N., R.46E.W.M. and the U.S. Geodetic survey tower in Sec. 21, Twp. 11N., R.45E.W.M., about four miles downstream.

Section 2. Benton County - the Columbia River and those lands lying within one-quarter mile of the Columbia River between the mouth of Glade Creek (river channel marker 57) and the old town site of Patterson (river channel marker 67).

Section 3. Chelan County - the Columbia River and those lands lying within one-quarter mile of the Columbia River between Rock Island Dam and Winesap.

Section 4. Columbia County - the Snake River and those lands lying within one-quarter mile of the Snake River.

Section 5. Douglas County - the Columbia River and those lands lying within one-quarter mile of the Columbia River between Rock Island Dam and a point due east of Winesap, Chelan County; also, on or within one-quarter mile of the Columbia River on the Douglas County side from the Brewster Bridge to the Chief

Joseph Dam and from Chief Joseph Dam to a point directly across from the mouth of Nespelum Creek.

Section 6. Franklin County – the Snake River and those lands within one-half mile of the Snake River, EXCEPT that part below the U.S. Highway 410 bridge near the mouth of the Snake River.

Section 7. Garfield County – the Snake River and those lands lying within one-quarter mile of the Snake River, EXCEPT that portion above the Central Ferry Bridge.

Section 8. Klickitat County – the Columbia River and those lands lying within one-quarter mile of the Columbia River upstream from the railroad bridge at Wishram.

Section 9. Okanogan County – the Columbia River and those lands lying within one-quarter mile of the Columbia River from the mouth of Nespelum Creek to Chief Joseph Dam, provided that Nespelum Bar shall be open.

Section 10. Walla Walla County – the Snake River and those lands lying within one-half mile of the Snake River upstream from the U.S. Highway No. 410 bridge.

Section 11. Whitman County – the Snake River and those lands lying within one-quarter mile of the Snake River below the Central Ferry Bridge, and that portion directly across the Snake River from the Asotin closure described in Sec. 1. [Order 283 (part), filed 9/11/68; Order 280 (part), filed 8/1/68; Temporary Regulation 272, filed 10/6/67; Temporary Regulation 244, filed 9/3/65; Temporary Regulation 229, filed 9/15/64; Temporary Regulation 221, filed 9/3/63; Temporary Regulation 193, filed 9/14/61; Resolution 102, filed 3/21/60.]

WAC 232-16-120 Deer Park State Game Reserve. All lands within the southwest quarter of Section 22, Twp. 28N., R.42E.W.M., containing one hundred and sixty acres more or less. [Order, filed 7/29/64; Resolution 1 (part), filed 3/21/60.]

WAC 232-16-130 Ellensburg Game Farm Reserve. All of the west half of the northeast quarter (W1/2NE1/4) in Section thirty-two, Twp. Eighteen N., R.19E.W.M. [Order, filed 7/29/64; Resolution 26 (part), filed 3/21/60.]

WAC 232-16-140 Equalizing Reservoir Game Reserve. . . . it shall be unlawful to hunt game animals, game birds or to trap fur-bearing animals within said area:

That part of Twp. 26N., Range 28E.W.M. lying south of the east-west center line of the north half of Sections 13 and 14, west of Secondary State Highway No. 2-F and east of the west wall of the Grand Coulee; and, that part of Sections 18 and 19 of Twp. 26 north, Range 29E.W.M. lying west of Secondary State Highway No. 2-F and south of the east-west center line of the north half of Section 18

AND THAT part of Twp. 25N., Range 28E.W.M. lying north of the east-west center lines of Sections 14, 15 and 16 of said Township and west of State Highway 2-F and

east of the west wall of the Coulee. [Temporary Regulation 229, filed 9/15/64; Temporary Regulation 212, filed 10/3/62; Regulation 139 (part), filed 3/21/60.]

WAC 232-16-200 Grimes Lake Game Reserve. Grimes Lake and all lands within one-quarter mile of Grimes Lake. [Order, filed 7/29/64; Temporary Regulation 221, filed 9/3/63.]

WAC 232-16-250 Lewis County Game Farm Reserve. Tract A. Township 14 north, Range 3 west W.M., Sections 1 and 12. A part of the Joseph Borst Donation Land Claim described as follows: Beginning at the southwest (SW) corner of said donation land claim; thence south 78° east 1,760 feet along the south boundary of said donation land claim; thence north 1°45' east 2,230 feet to the north boundary of said donation land claim; thence west 957 feet along the north boundary of said donation land claim; thence north 88° west 766 feet to the northwest (NW) corner of said donation land claim; thence south 1°45' west 1,892 feet to the point of beginning. Containing 81.19 acres, more or less.

Tract B. Township 14 north, Range 3 west W.M., Sections 1 and 12. A part of the Sidney S. Ford Donation Land Claim described as follows: Commencing at the northwest (NW) corner of the Joseph Borst Donation Land Claim; thence west 1,122 feet; thence south 26°30' east 825 feet; thence south 972 feet; thence south 65° east to the west line of the Joseph Borst Donation Land Claim; thence north on the west line of the Joseph Borst Donation Land Claim to the point of beginning, containing 33.33 acres, more or less.

Tract C. Township 14 north, Range 3 west W.M. Section 1 Lots 2 and 4, Section 12 Lots 1, 2, and 3; containing 98.51 acres, more or less. [Order 86, § 232-16-250, filed 7/15/76; Order, filed 7/29/64; Temporary Regulation 221, filed 9/3/63.]

WAC 232-16-270 Moxee Game Reserve. Beginning at the S1/4 of Section 34 Twp. 13N., Range 19E.W.M.; thence southwesterly along county road to a point on the west line of Section 3, Twp. 12N., Range 19E.W.M.; which said point is approximately 1,000 feet south of the NW corner of Section 3; thence south along county road which said road is along the west line of sections 3 and 10 of said township and range to the NE corner of SE1/4 of the NE1/4 of Section 9, Twp. 12N., Range 19E.W.M.; thence west to the NW corner of the SE1/4 of the NE1/4 of Section 9, Twp. 12N., Range 19E.W.M.; thence south to the SE corner of the NW1/4 of the SE1/4 of Section 9, Twp. 12N., Range 19E.W.M.; thence west to the SE corner of the NE1/4 of the SW1/4 of Section 9, Twp. 12N., Range 19E.W.M.; thence north to the NE corner of SE1/4 of the NW1/4 of Section 9, Twp. 12N., Range 19E.W.M.; thence west to the Yakima River; thence northerly along said Yakima River to a point where said Yakima River crosses the section line between sections 4 and 5 Twp. 12N., Range 19E.W.M.; said section line being the west line of section 4 and the east line of section 5 of said township and range; thence north on said section 5 line to

the NW corner of the SW1/4 of the SW1/4 of Section 4, Twp. 12N., Range 19E.W.M.; thence east to the NE corner of the SW1/4 of the SW1/4 of Section 4, Twp. 12N., Range 19E.W.M.; thence north to the north line of Section 4, Twp. 12N., Range 19E.W.M.; thence east to the SW corner of SE1/4 of the SE1/4 Section 33, Twp. 13N., Range 19E.W.M.; thence north to NW corner of NE1/4 of the SE1/4 Section 33, Twp. 13N., Range 19E.W.M.; thence east to the NE corner of SW1/4 of the SW1/4 of section 34, Twp. 13N., Range 19E.W.M.; thence south to the SE corner of the SW1/4 of the SW1/4 of Section 34 Twp. 13N., Range 19E.W.M.; thence east to the point of beginning. [Order, filed 7/29/64; Resolution 71 (part), filed 3/21/60.]

WAC 232-16-280 Nason Creek Bow and Arrow Hunting Area. Beginning at the junction of the Stevens Pass Highway and the Chiwaukum Creek Road Sec. 4, Twp. 25N., R.17E.W.M.; thence in northwesterly direction following the north edge of said Chiwaukum Creek Road and/or trail, as the case may be, across Chiwaukum Mts. to its junction with trail leading up Wildhorse Creek Sec. 27, Twp. 26N., R.14E.W.M.; thence in a northerly direction following said Wildhorse Creek Trail to its junction with the White Pine Creek Trail Sec. 10, Twp. 26N., R.14E.W.M.; thence in a northeasterly direction following said White Pine Creek Trail to its junction with the end of the White Pine Creek Road; thence continuing in a northeasterly direction following the southerly edge of said road to its junction with Stevens Pass Highway; thence in a southeasterly direction following the south and west edge, as the case may be, of said Stevens Pass Highway to point of beginning. [Order 280 (part), filed 8/1/68; Order, filed 7/29/64; Resolution 1 (part), filed 3/21/60.]

WAC 232-16-289 Quincy Lake Game Reserve. Quincy Lake Game Reserve shall include the northeast quarter of Section 15, and the northwest quarter of the north half of the southwest quarter of Section 14 in Township 19 north, Range 23 east. The reserve would be entirely within the Quincy Habitat Management Area and 400 acres in size; of which 42.6 acres is water of Quincy Lake. [Statutory Authority: RCW 77.12.040. 82-22-031 (Order 194), § 232-16-289, filed 10/27/82.]

WAC 232-16-295 Rock Lake Game Reserve. Whitman County: It shall be unlawful to hunt, take or pursue migratory waterfowl, coot and jacksnipe on or within 1/4 mile of Rock Lake, Whitman County, except on the lower one mile and the upper one-half mile, which shall be open to such hunting. [Temporary Regulation 240, filed 8/16/65.]

WAC 232-16-340 Skagit Delta Game Reserve. . . . it shall be unlawful to hunt game animals or game birds or to trap fur-bearing animals within the following described boundary:

Beginning at a point on the west bank of Albert Slough at the confluence of said slough and Boom Slough; thence southwesterly along the west bank of

Boom Slough to the confluence of said slough and Boom-Crooked Cutoff Slough; thence westerly along the north bank of Boom-Crooked Cutoff Slough to the confluence of said slough and crooked Slough; thence southwesterly along the north bank of Crooked Slough to the confluence of said slough and Deepwater Slough and east Branch Freshwater-Deepwater Cutoff Slough; thence northwesterly along the north bank of east Branch Freshwater-Deepwater Cutoff Slough to the confluence of said slough and the east Branch Freshwater Slough; thence northerly along the east bank of east Branch Freshwater Slough to the confluence of said slough and Gilbert Hansen Slough; thence northeasterly along the south bank of Gilbert Hansen Slough to the confluence of said slough and Deepwater Slough; thence northeasterly along the south bank of Deepwater Slough to the confluence of said slough and Albert Slough; thence southeasterly along the west bank of Albert Slough to the point of beginning. [Order, filed 7/29/64; Temporary Regulation 212, filed 10/3/62.]

WAC 232-16-360 South Tacoma Game Farm Reserve. Beginning at the intersection of the northerly right of way line of State Historical Road No. 1 with the easterly right of way line of the Philips County Road in Section 34, Twp. 20N., R.2E.W.M.; thence northerly along said right of way line of the Philips County Road and the Chambers-Custer Road to the south line of the Hewitt Steilacoom Road in Section 27 of said township and range thence easterly along said southerly right of way line to the west bank of Chambers Creek; thence southwesterly along said west bank to the north right of way line of said State Historical Road No. 1; thence northwesterly along State Historical Road No. 1 to point of beginning. [Order, filed 7/29/64; Resolution 7 (part), filed 3/21/60.]

WAC 232-16-380 Sprague Lake Game Reserve. Beginning at the point where Interstate Highway No. 90 crosses the Lincoln-Adams County line; thence southwesterly along the freeway to the Keystone Road; thence southerly along the Keystone Road to Old U.S. Highway No. 10; thence easterly and northerly along Old U.S. Highway No. 10 to the point where it crosses the Adams-Lincoln County line; thence westerly along said county line across Sprague Lake to the freeway and point of beginning. [Order 3, § 232-16-380, filed 4/20/70; Order 294, § 232-16-380, filed 9/5/69; Order, filed 7/29/64; Resolution 118 (part), filed 3/21/60.]

WAC 232-16-400 Stratford Game Reserve. Stratford Game Reserve shall include the following described lands in Grant County: In Twp. 22N, R 28 EWM; Sec. 1 north of the Great Northern Railroad right of way; Sec. 2 north of the Great Northern Railroad right of way and State Highway No. 28; and that part of Section 3 lying north of the main canal and east of a line running north and south located 100 yards west of the Washington water power transmission line[;]

In Twp. 23N, R. 28 EWM; all of Sections 11, 13, 14[,] 24, and 25[;] the south half of Sections 12, 10 and 9 except the north 300 feet of the S.1/2 of 9 and 10; Section 35 except that part east of north-south lying gravel road and south of cultivated lands; Sec. 36 EXCEPT the east 500 feet; and those parts of Section 15, lying east of a line running north and south located 100 yards west of the Washington water power transmission line and also those portions of the north half of Sections 15 and 16 lying north of the cultivated lands; and in addition the north 500 feet of the NW 1/4 of SW 1/4 of Sec. 19, Twp. 23N, R. 29 EWM. [Statutory Authority: RCW 77.12.040. 81-18-025 (Order 169), § 232-16-400, filed 8/26/81; Order 105, § 232-16-400, filed 9/7/77; Order 9, § 232-16-400, filed 9/25/70; Order 3, § 232-16-400, filed 4/20/70; Order, filed 7/29/64; Resolution 156 (part), filed 3/21/60.]

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 232-16-410 Stubblefield Lake Game Reserve. N1/2N1/2 Section 21, N1/4NW1/4 Section 22, Township 22N., Range 42E.W.M. [Order, filed 7/29/64; Resolution 118 (part), filed 3/21/60.]

WAC 232-16-420 Lake Terrell Game Reserve. . . . it shall be unlawful to hunt game animals, game birds or to trap fur-bearing animals within said area:

All of Lake Terrell in Sections 15 and 16, Twp. 39 north, Range 1 east EXCEPT that portion of the lake within 350 feet of the south line of said sections and, in addition, those uplands owned by the game department in the W1/2 of the SW1/4 of said Section 15, and in the SE1/4 of NE1/4; the NW1/4 of NE1/4; the E1/2 of E1/2 of NE1/4 NE1/4; and the E1/2 of the SW1/4 SW1/4 except the south 350 feet in Section 16, Twp. 39 north, Range 1 east. [Temporary Regulation 274, filed 10/6/67; Temporary Regulation 244, filed 9/3/65; Temporary Regulation 213, filed 11/9/62; Temporary Regulation 212, filed 10/3/62; Resolution 62, filed 3/1/60.]

WAC 232-16-440 Toppenish Creek Game Reserve. (Cort Meyer.) (1) Commencing at the NE corner of the SE1/4 of the NW1/4 of Section 26, Township 10, Range 20E.W.M.; thence west one and three-quarters mile to the NW corner of the SE1/4 of the NE1/4 of Section 28, Township 10, Range 20; thence south one-quarter mile; thence east one-quarter mile; thence south three-quarters mile to the SW corner of the NW1/4 of the NW1/4 of Section 34; thence east three-quarters mile; thence south one-quarter mile; thence east three-quarters mile to center of Section 35; thence north one and one-quarter miles to place of beginning. All in Township 10 north, Range 20E.W.M.

(2) TOPPENISH CREEK GAME RESERVE NO. 2, (Upper Toppenish Creek) Yakima County. . . . it shall be unlawful to hunt or trap within said area:

All of Section 21; the west half of the northwest quarter of Section 22; the west half of the southwest quarter of Section 22; the southeast quarter of southwest quarter of Section 22; the south half of the northeast quarter of southwest quarter of Section 22; the north half of north half of Section 28; north half of northwest quarter of Section 27; north half of the southeast quarter of northwest quarter of Section 27; all being in Township 10 north, Range 18E.W.M. [Subsection (2), Temporary Regulation 256 (part), filed 9/8/66; Temporary Regulation 234, filed 10/9/64; Order, Subsection (1), filed 7/29/64; Order, filed 7/29/64; Regulation 171, filed 3/21/60; Resolution 1 (part), 3/21/60.]

WAC 232-16-450 Walla Walla River Game Reserve. A tract of land and water lying within sections 23, 24, 25, and 26 of Township 7, Range 31 E.W.M. in Walla Walla County, Washington, being more particularly described as follows: Beginning at a point where the Bonneville Power Administration power line between John Day and Lower Monumental Dams crosses the center of the main channel of the Walla Walla River, thence westerly along said center of the main channel to the easterly line of the right of way of US #12-395 highway, thence northerly along said east line of said right of way to the southerly line of the right of way of the Union Pacific Railroad-Burlington Northern Railway joint Pendleton-Walla Walla track, thence easterly along said south line of said right of way to the center line of said Bonneville Power Administration power line, thence southerly along said center line to the center of the main channel of the Walla Walla River and the point of beginning. [Order 86, § 232-16-450, filed 7/15/76; Temporary Regulation 256, (part), filed 9/8/66; Order, filed 7/29/64; Resolution 152 (part), filed 3/21/60.]

WAC 232-16-480 Whidbey Island Game Farm Reserve. Beginning at a point on the west boundary line of the J.S. Smith Donation Land Claim #50, 1417.65 feet south of NW corner, said point being the SW corner of the recorded plat of Rhodena Beach tract; thence east 1225 feet; thence south 1980 feet to the section line; thence east on said section line 1320 feet to east boundary line of said J.S. Smith Donation Land Claim #50; thence south to boundary line of what is known as the John Kineth Lands; thence west to west boundary line of J.S. Smith Donation Land Claim #50; thence north along said boundary line to the point of beginning, EXCEPT that part of the above described lands that lie outside the Whidbey Island State Game Farm woven wire pheasant fence. [Order, filed 7/29/64; Temporary Regulation 179, filed 9/6/60; Resolution 7 (part), filed 3/21/60.]

WAC 232-16-540 Yakima River Game Reserve. Beginning at the NW corner of SW1/4 of Section 36, Township 9 north, Range 24E.W.M., at which point State Highway #3 and the Old Cherry Lane intersect; thence east following the south edge of said Old Cherry Lane Road to its junction with the north bank of the

U.S. Bureau of Reclamation Power Canal; thence in an easterly direction following the said north bank of said canal to the end of the canal; thence continuing in an easterly direction following the north edge of the U.S. Bureau of Reclamation Power Line right of way to its intersection with the east line of Section 31, Township 9 north, Range 25E.W.M.; thence south following said section line to its intersection with State Highway #410; thence in a westerly direction following the north edge of the pavement of said State Highway #410 to its intersection with 10th Street, city of Prosser; thence northwest following the northeast edge of said 10th Street to its intersection with Grand Avenue; thence NE following the SE edge of said Grand Avenue to County Bridge #6; thence continuing NE across said bridge to the beginning of State Highway #3; thence north following the east edge of said State Highway #3 to point of beginning. [Order, filed 7/29/64; Resolution 1 (part), filed 3/21/60.]

WAC 232-16-560 Badger Island Game Reserve. The following described area in Walla Walla County, state of Washington, is hereby established as a game reserve until further notice by the state game commission, which area shall be known as the BADGER ISLAND GAME RESERVE, and it shall be unlawful to hunt or trap within said area:

That portion of area on or within one-quarter mile of Badger Island lying in Sections 4 and 9, Township 7 north, Range 31E.W.M. [Temporary Regulation 256, (part), filed 9/8/66.]

WAC 232-16-570 Foundation Island Game Reserve. The following described area in Walla Walla County, state of Washington, is hereby established as a game reserve until further notice by the state game commission, which area shall be known as the FOUNDATION ISLAND GAME RESERVE, and it shall be unlawful to hunt or trap within said area:

That portion of area on or within one-quarter mile of Foundation Island lying in Section 24, Township 8 north, Range 30E.W.M. [Temporary Regulation 256, (part), filed 9/8/66.]

WAC 232-16-590 Carnation Farms Game Reserve. The following described area in King County, state of Washington, is hereby established as a game reserve by the state game commission which area shall be known as the Carnation Farms Game Reserve, and it shall be unlawful to hunt or trap within said area:

Twp. 25N., Rge. 7E.W.M.; that part of Section 5 lying west of the Snoqualmie River; the northeast quarter and that portion of the southeast quarter of Section 6 that lies north and east of the Carnation Farm Road; the north half and the north half of the south half of Section 8; and those portions of government lots 1, 2, and 4 of Section 9 that lie south and west of the Snoqualmie River.

Twp. 26N., Rge. 7E.W.M.; those lands lying south of the Snoqualmie River in the east half of Section 31 and

the southeast quarter of Section 32. [Order 59, § 232-16-590, filed 9/4/74.]

WAC 232-16-600 North Potholes Game Reserve. Those lands in Grant County within the following described boundary: In T19N, R27 EWM; the N.E. 1/4 of Section 32, and the N.E. 1/4 S.E. 1/4 of Section 32, all of Section 33, except the S.W. 1/4 S.W. 1/4, and all of Section 34.

In T18N, R27 EWM; all of Section 4, except the N.W. 1/4 and the N.W. 1/4 N.E. 1/4, all of Section 3 and 10, and that part of Section 9 east of the fenceline, beginning at the N.W. corner of Section 9, and then following said fenceline southeasterly to the northern section line of Section 16 near Dike Road. The east half of the N.E. 1/4 of Section 16. And that part of Section 15 lying north of a line starting from the northeast corner and running southwesterly to the midpoint of the west section line of said section. [Statutory Authority: RCW 77.12.040. 79-09-082 (Order 141), § 232-16-600, filed 8/31/79.]

WAC 232-16-620 Lake Tennant Game Reserve. Tennant Lake Game Reserve shall include those lands in Whatcom County within the following described boundary: That portion of Tennant Lake in T 39N, R 2E, Section 29, and that portion north of an east to west line which lies 800 feet south of and parallel to the north line of Section 32 in the N1/2 NE1/4 in T 39N, R 2E. [Statutory Authority: RCW 77.12.040. 80-13-013 (Order 153), § 232-16-620, filed 9/8/80.]

WAC 232-16-630 Rocky Ford Springs Game Reserve. It shall be unlawful to hunt wild animals and wild birds within the following described boundary: T21N, R27E, west 1/2 Section 16. 320 acres. [Statutory Authority: RCW 77.12.040. 83-18-043 (Order 217), § 232-16-630, filed 9/1/83.]

WAC 232-16-640 Winchester Wasteway Game Reserve. It shall be unlawful to hunt wild animals and wild birds within the following described boundary: T18N, R25E, Section 12, T18N, R26E and south 1/2 Section 7. 960 acres. [Statutory Authority: RCW 77.12.040. 83-18-043 (Order 217), § 232-16-640, filed 9/1/83.]

WAC 232-16-650 Harris Lake Game Reserve. It shall be unlawful to hunt wild animals and wild birds within the following described boundary: T18N, R27E, Section 31 and T18N, R26E, east 1/2 Section 36. 960 acres. [Statutory Authority: RCW 77.12.040. 83-18-043 (Order 217), § 232-16-650, filed 9/1/83.]

WAC 232-16-660 Frenchmen Hills Wasteway Game Reserve. It shall be unlawful to hunt wild animals and wild birds within the following described boundary: T17N, R27E, north 1/2 of north 1/2 of south 1/2 of Section 17. 640 acres. [Statutory Authority: RCW 77.12.040. 83-18-043 (Order 217), § 232-16-660, filed 9/1/83.]

WAC 232-16-670 Lower Crab Creek Game Reserve. It shall be unlawful to hunt wild animals and wild birds within the following described boundary: T16N, R25E; that part of SE 1/4 Section 30 east of Midway Coulee transmission line and south of wooden pole powerline; SW 1/4 of Section 29; that part of Section 31 east of Midway Coulee transmission line and north of Smyrna-Beverly Road; and that part of NW 1/4 Section 32 north of Smyrna-Beverly Road. 480 acres. [Statutory Authority: RCW 77.12.040. 83-18-043 (Order 217), § 232-16-670, filed 9/1/83.]

WAC 232-16-680 Lenice Lake Game Reserve. It shall be unlawful to hunt wild animals and wild birds within the following described boundary: T16N, R24E; that part of SW 1/4 Section 28 south of wooden pole powerline; that part of NE 1/4 Section 32 north of Smyrna-Beverly Road, and that part of NW 1/4 Section 33 north of Smyrna-Beverly Road; that part of SE 1/4 Section 29 south of wooden pole powerline. 640 acres. [Statutory Authority: RCW 77.12.040. 83-18-043 (Order 217), § 232-16-680, filed 9/1/83.]

WAC 232-16-690 Bayview Game Reserve. It shall be unlawful to hunt wild animals and wild birds within the following described boundary: Beginning at a point on the Bayview-Edison Road 750 feet south of the intersection of the Bayview Cemetery entrance road; thence 4,000 feet WNW (west-northwest); thence 5,750 feet NNW (north-northwest); thence 3,750 feet ENE (east-northeast) to the northwest corner of Padilla Bay tract no. 532; thence east to the northeast corner of Padilla Bay tract no. 532; thence SSE (south-southeast) to the Bayview-Edison Road; thence southerly along said road to the point of beginning. [Statutory Authority: RCW 77.12.040. 83-18-043 (Order 217), § 232-16-690, filed 9/1/83.]

Chapter 232-18 WAC

STATE ENVIRONMENTAL POLICY ACT GUIDELINES

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 232-18-830 Responsibility of department—SEPA public information center. [Order 79, § 232-18-830, filed 4/9/76.] Repealed by 79-08-116 (Order 138), filed 7/31/79. Statutory Authority: RCW 77.12.040.
- 232-18-835 Department responsibilities to regional SEPA public information centers. [Order 79, § 232-18-835, filed 4/9/76.] Repealed by 79-08-116 (Order 138), filed 7/31/79. Statutory Authority: RCW 77.12.040.

WAC 232-18-010 Authority. This chapter is promulgated pursuant to the authority granted in RCW 43.21C.110. [Order 79, § 232-18-010, filed 4/9/76.]

WAC 232-18-020 Purpose. (1) The purpose of this chapter is to implement chapter 197-10 WAC, SEPA guidelines, as applicable to department of game.

(2) These guidelines are developed to implement SEPA "in a manner which reduces duplicative and wasteful practices, establishes effective and uniform procedures, encourages public involvement, and promotes certainty with respect to the requirements of the act."

(3) These guidelines are not intended to govern compliance by department of game with respect to the National Environmental Policy Act of 1969 (NEPA). In those situations where department of game is required by federal law or regulations to perform some element of compliance with NEPA, compliance will be governed by the applicable federal statute and regulations and not by these guidelines. [Order 79, § 232-18-020, filed 4/9/76.]

WAC 232-18-025 Scope and coverage of this chapter. (1) Compliance with the guidelines of this chapter shall constitute complete procedural compliance with SEPA for all actions as defined in WAC 232-18-040(2).

(2) This chapter applies to all "actions" as defined in WAC 232-18-040(2) and applies to all activities of department of game. Furthermore, although these guidelines do not apply to actions of the department exempted under WAC 232-18-150(2), the department accepts the responsibility of attempting to follow the intent of the SEPA, chapter 43.21C RCW, in its decision making process for exempt actions.

(3) To the fullest extent possible, department of game shall integrate the procedures required by this chapter with existing planning and licensing procedures. These procedures should be initiated early, and undertaken in conjunction with other governmental operations to avoid lengthy time delays and unnecessary duplication of effort.

(4) Decision-making occurring within department of game on all activities which may adversely impact the environment shall include identification and consideration of all reasonable alternatives and mitigative measures as specified in this chapter.

(5) As part of all authorizations made by department of game such conditions shall be imposed as may be warranted to mitigate adverse effects on the environment, when such authorization applies to an activity which may adversely affect the environment.

(6) In cases where department of game judges that an activity which the department is considering for authorization would cause serious, substantial, and long-term adverse environmental effect which outweigh in balance the beneficial effects of the activity department of game shall not authorize that activity. [Statutory Authority: RCW 77.12.040, 79-08-116 (Order 138), § 232-18-025, filed 7/31/79; Order 79, § 232-18-025, filed 4/9/76.]

WAC 232-18-040 Definitions. The following words and terms have the following meanings for the purposes of this chapter, unless the context indicates otherwise:

(1) Acting agency means an agency with jurisdiction which has received an application for a license, or which is the initiator of a proposed action.

(2) Action means an activity potentially subject to the environmental impact statement requirements of RCW 43.21C.030 (2)(c) and (2)(d). (See WAC 197-10-170, 197-10-175 and 197-10-180 for activities that are exempted from the threshold determination and environmental impact statement requirements of SEPA guidelines.) All actions fall within one of the following subcategories:

(a) Governmental licensing of activities involving modification of the physical environment.

(b) Governmental action of a project nature. This includes and is limited to:

(i) The decision by an agency to undertake any activity which will directly modify the physical environment, whether such activity will be undertaken directly by the agency or through contract with another, and

(ii) The decision to purchase, sell, lease, transfer or exchange natural resources, including publicly owned land, whether or not the environment is directly modified.

(c) Governmental action of a nonproject nature. This includes and is limited to:

(i) The adoption or amendment of legislation, ordinances, rules or regulations which contain standards controlling use or modification of the physical environment;

(ii) The adoption or amendment of comprehensive land use plans or zoning ordinances;

(iii) The adoption of any policy, plan or program which will govern the development of a series of functionally related major actions, but not including any policy, plan or program for which approval must be obtained from any federal agency prior to implementation;

(iv) Creation of, or annexations to, any city, town or district;

(v) Adoptions or approvals of utility, transportation and solid waste disposal rates;

(vi) Capital budgets; and

(vii) Road, street and highway plans.

(3) Agency with expertise means an agency listed in WAC 197-10-465, unless it is also an agency with jurisdiction.

(4) Agency with jurisdiction means an agency from which a nonexempt license is required for a proposal or any part thereof; which will act upon an application for

a grant or loan for a proposal; or which proposes or initiates any governmental action of a project or nonproject nature. The term does not include an agency authorized to adopt rules or standards of general applicability which govern the proposal in question, when no license or approval is required for a specific proposal. The term also does not include an agency involved in approving a grant or loan which serves only as a conduit between the primary administering agency and the recipient of the grant or loan. Federal agencies with jurisdiction are agencies of the federal government from which a license is required, or which will receive an application for a grant or loan for a proposal.

(5) Agency or agencies means all state agencies and local agencies as defined in this section. The term does not include any agency or division of the federal government. Whenever a specific agency has been named in these guidelines and the functions of that agency have been transferred to another agency, then the term shall mean the successor agency.

(6) CEP means the council on environmental policy. As directed by the legislature, the council on environmental policy ceased to exist on July 1, 1976, and its duties were transferred to the department of ecology (DOE). All references to CEP in these guidelines should be read to mean department of ecology.

(7) Consulted agency means any agency with jurisdiction or with expertise which is requested by the lead agency to provide information during a threshold determination or predraft consultation or which receives a draft environmental impact statement. An agency shall not be considered to be a consulted agency merely because it receives a proposed declaration of nonsignificance.

(8) Contact person means that person designated by the director of the department to carry out the duties, functions, and authority of the department of game when the department is acting as a consulted agency.

(9) County/city means a county, city or town. In this chapter, duties and powers are assigned to a county, city or town as a unit. The delegation of responsibilities among the various departments of a county, city or town is left to the legislative or charter authority of the individual counties, cities or towns.

(10) Declaration of nonsignificance means the written decision by the responsible official that a proposal will not have a significant adverse environmental impact and that therefore no environmental impact statement is required. A form substantially consistent with that in WAC 232-18-355 shall be used for this declaration when the department is acting as lead agency.

(11) Declaration of significance means the written decision by the responsible official that a proposal will or could have a significant adverse environmental impact and that therefore an environmental impact statement is required. A form substantially consistent with that in WAC 232-18-355 shall be used by the responsible official for this declaration.

(12) Department means department of game unless otherwise indicated.

(13) Draft EIS means an environmental impact statement prepared prior to the final detailed statement.

(14) EIS. EIS means the detailed statement required by RCW 43.21C.030 (2)(c). This term may refer to either a draft or final environmental impact statement, or both, depending upon context.

(15) Environment means, and is limited to, those areas listed in WAC 232-18-444.

(16) Environmental checklist means the form contained in WAC 232-18-365.

(17) Environmental document means every written public document prepared or utilized as a result of the requirements of this chapter.

(18) Environmentally sensitive area means an area designated and mapped by a county/city pursuant to WAC 197-10-177. Certain categorical exemptions do not apply within environmentally sensitive areas.

(19) Final EIS means an environmental impact statement prepared to reflect comments to the draft EIS. It may be a new document, or the draft EIS supplemented by material prepared pursuant to WAC 232-18-570, 232-18-580 or 232-18-695.

(20) Lands covered by water means lands underlying the water areas of the state below the ordinary high water mark, including salt waters, tidal waters, estuarine waters, natural water courses, lakes, ponds, artificially impounded waters, marshes and swamps. Certain categorical exemptions do not apply to lands covered by water.

(21) Lead agency means the agency designated by WAC 197-10-200 through 197-10-270 or 197-10-345. The lead agency is responsible for making the threshold determination and preparing or supervising preparation of the draft and final environmental impact statements.

(22) License means any form of written permission given to any person, organization or agency to engage in any activity, as required by law or agency rule. A license thus includes all or part of any agency permit, certificate, approval, registration, charter, or plat approvals or rezones to facilitate a particular project. The term does not include a license required solely for revenue purposes.

(23) Licensing means the agency process in granting, renewing or modifying a license.

(24) List of elements of the environment means the list in WAC 232-18-444 which must be attached to every environmental impact statement.

(25) Local agency means any political subdivision, regional governmental unit, district, municipal or public corporation including cities, towns and counties. The term does not include the departments of a city or county.

(26) Major action means any "action" as defined in this section which is not exempted by WAC 197-10-170, 197-10-175 and 197-10-180.

(27) Nonproject EIS means an environmental impact statement prepared for a proposal for any governmental action of a nonproject nature as defined under "action" in this section.

(28) Physical environment means and is limited to those elements of the environment listed under "physical environment" in WAC 232-18-444(2).

(29) Private applicant means any person or entity, other than an agency as defined in this section, applying for a license from an agency.

(30) Private project means any proposal primarily initiated or sponsored by an individual or entity other than an "agency" as defined in this section.

(31) Proposal means a specific request to undertake any activity submitted to, and seriously considered by, an agency or a decision-maker within an agency, as well as any action or activity which may result from approval of any such request. The scope of a proposal for the purposes of lead agency determination, the threshold determination, and impact statement preparation is further defined in WAC 232-18-060.

(32) Responsible official means the director of the department. The responsible official shall effect or direct accomplishment of the duties and functions of department of game when the department is acting as the lead agency under these guidelines pursuant to chapter 197-10 WAC.

(33) Responsible official (R.O.) aide means the chief of that division of the department possessing the greatest degree of authority over an "action." The R.O. aide shall carry out duties and functions as directed by the responsible official, for purposes of assuring department of game's compliance with these guidelines and chapter 197-10 WAC when department of game is acting as lead agency. Although the R.O. aide may delegate duties and functions assigned him/her under this chapter, the R.O. aide, alone, is wholly responsible for the proper accomplishment of such duties and functions.

(34) SEPA means the State Environmental Policy Act of 1971, chapter 43.21C RCW as amended.

(35) State agency means any state board, commission or department except those in the legislative or judicial branches. The term includes the office of the governor and the various divisions thereof, state universities, colleges and community colleges.

(36) Threshold determination means the decision by a lead agency whether or not an environmental impact statement is required for a proposal. [Statutory Authority: RCW 77.12.040, 79-08-116 (Order 138), § 232-18-040, filed 7/31/79; Order 79, § 232-18-040, filed 4/9/76.]

WAC 232-18-050 Use of the environmental checklist form. When the department is lead agency the form provided in WAC 232-18-365 for an environmental checklist is to be initially completed by an action proponent, whether public or private, either alone or together with the R.O. aide, usually in conjunction with a license application. This form must be used in the threshold determination; it will also be helpful in making the lead agency designation and in predraft consultation. However, where there is an agreement between the proponent and the R.O. aide that an EIS is required, the completion of the environmental checklist is unnecessary.

[Statutory Authority: RCW 77.12.040, 79-08-116 (Order 138), § 232-18-050, filed 7/31/79; Order 79, § 232-18-050, filed 4/9/76.]

WAC 232-18-060 Scope of a proposal and its impacts for the purposes of lead agency determination, threshold determination, and EIS preparation. (1) The proposal considered by the department as the acting agency during the lead agency determination procedure, and by the department as the lead agency during the threshold determination and EIS preparation, shall be the total proposal including its direct and indirect impacts. Whenever the word "proposal" or the term "proposed action" is used in this chapter, the discussion in subsection (2) of this section applies. In considering the environmental impacts of a proposal during the threshold determination and EIS preparation, the discussion in subsection (3) of this section is applicable.

(2) The total proposal is the proposed action, together with all proposed activity functionally related to it. Future activities are functionally related to the present proposal if:

(a) The future activity is an expansion of the present proposal, facilitates or is necessary to operation of the present proposal; or

(b) The present proposal facilitates or is a necessary prerequisite to future activities.

The scope of the proposal is not limited by the jurisdiction of the department when the department is acting as lead agency. The fact that future parts of a proposal will require future approvals by the department or other governmental agencies shall not be a bar to their present consideration, so long as the plans for those future parts are specific enough to allow some evaluation of their potential environmental impacts. The department when it is an acting agency and/or lead agency should be alert to the possibility that a proposal may involve other agencies with jurisdiction which may not be taking any action until sometime in the future.

(3) The impacts of a proposal include its direct impacts as well as its reasonably anticipated indirect impacts. Indirect impacts are those which result from any activity which is induced by a proposal. These include, but are not limited to, impacts resulting from growth induced by the proposal, or the likelihood that the present action will serve as a precedent for future actions. (For example, adoption of a zoning ordinance will encourage or tend to cause particular types of projects.) Contemporaneous or subsequent development of a similar nature, however, need not be considered in the threshold determination unless there will be some causal connection between this development and one or more of the governmental decisions necessary for the proposal in question.

(4) The lead agency may divide proposals involving extensive future actions into segments with an EIS prepared for each segment. In such event, the earlier EIS shall describe the later segments of the proposal and note that future environmental analysis will be required for these future segments. The segmentation allowed by

this subsection shall not be used at the threshold determination stage to determine that any segment of a more extensive significant proposal is insignificant; nor shall segmentation be applied so as to require significant duplication of analysis contained in an earlier EIS.

(5) For proposed projects, where the proposed action is related to a large existing or planned network, the department when acting as lead agency may at its option treat the present proposal as the total proposal, or select only some of the future elements for present consideration in the threshold determination and EIS. These categorizations shall be logical with relation to the design of the total system or network itself, and shall not be made merely to divide a larger system into exempted fragments. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-060, filed 7/31/79; Order 79, § 232-18-060, filed 4/9/76.]

WAC 232-18-100 Summary of information which may be required of a private applicant. (1) There are three areas of these guidelines where the department is allowed to require information from a private applicant. These are:

- (a) Environmental checklist;
- (b) Threshold determination; and,
- (c) Draft and final EIS.

Further information may be required if the responsible official determines that the information initially supplied was not reasonably adequate to fulfill the purpose for which it was required. An applicant may voluntarily submit, at any time, information beyond that which may be required under these guidelines.

(2) Environmental checklist. A private applicant is required to complete an environmental checklist as set forth in WAC 232-18-365 either concurrently with or after filing the application. Explanations for each "yes" and "maybe" answer indicated thereon are required. The department may not require a complete assessment or "mini-EIS" at this stage. (See WAC 232-18-310.)

(3) Threshold determination. When the department is acting as lead agency it shall make an initial review of a completed checklist without requiring more information from a private applicant. After completing this initial review, the R.O. aide may require further information from the applicant, including explanation of "no" answers on the checklist. This information shall be limited to those elements on the environmental checklist for which, as determined by the R.O. aide, information accessible to the department is not reasonably sufficient to evaluate the environmental impacts of the proposal. Field investigations or research by the applicant reasonably related to determining the environmental impacts of the proposal may be required. (See WAC 232-18-330.)

(4) Draft and final EIS preparation. At the option of the department, an EIS may be prepared by the applicant or by a consultant acceptable to both the applicant and the responsible official. The EIS will be prepared under the direction of the responsible official at applicant's cost, including payment for agency consultation time and cost of any materials prepared by the agency

for inclusion into the EIS. (See WAC 232-18-420). Alternatively, the responsible official may require a private applicant to provide data and information which is not in the possession of the department relevant to any or all areas to be covered by an EIS. A private applicant shall not be required to provide information which is the subject of a predraft consultation request until the consulted agency has responded, or the forty-five days allowed for response by the consulted agency has expired, whichever is earlier. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-100, filed 7/31/79; Order 79, § 232-18-100, filed 4/9/76.]

WAC 232-18-150 Exemptions exclusive--CEP approval of changes in exemptions. (1) The only actions exempt from the threshold determination requirements of this chapter are those which are categorically exempted in WAC 197-10-170, 197-10-175 and 197-10-180. Except to specify emergencies as allowed in WAC 232-18-180, the department shall create additional exemptions in these guidelines only after obtaining approval of CEP in accordance with either subsection (2) or (3) of WAC 197-10-150.

(2) The following activities of the department of game are exempted by WAC 197-10-175(6):

- (a) The establishment of hunting, trapping or fishing seasons, bag or catch limits, and geographical areas where such activities are permitted.
- (b) The issuance of falconry permits.
- (c) The issuance of all hunting or fishing licenses, permits or tags.
- (d) Artificial game feeding.
- (e) The issuance of scientific collector permits.

(f) All hydraulic project approvals (RCW 75.20.100) for activity incidental to a Class I, II, III or IV forest practice as defined in RCW 76.09.050 and regulations adopted thereunder, (except those forest practices designated by the forest practices board as being special forest practices and therefore subject to SEPA evaluation); and hydraulic project approvals for removal of streambed materials where the cost or fair market value of the total project is one thousand dollars or less and other hydraulic project approvals where the cost of the total proposal is five thousand or less except for proposals involving realignment into a new channel. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-150, filed 7/31/79; Order 79, § 232-18-150, filed 4/9/76.]

WAC 232-18-160 No presumption of significance for nonexempt actions. No presumption as to the significance of the impacts upon the environment shall be given to any proposed action merely because it was not exempted. [Order 79, § 232-18-160, filed 4/9/76.]

WAC 232-18-180 Exemption for emergency actions. Actions which must be undertaken immediately, or within a time too short to allow full compliance with this chapter to avoid an imminent threat to public health or safety, to prevent an imminent danger to public or

private property, or to prevent an imminent threat of serious environmental degradation, shall be exempt from the procedural requirements of this chapter. [Order 79, § 232-18-180, filed 4/9/76.]

WAC 232-18-190 Use and effect of categorical exemptions. (1) Those activities excluded from the definition of "action" in WAC 197-10-040(2), or categorically exempted in WAC 197-10-170, 197-10-175 and 197-10-180, and WAC 232-18-150(2) are exempt from the threshold determination (including completion of the environmental checklist) and EIS requirements of these guidelines, chapter 197-10 WAC and RCW 43.21C.030 (2)(c) and (2)(d). The department in accordance with chapter 197-10 WAC shall allow no exemption for the sole reason that actions are considered to be of a "ministerial" nature or of an environmentally regulatory or beneficial nature.

(2) If a department proposal includes a series of actions, physically or functionally related to each other, some of which are categorically exempt and some of which are not, the proposal is not exempt.

For these proposals exempt activities or actions may be undertaken prior to the threshold determination. For each such proposal the department shall determine a lead agency. If the department is acting as lead agency, a threshold determination shall be made prior to any major action with respect to the proposal, and prior to any decision by the department irreversibly committing itself to adopt or approve the proposal.

(3) If the proposal includes a series of exempt actions which are physically or functionally related to each other, but which together may have a significant environmental impact, the proposal is not exempt. The determination that a proposal is not exempt because of this subsection shall be made only the R.O. Aide for that proposal. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-190, filed 7/31/79; Order 79, § 232-18-190, filed 4/9/76.]

WAC 232-18-200 Lead agency--Responsibilities. When the department is acting as lead agency, the R.O. aide shall be responsible for complying with the threshold determination procedures of WAC 232-18-300 through 232-18-375, and he/she shall be responsible for the supervision, or actual preparation, of draft EISs pursuant to WAC 232-18-400 through 232-18-495, including the circulation of such statements, and the conduct of any public hearings required by this chapter. The R.O. aide shall also prepare or supervise preparation of any required final EIS pursuant to WAC 232-18-550 through 232-18-695. [Order 79, § 232-18-200, filed 4/9/76.]

WAC 232-18-203 Determination of lead agency--Procedures. (1) The first agency receiving or initiating a proposal for a major action, or for any part of a proposal when the total proposal involves a major action, shall determine the lead agency for that proposal. The R.O. aide shall determine the lead agency for all proposals for a major action which are received, unless the lead

agency has been previously determined or the department's R.O. aide is aware that another agency is determining the lead agency. The lead agency shall be determined by using the criteria in WAC 232-18-205 through 232-18-245.

(2) If the R.O. aide determines that another agency is the lead agency, a copy of the application received, together with the determination of lead agency and explanation thereof shall be mailed to such lead agency. If the agency receiving this determination agrees that it is the lead agency, it shall so notify the other agencies with jurisdiction. If it does not agree, and the dispute cannot be resolved by agreement, the agencies shall immediately petition CEP for a lead agency determination pursuant to WAC 197-10-260.

(3) If the department's R.O. aide determines that the department is the lead agency, he/she shall immediately mail [a][of] copy of this determination and explanation thereof to all other agencies with jurisdiction over the proposal. The department shall then proceed, as the lead agency, to the threshold determination procedure of WAC 232-18-300 through 232-18-375. If another agency with jurisdiction objects to the lead agency determination, and the dispute cannot be resolved by agreement, the agencies shall immediately petition CEP for a lead agency determination pursuant to WAC 197-10-260.

(4) If the department receives a lead agency determination to which it objects the R.O. aide shall either resolve the dispute, withdraw the department's objection, or petition to CEP for a lead agency determination within fifteen days of receiving the determination.

(5) To make the lead agency determination, the R.O. aide must determine to the best of his/her ability the other agencies with jurisdiction over the proposal. This can be done by requesting the information from a private applicant, or through consultation with the information centers established pursuant to RCW 90.62.120, within the Environmental Coordination Procedures Act of 1973 (ECPA). [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-203, filed 7/31/79; Order 79, § 232-18-203, filed 4/9/76.]

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 232-18-205 Lead agency designation--Department proposals. For all proposals initiated by the department, the department shall be the lead agency. In the event that two or more agencies share in the implementation of a proposal, the agencies shall [by][be] agreement determine which agency will be lead agency. For the purposes of this section, a proposal by the department does not include proposals to license private activity. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-205, filed 7/31/79; Order 79, § 232-18-205, filed 4/9/76.]

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems

ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 232-18-215 Lead agency designation--Private projects for which the department is the only agency with jurisdiction. For proposed private projects for which the department is the only agency with jurisdiction, the lead agency shall be the department. [Order 79, § 232-18-215, filed 4/9/76.]

WAC 232-18-240 Agreements as to lead agency status. The department may assume lead agency if all agencies with jurisdiction agree. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-240, filed 7/31/79; Order 79, § 232-18-240, filed 4/9/76.]

WAC 232-18-245 Agreements between the department and other agency(s) on lead agency duties. The department together with one or more agencies may by agreement share or divide the responsibilities of lead agency through any arrangement agreed upon. In such event, however, the agencies involved shall designate one of them as the nominal lead agency, which shall be responsible for complying with the duties of the lead agency under these guidelines. Other agencies with jurisdiction shall be notified of the agreement and determination of the nominal lead agency. [Order 79, § 232-18-245, filed 4/9/76.]

WAC 232-18-270 Assumption of lead agency status by department. When there has been an assumption of lead agency status by the department, pursuant to WAC 232-18-345, the lead agency responsibilities regarding threshold determination procedures (WAC 197-10-300 through 197-10-390) transfer to the department. [Order 79, § 232-18-270, filed 4/9/76.]

WAC 232-18-300 Threshold determination requirement. (1) Except as provided in subsection (2) of this section, a threshold determination shall be made for every proposal for a major action. The responsible official shall be responsible for making the threshold determination.

(2) The threshold determination requirement may be omitted, unless predraft consultation occurs, when:

(a) Both the responsible official and the sponsor (public or private) of a proposal agree that an EIS is required, or

(b) The department is the sponsor and the responsible official and the department decide that an EIS is required. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-300, filed 7/31/79; Order 79, § 232-18-300, filed 4/9/76.]

WAC 232-18-305 Timing for threshold determination. The R.O. aide shall insure that a completed threshold determination is listed within fifteen days after the checklist is initially filled out, unless further information is required. The initial review of a completed environmental checklist can usually be completed in a

matter of hours. If further information is required to make the threshold determination, the time required will vary, depending upon the nature of the proposal and the information required. When a private applicant requests notification of the date when a threshold determination will be made, the R.O. aide shall so notify the private applicant in writing. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-305, filed 7/31/79; Order 79, § 232-18-305, filed 4/9/76.]

WAC 232-18-310 Threshold determination procedures--Environmental checklist. (1) The R.O. aide shall insure that an environmental checklist substantially in the form provided in WAC 232-18-365 is completed for any proposed major action before the responsible official makes the threshold determination. Every "yes" and "maybe" answer on the checklist shall be explained. Persons completing the checklist may also explain "no" answers. Persons filling out an environmental checklist may make reference to studies or reports which are available to the agency to which the checklist is being submitted.

(2) No environmental checklist or threshold determination is required for proposals that are exempted by WAC 197-10-170, 197-10-175, 197-10-180 and 232-18-150(2). [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-310, filed 7/31/79; Order 79, § 232-18-310, filed 4/9/76.]

WAC 232-18-320 Threshold determination procedures--Initial review of environmental checklist. If the department is lead agency, the R.O. aide shall conduct an initial review of the environmental checklist for the proposal together with any supporting documentation. This initial review shall be made without requiring further information from the applicant. In making this initial review, the R.O. aide shall independently evaluate each item on the checklist and indicate the results of this evaluation. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-320, filed 7/31/79; Order 79, § 232-18-320, filed 4/9/76.]

WAC 232-18-330 Threshold determination procedures--Information in addition to checklist. (1) The threshold determination by the responsible official must be based upon information reasonably sufficient to determine the environmental impact of a proposal. If, after an initial review of the environmental checklist, the R.O. aide determines the information available to him/her is not reasonably sufficient to make this determination, one or more of the following may be initiated:

(a) The applicant may be required to furnish further information. This additional information shall be limited to the subjects on the environmental checklist. An applicant may be required to provide explanations of any "no" answers to questions on the checklist.

(b) The R.O. aide may initiate further studies, including physical investigations on the subject property, directed toward providing additional information on the environmental impacts of the proposal.

(c) The R.O. aide may consult with other agencies with jurisdiction over the proposal, requesting substantive information as to potential environmental impacts of the proposal which lie within the area of expertise of the particular agency so consulted. Consulted agencies shall respond in accordance with the requirements of WAC 197-10-500 through 197-10-540.

(2) When, the R.O. aide obtains information reasonably sufficient to assess the adverse environmental impacts of the proposal, the responsible official shall immediately make a threshold determination utilizing the criteria of WAC 232-18-360 and 232-18-365. In the event that the further investigations authorized by this section do not provide information reasonably sufficient to assess any potential adverse environmental impacts of the proposal, an EIS shall be prepared. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-330, filed 7/31/79; Order 79, § 232-18-330, filed 4/9/76.]

WAC 232-18-340 Threshold determination procedures—Negative declarations. (1) In the event the responsible official determines a proposal will not have a significant adverse impact on the quality of the environment, the R.O. aide shall prepare a proposed or final declaration of nonsignificance, as appropriate, substantially in the form provided in WAC 232-18-355.

(2) The R.O. aide shall prepare a final declaration of nonsignificance for all proposals except for those listed in subsection (3) of this section.

(3) Upon making a threshold determination of nonsignificance for any of the following proposals the responsible official shall direct the R.O. aide to prepare a proposed declaration of nonsignificance, and insure compliance with the requirements of subsections (4) through (6) of this section prior to taking any further action on the proposal:

(a) Proposals which have another agency with jurisdiction except that, when the hydraulic project approval (HPA) is the only license required by an applicant, and the Departments of Game and Fisheries are the only agencies with jurisdiction, written agreement may be obtained with department of fisheries to omit the proposed declaration of nonsignificance and issue a final declaration of nonsignificance.

(b) Proposals involving demolition of any structure or facility not exempted by WAC 197-10-170 (1)(n) or 197-10-180.

(c) Proposals involving issuance of clearing or grading permits not exempted by WAC 197-10-170, 197-10-175 or 197-10-180.

(4) The R.O. aide shall issue all proposed declarations of nonsignificance by sending the proposed declaration and environmental checklist to other agencies with jurisdiction.

(5) Any person or agency may submit written comments on the proposed declaration of nonsignificance to the R.O. aide within fifteen days from the date of its issuance. The R.O. aide shall take no further action on the proposal which is the subject of the proposed declaration of nonsignificance for fifteen days from the date

of issuance. If comments are received, the responsible official shall reconsider his/her proposed declaration however, the responsible official is not required to modify the proposed declaration of nonsignificance to reflect the comments received.

(6) After the fifteen day time period has elapsed, and after considering any comments, the responsible official shall either direct adoption of the proposed declaration as a "Final declaration of nonsignificance," or determine that the proposal is significant, or direct the R.O. aide to initiate the additional information gathering mechanisms of WAC 232-18-330(1).

(7) When a final declaration of nonsignificance results from a proposed declaration of nonsignificance, that final declaration of nonsignificance shall be sent to the department of ecology headquarters office in Olympia. The department of ecology shall list it on the "SEPA register" as specified in WAC 197-10-831. This subsection shall not apply to proposed declarations of nonsignificance, to final declarations of nonsignificance issued in accordance with WAC 232-18-340(2), or to final declarations of nonsignificance made under the "agreement with other agency" provision of WAC 232-18-340 (3)(a). Checklists need not be sent.

(8) Issuance of proposed and final declarations of nonsignificance completes the procedural requirements of these guidelines unless another agency with jurisdiction assumes lead agency duties and responsibilities pursuant to WAC 197-10-345. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-340, filed 7/31/79; Order 79, § 232-18-340, filed 4/9/76.]

WAC 232-18-345 Assumption of lead agency status by department—Prerequisites, effect and form of notice.

(1) If the department has jurisdiction over a proposal and upon review of a proposed declaration of nonsignificance for that proposal, objects to the threshold determination, the responsible official may, at his/her discretion direct the R.O. aide to transmit to the initial lead agency a completed "Notice of assumption of lead agency status." This notice shall be substantially similar to that described in subsection (4) of this section. Assumption of lead agency status, shall take place within fifteen days of issuance of the proposed declaration of nonsignificance, as provided for in WAC 232-18-340.

(2) The affirmative threshold determination by the department shall be based only upon information contained in the environmental checklist attached to the proposed declaration of nonsignificance transmitted by the lead agency and any other information possessed by the department.

(3) As a result of transmitting a completed form of the notice contained in subsection (4) of this section and attached declaration of significance, the department shall become the "new" lead agency and shall expeditiously prepare a draft and a final EIS. In addition, all other responsibilities and authority of a lead agency under this chapter shall be transferred to the department.

(4) The form of "Notice of assumption of lead agency status" is as follows:

FORM OF NOTICE OF ASSUMPTION OF LEAD AGENCY STATUS

Description of Proposal
Proponent
Location of Proposal
Initial Lead Agency
New Lead Agency

This proposal was determined by the (initial lead agency) to have no significant adverse impact upon the environment, according to the proposed declaration of nonsignificance dated ... A review of the information relative to the environmental checklist has been made by the Department of Game and in its opinion an EIS is required for the proposal. Consequently, notice is hereby given that the department, a former consulted agency with jurisdiction assumes the responsibility of lead agency status from the initial lead agency, including, but not limited to, the duty to prepare a draft and final EIS on the proposal.

Responsible Official
Position/Title
Address/Phone
Date Signature

(5) A completed form of notice, together with a declaration of significance, shall be transmitted to the initial lead agency, any other agencies with jurisdiction and the proponent of the proposal.

(6) The department may still comment critically upon a proposed declaration of nonsignificance without assuming lead agency status. The department has not assumed lead agency status unless a notice substantially in the form of subsection (4) of this section is completed and transmitted. The decision to not assume lead agency status pursuant to this section creates no new legal obligation upon the department. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-345, filed 7/31/79; Order 79, § 232-18-345, filed 4/9/76.]

WAC 232-18-350 Affirmative threshold determination. (1) In the event the responsible official determines that the proposal will have a significant adverse effect upon the quality of the environment, the responsible official shall direct the R.O. aide to prepare a declaration of significance using the form in WAC 232-18-355. This form shall be retained in the files of the department with a copy sent to the applicant in the case of a private project. If the proposal is not modified by the applicant resulting in a withdrawal of the affirmative threshold determination as allowed by WAC 232-18-370, the R.O. aide shall begin the EIS preparation procedures of WAC 232-18-400 through 232-18-695.

(2) If the additional information gathering mechanisms of WAC 232-18-330 have been utilized, and the responsible official reasonably believes that the proposal could have a significant adverse impact, the affirmative

threshold determination shall be made. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-350, filed 7/31/79; Order 79, § 232-18-350, filed 4/9/76.]

WAC 232-18-355 Form of declaration of significance/nonsignificance. (1) A declaration substantially in the form set forth in subsection (2) of this section shall be used for declarations of nonsignificance. This form shall be attached to the environmental checklist together with any other information obtained pursuant to WAC 232-18-330, and maintained in the files of the department.

(2) The form is as follows:

FORM FOR (PROPOSED/FINAL) DECLARATION OF (SIGNIFICANCE/NONSIGNIFICANCE)

Description of Proposal
Proponent
Location of Proposal
Lead Agency

This proposal has been determined to (have/not have) a significant adverse impact upon the environment. An EIS (is/is not) required under RCW 43.21C.030(2)(c). This decision was made after review by the Department of Game of a completed environmental checklist and other information on file.

Responsible Official
Position/Title
Date Signature

(3) If the form is for a declaration of environmental significance, the R.O. aide may add to the information contained in subsection (2) of this section a listing of those environmental impacts which led to the responsible officials declaration, together with a brief explanation of what measures, if any, could be taken to prevent or mitigate the environmental impacts of the proposal to such an extent that the department would withdraw its declaration and issue a (proposed/final) declaration of nonsignificance. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-355, filed 7/31/79; Order 79, § 232-18-355, filed 4/9/76.]

WAC 232-18-360 Threshold determination criteria--Application of environmental checklist. (1) The responsible official shall apply the questions in the environmental checklist to the total proposal, including its indirect effects (see WAC 232-18-060), to determine whether the proposal will result in a significant adverse impact upon the quality of the environment. The threshold decision shall be based solely upon this process. The questions contained in the environmental checklist are exclusive, and factors not listed therein shall not be considered in the threshold determination.

(2) The questions in the environmental checklist are not weighted. While some yes answers to several of these questions are likely the proposal may still not have a significant adverse impact. However, a single affirmative

answer could indicate a significant adverse impact, depending upon the nature of the impact and location of the proposal. The nature of the existing environment is an important factor. The same project may have a significant adverse impact in one location, but not in another location. The absolute quantitative effects of the proposal are also important, and may result in a significant adverse impact regardless of the nature of the existing environment. The responsible official shall also be alert to the possibility that several marginal impacts when taken together will result in a significant adverse environmental impact. For some proposals, it may be impossible to forecast the environmental impacts with precision, often because some variables cannot be predicted. If, after the R.O. aide has utilized the additional information gathering mechanisms of WAC 232-18-330, the impacts of the proposal are still in doubt, and there exists a reasonable belief by the responsible official that the proposal could have a significant adverse impact, an EIS is required.

(3) It should also be remembered that proposals designed to improve the environment (such as sewage treatment plants or fish hatcheries) may also have adverse environmental impacts. The question at the threshold determination level is not whether the beneficial aspects of a proposal outweigh its adverse impacts, but rather if the proposal involves any significant adverse impacts upon the quality of the environment. If it does, an EIS is required. No test of balance shall be applied at the threshold determination level.

(4) Additional research or field investigations by either the department or by the private applicant is required when the information available to the department is not sufficient for it to make a determination of the potential adverse environmental impacts (see WAC 232-18-330). It is expected, however, that many proposals can be evaluated entirely through an office review (see WAC 232-18-320) of the environmental checklist, and that for other proposals, the majority of the questions in the environmental checklist may be answered in the same manner. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-360, filed 7/31/79; Order 79, § 232-18-360, filed 4/9/76.]

WAC 232-18-365 Environmental checklist. (1) The form in subsection (2) of this section is the environmental checklist. The language of the questions shall not be changed. The questions appearing in the environmental checklist are exclusive, and considerations which do not appear in it or in WAC 232-18-360 shall not be used in making a threshold determination. This checklist does not supersede or void application forms required under any other federal or state statute or local ordinance, but rather is supplemental.

(2) Environmental checklist form:

Introduction: The State Environmental Policy Act of 1971, chapter 43.21C RCW, requires all state and local governmental agencies to consider environmental values both for their own actions and when licensing private proposals. The act also requires that an EIS be prepared for all major actions significantly affecting the quality of

the environment. The purpose of this checklist is to help the agencies involved determine whether or not a proposal is such a major action.

Please answer the following questions as completely as you can with the information presently available to you. Where explanations of your answers are required, or where you believe an explanation would be helpful to government decision makers, include your explanation in the space provided, or use additional pages if necessary. You should include references to any reports or studies of which you are aware and which are relevant to the answers you provide. Complete answers to these questions now will help all agencies involved with your proposal to undertake the required environmental review without unnecessary delay.

The following questions apply to your total proposal, not just to the license for which you are currently applying or the proposal for which approval is sought. Your answers should include the impacts which will be caused by your proposal when it is completed, even though completion may not occur until sometime in the future. This will allow all of the agencies which will be involved to complete their environmental review now, without duplicating paperwork in the future.

NOTE: This is a standard form being used by all state and local agencies in the state of Washington for various types of proposals. Many of the questions may not apply to your proposal. If a question does not apply, just answer it "no" and continue on to the next question.

ENVIRONMENTAL CHECKLIST FORM

I. BACKGROUND

1. Name of Proponent -----
2. Address and Phone Number of Proponent:

3. Date Checklist Submitted -----
4. Agency Requiring Checklist -----
5. Name of Proposal, if applicable:

6. Nature and Brief Description of the Proposal (including but not limited to its size, general design elements, and other factors that will give an accurate understanding of its scope and nature):

7. Location of Proposal (describe the physical setting of the proposal, as well as the extent of the land area affected by any environmental impacts, including any other information needed to give an accurate understanding of the environmental setting of the proposal):

- | | Yes | Maybe | No |
|--|-----|-------|----|
| 8. Estimated Date for Completion of the Proposal:

----- | | | |
| 9. List of all Permits, Licenses or Government Approvals Required for the Proposal (federal, state and local—including rezones):

----- | | | |
| 10. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain:

----- | | | |
| 11. Do you know of any plans by others which may affect the property covered by your proposal? If yes, explain:

----- | | | |
| 12. Attach any other application form that has been completed regarding the proposal; if none has been completed, but is expected to be filed at some future date, describe the nature of such application form:

----- | | | |

ocean or any bay, inlet or lake? --- --- ---

Explanation: -----

- (2) **Air.** Will the proposal result in:
- (a) Air emissions or deterioration of ambient air quality? --- --- ---
 - (b) The creation of objectionable odors? --- --- ---
 - (c) Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally? --- --- ---

Explanation: -----

- (3) **Water.** Will the proposal result in:
- (a) Changes in currents, or the course or direction of water movements, in either marine or fresh waters? --- --- ---
 - (b) Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff? --- --- ---
 - (c) Alterations to the course or flow of flood waters? --- --- ---
 - (d) Change in the amount of surface water in any water body? --- --- ---
 - (e) Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity? --- --- ---
 - (f) Alteration of the direction or rate of flow of ground waters? --- --- ---
 - (g) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or

II. ENVIRONMENTAL IMPACTS

(Explanations of all "yes" and "maybe" answers are required)

- | | Yes | Maybe | No |
|---|-----|-------|----|
| (1) Earth. Will the proposal result in: | | | |
| (a) Unstable earth conditions or in changes in geologic substructures? --- --- --- | | | |
| (b) Disruptions, displacements, compaction or overcovering of the soil? --- --- --- | | | |
| (c) Change in topography or ground surface relief features? --- --- --- | | | |
| (d) The destruction, covering or modification of any unique geologic or physical features? --- --- --- | | | |
| (e) Any increase in wind or water erosion of soils, either on or off the site? --- --- --- | | | |
| (f) Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the | | | |

	Yes	Maybe	No		Yes	Maybe	No
excavations?	---	---	---				
(h) Deterioration in ground water quality, either through direct injection, or through the seepage of leachate, phosphates, detergents, waterborne virus or bacteria, or other substances into the ground waters?	---	---	---	(c) Introduction of new species of fauna into an area, or result in a barrier to the migration or movement of fauna?	---	---	---
(i) Reduction in the amount of water otherwise available for public water supplies?	---	---	---	(d) Deterioration to existing fish or wildlife habitat?	---	---	---
Explanation: -----				Explanation: -----			
(4) Flora. Will the proposal result in:				(6) Noise. Will the proposal increase existing noise levels?	---	---	---
(a) Change in the diversity of species, or numbers of any species of flora (including trees, shrubs, grass, crops, microflora and aquatic plants)?	---	---	---	Explanation: -----			
(b) Reduction of the numbers of any unique, rare or endangered species of flora?	---	---	---				
(c) Introduction of new species of flora into an area, or in a barrier to the normal replenishment of existing species?	---	---	---	(7) Light and Glare. Will the proposal produce new light or glare?	---	---	---
(d) Reduction in acreage of any agricultural crop?	---	---	---	Explanation: -----			
Explanation: -----							
				(8) Land Use. Will the proposal result in the alteration of the present or planned land use of an area?	---	---	---
(5) Fauna. Will the proposal result in:				Explanation: -----			
(a) Changes in the diversity of species, or numbers of any species of fauna (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects or microfauna)?	---	---	---				
(b) Reduction of the numbers of any unique, rare or endangered species of fauna?	---	---	---	(9) Natural Resources. Will the proposal result in:			
				(a) Increase in the rate of use of any natural resources?	---	---	---
				(b) Depletion of any nonrenewable natural resource?	---	---	---
				Explanation: -----			
				(10) Risk of Upset. Does the proposal involve a risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals or radiation) in the event of an accident or upset conditions?	---	---	---
				Explanation: -----			

- | | Yes | Maybe | No | | Yes | Maybe | No |
|---|-----|-------|-----|---|-----|-------|-----|
| (11) Population. Will the proposal alter the location, distribution, density, or growth rate of the human population of an area? | --- | --- | --- | (e) Maintenance of public facilities, including roads? | --- | --- | --- |
| Explanation: -----
----- | | | | (f) Other governmental services? | --- | --- | --- |
| (12) Housing. Will the proposal affect existing housing, or create a demand for additional housing? | --- | --- | --- | Explanation: -----
----- | | | |
| Explanation: -----
----- | | | | (15) Energy. Will the proposal result in: | | | |
| (13) Transportation/Circulation. Will the proposal result in: | | | | (a) Use of substantial amounts of fuel or energy? | --- | --- | --- |
| (a) Generation of additional vehicular movement? | --- | --- | --- | (b) Demand upon existing sources of energy, or require the development of new sources of energy? | --- | --- | --- |
| (b) Effects on existing parking facilities, or demand for new parking? | --- | --- | --- | Explanation: -----
----- | | | |
| (c) Impact upon existing transportation system? | --- | --- | --- | (16) Utilities. Will the proposal result in a need for new systems, or alterations to the following utilities: | | | |
| (d) Alterations to present patterns of circulation or movement of people and/or goods? | --- | --- | --- | (a) Power or natural gas? | --- | --- | --- |
| (e) Alterations to waterborne, rail or air traffic? | --- | --- | --- | (b) Communications systems? | --- | --- | --- |
| (f) Increase in traffic hazards to motor vehicles, bicyclists or pedestrians? | --- | --- | --- | (c) Water? | --- | --- | --- |
| Explanation: -----
----- | | | | (d) Sewer or septic tanks? | --- | --- | --- |
| (14) Public Services. Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas: | | | | (e) Storm water drainage? | --- | --- | --- |
| (a) Fire protection? | --- | --- | --- | (f) Solid waste and disposal? | --- | --- | --- |
| (b) Police protection? | --- | --- | --- | Explanation: -----
----- | | | |
| (c) Schools? | --- | --- | --- | (17) Human Health. Will the proposal result in the creation of any health hazard or potential health hazard (excluding mental health)? | --- | --- | --- |
| (d) Parks or other recreational facilities? | --- | --- | --- | Explanation: -----
----- | | | |
| | | | | (18) Aesthetics. Will the proposal result in the obstruction of any scenic | | | |

	Yes	Maybe	No
vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view?	---	---	---

Explanation: -----

(19) **Recreation.** Will the proposal result in an impact upon the quality or quantity of existing recreational opportunities? --- --- ---

Explanation: -----

(20) **Archeological/Historical.** Will the proposal result in an alteration of a significant archeological or historical site, structure, object or building? --- --- ---

Explanation: -----

III. SIGNATURE

I, the undersigned, state that to the best of my knowledge the above information is true and complete. It is understood that the lead agency may withdraw any declaration of nonsignificance that it might issue in reliance upon this checklist should there be any willful misrepresentation or willful lack of full disclosure on my part.

Proponent: -----

[Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-365, filed 7/31/79; Order 79, § 232-18-365, filed 4/9/76.]

WAC 232-18-370 Withdrawal of affirmative threshold determination. If at any time after the issuance of a declaration of significance, the proponent modifies the proposal so that, in the judgment of the responsible official, all significant adverse environmental impacts which might result are eliminated, the declaration of significance shall be withdrawn and a declaration of nonsignificance issued instead. If the proponent of a proposal is a private applicant, the proposal shall not be considered modified until all license applications for the proposal are revised to reflect the modification or other binding commitment is made by the applicant. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-370, filed 7/31/79; Order 79, § 232-18-370, filed 4/9/76.]

WAC 232-18-375 Withdrawal of negative threshold determination. (1) Except after a nonexempt license has

been issued for a private project, the R.O. aide with approval from responsible official may withdraw any proposed or final declaration of nonsignificance when new information becomes available indicating that the proposal may have significant adverse environmental impacts.

(2) The R.O. aide with approval from responsible official may withdraw any proposed or final declaration of nonsignificance at any time when:

(a) The proposal has been modified after the threshold determination, and such modification may cause the proposed action to have significant adverse environmental impacts, or

(b) The negative threshold determination was procured by misrepresentation or lack of full disclosure by the proponent of the proposal.

(3) Whenever a negative threshold determination is withdrawn pursuant to this section, the responsible official shall immediately reevaluate the proposal and make a revised threshold determination pursuant to WAC 232-18-300 through 232-18-360.

(4) Whenever a final declaration of nonsignificance has been withdrawn for one of the reasons in subsection (2) of this section, and the responsible official after reevaluation determines that the proposal will have significant adverse environmental impacts, the department shall initiate procedures to suspend, modify or revoke, as appropriate, any nonexempt [licenses][license] issued for the proposal until compliance with the procedures of chapter 197-10 WAC is met. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-375, filed 7/31/79; Order 79, § 232-18-375, filed 4/9/76.]

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 232-18-400 Duty to begin preparation of a draft EIS. After compliance with WAC 232-18-350, relating to preparation of a declaration of significance the R.O. aide with approval of the responsible official shall prepare the draft and final EIS in compliance with WAC 232-18-410 through 232-18-695. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-400, filed 7/31/79; Order 79, § 232-18-400, filed 4/9/76.]

WAC 232-18-405 Purpose and function of a draft EIS. (1) The principal purpose of the draft EIS document is to transmit information concerning a proposed governmental action and the alternatives to that action to public officials, project sponsors, and interested citizens. While the contents of a draft EIS may span a wide spectrum of issues, the focus of the document is upon the following:

(a) The assessment of the adverse impacts upon the environment which may result from the proposed action or its alternatives, and

(b) An analysis of measures which may be taken to mitigate or eliminate those adverse impacts.

(2) Another principal function to be served by the draft EIS process is to facilitate the transmittal to the department from other governmental agencies and interested citizens substantive information concerning the adverse impacts upon the environment discussed inadequately or erroneously in the draft EIS. The draft EIS process also provides an opportunity for reviewers of the document to bring to the attention of the department any issue of potential environmental concern which should be explored prior to the issuance of a final EIS. [Order 79, § 232-18-405, filed 4/9/76.]

WAC 232-18-410 Predraft consultation procedures.

(1) Predraft consultation occurs when the department consults with another agency with jurisdiction or expertise prior to completion of the draft EIS. Predraft consultation with another agency on proposals for private projects shall only be initiated by the department when requested by a private applicant participating in the preparation of the draft EIS. Predraft consultation with another agency on public proposals may be initiated at the option of the department.

(2) Predraft consultation is begun when the R.O. aide sends to the consulted agency a packet of the following material related to the proposal:

(a) Any application for licenses for the proposal possessed by the department.

(b) A copy of the environmental checklist included in WAC 232-18-310, as reviewed pursuant to WAC 232-18-320.

(c) Any information in addition to the checklist resulting from application of WAC 232-18-330.

(d) Any other information deemed relevant to the proposal by the R.O. aide such as:

(i) Prior EISs;

(ii) Portions of applicable plans or ordinances; or,

(iii) Prior scientific studies applicable to the site.

(3) Chapter 197-10 WAC gives agencies so consulted forty-five days from receipt of the packet to respond in writing to the department. The required contents of the consulted agency response are governed by WAC 197-10-500 through 197-10-540.

(4) The R.O. aide shall incorporate the relevant information received from other agencies during the predraft consultation stage into the draft EIS, by either summarizing the major findings which are contained in each of the consulted agency's responses or utilizing all of the data received. In the event the R.O. aide disagrees with any conclusion expressed in the information received from the consulted agency, the conclusion shall be set forth together with the position of the department. The information required by this subsection may be placed wherever in the draft EIS the R.O. aide deems most appropriate. There is no requirement that either the draft or final EIS include responses to predraft consultation in a separate "response" section. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-410, filed 7/31/79; Order 79, § 232-18-410, filed 4/9/76.]

WAC 232-18-420 Preparation of EIS by persons outside the department. (1) Preparation of the EIS is the responsibility of the R.O. aide, under the direction of the responsible official. No matter who participates in the preparation of the EIS, it is nevertheless the EIS of the responsible official. The responsible official, prior to distributing the draft EIS, shall be satisfied that it complies with chapter 197-10 WAC and these guidelines.

(2) An EIS may be prepared by a private applicant or agent thereof, or by an outside consultant retained by either a private applicant or the department. If an outside consultant is retained by the private applicant, the consultant must be acceptable to both the applicant and the responsible official. The responsible official shall assure that the EIS is prepared in a responsible manner and with appropriate methodology. The responsible official shall direct the areas of research and examination to be undertaken, as well as the organization of the resulting document. The department reserves the option for payment as provided in WAC 232-18-100(4).

(3) If a person other than the department is preparing the EIS, the responsible official will coordinate any predraft consultation procedures so that the individual preparing the EIS immediately receives all substantive information submitted by consulted agencies. The responsible official shall also attempt to obtain any information needed by the person preparing the EIS which is on file with another agency or federal agency. The responsible official shall allow any private party preparing an EIS access to all public records of the lead agency which relate to the subject of the EIS, pursuant to chapter 42.17 RCW (Public Disclosure and Public Records Law; Initiative 276, 1973).

(4) The department may require or authorize a private applicant to participate in the preparation of an EIS. The R.O. aide may not require more information of a private applicant than allowed by this chapter, but may authorize a lesser degree of participation by a private applicant than allowed herein: *Provided*, That nothing herein shall be construed to prohibit the department from charging any fee of an applicant which the department is otherwise authorized to charge (see WAC 197-10-860).

(5) No private applicant shall be required to participate in the preparation of an EIS except when consistent with these guidelines. A private applicant may, however, volunteer to provide any information or effort desired, so long as the contents and organization of the resulting EIS are supervised and approved by the responsible official as required by this section.

(6) The provisions of this section apply to both the draft and final EIS. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-420, filed 7/31/79; Order 79, § 232-18-420, filed 4/9/76.]

WAC 232-18-425 Organization and style of a draft EIS. (1) The required contents of a draft EIS for proposals of both a project and nonproject nature are set forth in WAC 232-18-440. The contents of a draft EIS prepared pursuant to that section shall be organized as set forth in subsections (2) and (3) of this section.

(2) Each draft EIS shall begin with an introduction, table of contents, distribution list, summary, and a description of the proposed action. The information contained in each section shall conform to the applicable requirements set forth in WAC 232-18-440(1) through 232-18-440(6). Organization variation is not permitted for these portions of the draft EIS.

(3) The organization and style of the remaining content of the EIS may be varied, at the option of the R.O. aide, from the format set forth in WAC 232-18-440 (7) through (14): *Provided*, That all of the subject matters required by WAC 232-18-440 shall be contained somewhere within the draft EIS.

(4) The R.O. aide who prepares a draft EIS should keep in mind that the purpose of a draft EIS is to aid decision-makers in considering the significant environmental impacts of their decisions. This purpose is not served by EISs which are excessively detailed and overly technical. Clarity and conciseness of presentation are of crucial importance in ensuring that EISs prepared under these guidelines are considered and actually utilized in decision-making processes. [Statutory Authority: RCW 77.12.040, 79-08-116 (Order 138), § 232-18-425, filed 7/31/79; Order 79, § 232-18-425, filed 4/9/76.]

WAC 232-18-440 Contents of a draft EIS. (1) The following subsections set forth the required contents of a draft EIS: *Provided*, That where the department is preparing a draft EIS in order to satisfy the requirements of NEPA, as well as SEPA, and the regulations of the applicable federal agency require items in addition to that set forth below, then the contents of the draft EIS may be modified as necessary to meet the requirements of that federal agency.

(2) Introduction. The following information shall be briefly given at the beginning of the draft EIS:

(a) Action sponsor, and a brief (one or two sentence) description of the nature of the proposal and its location (street address, or nearest crossroads or cross-streets).

(b) Name of department, responsible official, and the name and address of the R.O. aide to whom comments, information and questions may be sent.

(c) Authors and principal contributors to the draft EIS and the nature or subject area of their contribution.

(d) List of all licenses which the proposal is known to require. The R.O. aide shall attempt to make this list as complete and specific as possible. Licenses shall be listed by name and agency.

(e) Location of EIS background data.

(f) Cost to the public for a copy of the EIS pursuant to chapter 42.17 RCW.

(g) Date of issue of the draft EIS.

(h) Dates by which consulted agency and public comments must be received to be incorporated into the final EIS.

(3) Table of contents.

(4) Distribution list. The draft EIS shall include a list of the names of all agencies, federal agencies, organizations and persons to whom the draft EIS will be sent upon publication (see WAC 232-18-460).

(5) Summary of the contents of the draft EIS. Each draft EIS shall contain a summary of its contents as an aid to the agency decision-makers. The R.O. aide is to bear in mind that agencies other than the Department may be utilizing the EIS as an aid in decision-making. Therefore, care should be taken to ensure that the scope of the summary and the EIS is sufficiently broad to be useful to those other agencies being requested to license or approve a proposal. The summary shall contain only a short restatement of the main points discussed in the EIS for each of the subjects covered. In the event impacts cannot be predicted with certainty, the reason for uncertainty together with the more likely possibilities should be concisely stated. The summary shall include a brief description of the following:

(a) The proposal, including the purpose or objectives which are sought to be achieved by the sponsor.

(b) The direct and indirect impacts upon the environment which may result from the proposal.

(c) The alternatives considered, together with any variation in impacts which may result from each alternative.

(d) Measures which may be effected by the applicant, the department, or other agency with jurisdiction to mitigate or eliminate adverse impacts which may result from the proposal.

(e) Any remaining adverse impacts which cannot or will not be mitigated.

(6) Description of the proposal. The draft EIS shall include a description of the total proposal, including, but not limited to, the following:

(a) The name of the proposal and sponsors.

(b) The location of the project, or area affected by a nonproject action, including an address, if any, and a legal description: *Provided*, That where the legal description is by metes and bounds, or is excessively lengthy, a map, in lieu of a legal description, shall be included which enables a lay person to precisely understand the location of the proposal.

(c) Reference to the file numbers, if known, of any other agencies involved so the proposal's location may be identified with precision by the consulted agency.

(d) If the proposal involves phased construction, the timing of each phase should be identified. If later phases of the proposal are expected to require future environmental analyses, these should be identified.

(e) A description of the major physical and engineering aspects of the proposal. This description should be tailored to the environmental impacts with those physical aspects of the proposal causing the greater impacts being given the more detailed description. Inclusion of detailed engineering drawings and technical data should normally be avoided. Material of this nature should be retained in department files and supplied to consulted agencies upon request.

(f) A brief description of existing comprehensive land use plans and zoning regulations applicable to the proposal, and how the proposal is consistent and inconsistent with them.

(g) Within the general guidelines of this subsection, the R.O. aide has discretion to determine the content

and level of detail appropriate to adequately describe the proposal.

(7) Existing environmental conditions. This section shall include the following:

(a) A general assessment of the existing environment, covering those areas of the environment listed in WAC 232-18-444.

(i) The level of detail used in presenting the existing environment should be proportionate to the impacts the proposal will have if approved.

(ii) Areas of the environment which are not relevant to the identified impacts need only be mentioned generally, or not at all.

(iii) Inventories of the species of flora and fauna present on the site should be avoided. Those species and habitats which may be significantly affected should be emphasized.

(iv) This subsection shall be brief, nontechnical, and easily understandable by lay persons, and provide the necessary background for understanding the proposal's impacts.

(b) Specific reference shall be made to those inventories and data studies which provided the informational source for part or all of the contents of this subsection.

(8) The impact of the proposal on the environment. The following items shall be included in this subsection:

(a) The known impacts resulting from the proposal within any element of the environment listed in WAC 232-18-444, the effects of which are either known to be, or which may be significant (whether beneficial or adverse), shall be discussed in detail; impacts which are potential, but not certain to occur, shall be discussed within reason.

(b) Elements of the environment which will not be significantly affected shall be marked "N/A" (not applicable) as set forth in WAC 232-18-444(1).

(c) Direct and indirect impacts of the total proposal, as described in subsection (8)(a) of this section shall be examined and discussed (for example, cumulative and growth-inducing impacts).

(d) The possibility that effects upon different elements of the environment will interrelate to form significant impacts shall be considered.

(9) The relationship between local short-term uses of man's environment and maintenance and enhancement of long-term productivity. The following items shall be included in this subsection:

(a) An identification of the extent to which the proposal involves trade-offs between short-term gains at the expense of long-term environmental losses.

(i) The phrases "short-term" and "long-term" do not refer to any fixed time periods, but rather are to be viewed in terms of the significant environmental impacts of the proposal.

(ii) Impacts which will narrow the range and degree of beneficial uses of the environment or pose long-term risks to human health shall be given special attention.

(b) A discussion of the benefits and disadvantages of reserving for some future time the implementation of the proposal, as opposed to possible approval of the proposal at this time.

(i) The department perspective should be that each generation is, in effect, a trustee of the environment for succeeding generations.

(ii) Particular attention should be given to the possibility of foreclosing future options or alternatives by implementation of the proposal.

(10) Irreversible or irretrievable commitments of resources. The following items shall be included in this subsection:

(a) An identification of all substantial quantities of natural resources, including sources of energy and non-renewable materials, which will be committed by the proposal on a permanent or long-term basis. Commitment of natural resources also includes the lost opportunities to make other uses of the resources in question.

(b) This subsection may be integrated with subsection (9) of this section in order to more usefully present the information required by both sections.

(11) Adverse environmental impacts which may be mitigated. The following items shall be included in this subsection:

(a) A description of reasonable changes to the proposal which may avoid, mitigate, or reduce the risk of any adverse impacts.

(b) Energy conservation measures, including more efficient utilization of conventional techniques (e.g., insulation) as well as newer methods.

(c) Each alternative discussed in (a) and (b) of this subsection shall be evaluated in terms of its effect upon the environment, its technical feasibility, and its economic practicability.

(12) Alternatives to the proposal. This subsection shall include the following items:

(a) A description and objective evaluation of any reasonable alternative action which could feasibly attain the objective of the proposal.

(i) Reasonable alternatives shall include any action which might approximate the proposal's objective, but at a lower environmental cost or decreased level of environmental degradation.

(ii) Reasonable alternatives may be those which are capable of being effected by either the department or other agency having jurisdiction.

(b) The "no-action" alternative shall be evaluated and compared to the other alternatives.

(c) The adverse environmental effects of each alternative shall be identified.

(d) The analysis of alternatives should be sufficiently detailed to permit a comparative evaluation of each alternative and the proposal as described in subsection (6) of this section.

(e) When the proposal is for a private project on a specific site, the alternatives considered shall be limited to the "no-action" alternative plus other reasonable alternative means of achieving the objective of the proposal on the same site or other sites owned or controlled by the same proponent (which may include only alterations for mitigation under subsection (11) of this section). This limitation shall not apply when the project proponent is applying for a rezone or contract rezone.

(f) Subsection (12) may be integrated with subsection (11) of this section in order to more usefully present the information required by both subsections.

(g) The use of the term "reasonable" is intended to limit both the number and range of alternatives that shall be described and evaluated in this subsection, as well as the amount or level of detail which the EIS shall employ for each alternative that is discussed and evaluated.

(13) Unavoidable adverse impacts. This subsection shall include the following items:

(a) A listing of those impacts included in subsection (8) of this section which are adverse but cannot, or will not, be mitigated or avoided.

(b) For any impact discussed in subsection (8) of this section which is determined to be nonadverse, the rationale for such determination shall be clearly stated.

(c) A discussion of the relationship between the environmental cost of the unavoidable adverse environmental impacts and the expected beneficial environmental impacts which will result from the implementation of the proposed action.

(14) Other issues. A draft EIS may contain a section labeled "other issues" within which those other problems and issues not pertaining to any element listed in WAC 232-18-444, but which are relevant to the proposal, shall be identified. The section shall be limited to a brief identification of such problems or issues. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-440, filed 7/31/79; Order 79, § 232-18-440, filed 4/9/76.]

WAC 232-18-442 Special considerations regarding contents of an EIS on a nonproject action. (1) WAC 232-18-440 applies to the contents of a draft EIS for a nonproject action. The R.O. aide, however, has greater flexibility in his/her approach to achieving compliance with the requirements of WAC 232-18-440 in writing an EIS for nonproject actions, because normally less specific details are known about the proposal and any implementing projects, as well as the anticipated impacts on the environment.

(2) The R.O. aide should be aware that typically in developing and reviewing proposals for nonproject actions the range of alternatives is broader than in developing a proposal for a project action (which is often narrowed to a specific location and design). The proposal should be described in a manner which encourages consideration of a number of alternative methods of accomplishing its objective. For example, an objective of a department proposal should be stated as "increased opportunities for trout fishing in eastern Washington" rather than "the planting of one million additional trout in the Pend Oreille River basin." [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-442, filed 7/31/79; Order 79, § 232-18-442, filed 4/9/76.]

WAC 232-18-444 List of elements of the environment. (1) Every EIS shall have appended to it a list of the elements of the environment in subsections (2), (3)

and (4) of this section. The R.O. aide shall place "N/A" ("not applicable") next to an item when the proposal, including its indirect impacts, will not significantly affect the area (or subarea) of the environment in question. Items marked "N/A" need not be mentioned in the body of the EIS. Subsections (2) and (3) of this section correspond in subject matter to the questions contained in the environmental checklist used for threshold determination, and the questions in the checklist may be used to interpret this outline listing.

(2) ELEMENTS OF THE PHYSICAL ENVIRONMENT.

- (a) Earth.
 - (i) Geology.
 - (ii) Soils.
 - (iii) Topography.
 - (iv) Unique physical features.
 - (v) Erosion.
 - (vi) Accretion/avulsion.
- (b) Air.
 - (i) Air quality.
 - (ii) Odor.
 - (iii) Climate.
- (c) Water.
 - (i) Surface water movement.
 - (ii) Runoff/absorption.
 - (iii) Floods.
 - (iv) Surface water quantity.
 - (v) Surface water quality.
 - (vi) Ground water movement.
 - (vii) Ground water quantity.
 - (viii) Ground water quality.
 - (ix) Public water supplies.
- (d) Flora.
 - (i) Numbers or diversity of species.
 - (ii) Unique species.
 - (iii) Barriers and/or corridors.
 - (iv) Agricultural crops.
- (e) Fauna.
 - (i) Numbers or diversity of species.
 - (ii) Unique species.
 - (iii) Barriers and/or corridors.
 - (iv) Fish or wildlife habitat.
- (f) Noise.
- (g) Light and glare.
- (h) Land use.
 - (i) Natural resources.
 - (i) Rate of use.
 - (ii) Nonrenewable resources.
 - (j) Risk of explosion or hazardous emissions.
- (3) ELEMENTS OF THE HUMAN ENVIRONMENT.
 - (a) Population.
 - (b) Housing.
 - (c) Transportation/circulation.
 - (i) Vehicular transportation generated.
 - (ii) Parking facilities.
 - (iii) Transportation systems.
 - (iv) Movement/circulation of people or goods.
 - (v) Waterborne, rail and air traffic.
 - (vi) Traffic hazards.
 - (d) Public services.
 - (i) Fire.

- (ii) Police.
- (iii) Schools.
- (iv) Parks or other recreational facilities.
- (v) Maintenance.
- (vi) Other governmental services.
- (e) Energy.

- (i) Amount required.
- (ii) Source/availability.
- (f) Utilities.

- (i) Energy.
- (ii) Communications.
- (iii) Water.
- (iv) Sewer.
- (v) Storm water.
- (vi) Solid waste.
- (g) Human health (including mental health).
- (h) Aesthetics.
- (i) Recreation.
- (j) Archeological/historical.

(4) The following additional element shall be covered in all EISs, either by being discussed or marked "N/A," but shall not be considered part of the environment for other purposes:

- (a) Additional population characteristics.

(i) Distribution by age, sex and ethnic characteristics of the residents in the geographical area affected by the environmental impacts of the proposal. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-444, filed 7/31/79; Order 79, § 232-18-444, filed 4/9/76.]

WAC 232-18-450 Public awareness of availability of draft EIS. The R.O. aide shall use any reasonable method calculated to inform the public that the draft EIS is available and of the procedures for requesting a public hearing. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-450, filed 7/31/79; Order 79, § 232-18-450, filed 4/9/76.]

WAC 232-18-455 Circulation of the draft EIS--Review period. (1) A consulted agency shall have thirty-five days from the date of receipt in which to review the draft and forward its comments and information to the department. If a consulted agency with jurisdiction requires additional time to develop and complete new data on the proposal, a fifteen day extension may be granted by the department. Extensions may not be granted for any other purpose.

(2) There shall be allowed a period of thirty-five days from the date of issuance for the public to forward to the department any comments upon or substantive information related to the proposal and the draft EIS. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-455, filed 7/31/79; Order 79, § 232-18-455, filed 4/9/76.]

WAC 232-18-460 Specific agencies to which draft EIS shall be sent. (1) The draft EIS shall be issued by mailing copies to the following:

- (a) The department of ecology.

(b) Each federal agency having jurisdiction by law over a proposed action.

(c) Each agency having jurisdiction by law over, or environmental expertise pertaining to a proposed action, as defined by WAC 197-10-040 and 197-10-465 (required by RCW 43.21C.030 (2)(d)).

(d) Each city/county in which adverse environmental effects identified in the draft EIS may occur if the proposed action is implemented. (This subsection does not apply to draft EISs for nonproject actions.)

(e) Each local agency or political subdivision which will be required to furnish additional public services as a result of implementation of the proposed action.

(f) The applicable regional planning commission, regional clearinghouse, statewide clearinghouse, or area-wide council of government which has been designated to review and coordinate local governmental planning under the A-95 review process and other federal regulations and programs (see RCW 36.64.080, 35.63.070 and 36.70.070).

(g) The department's SEPA public information center.

(h) Any person, organization or governmental agency that has expressed an interest in the proposal, or is known by the department to have an interest in the type of proposal being considered shall be sent a copy of the draft EIS.

(i) The public library serving the area in which a proposal is located.

(j) The principal daily newspaper(s) serving the area in which a proposal is located.

(2) An agency that receives a copy of the draft EIS does not become a "consulted agency" under these guidelines due to that factor alone. (See WAC 197-10-040, 197-10-465, 197-10-510 and 197-10-520 for those provisions that define a consulted agency.) [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-460, filed 7/31/79; Order 79, § 232-18-460, filed 4/9/76.]

WAC 232-18-470 Cost to the public for reproduction of environmental documents. When the department is lead agency it shall provide a copy of any environmental document, in accordance with chapter 42.17 RCW, charging only those costs allowed therein plus mailing costs: However, no charge shall be levied for circulation of documents to other agencies as required by these guidelines. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-470, filed 7/31/79; Order 79, § 232-18-470, filed 4/9/76.]

WAC 232-18-480 Public hearing on a proposal--When required. (1) If a public hearing on the proposal is held pursuant to some other requirement of law, such hearing shall be open to consideration of the environmental impact of the proposal, together with any available environmental document:

(2) When the department is lead agency in all other cases a public hearing on the environmental impact of a proposal shall be held whenever one or more of the following situations occur:

(a) The department determines, in its sole discretion, that a public hearing would assist the department in meeting its responsibility to implement the purposes and goals of SEPA and these guidelines; or,

(b) When fifty or more persons residing within the jurisdiction of the department, or who would be adversely affected by the environmental impact of the proposal, make written request to the department within thirty-five days of the issuance of the draft EIS; or,

(c) When two or more agencies with jurisdiction over a proposal make written request to the department within thirty-five days of the issuance of the draft EIS; or

(3) Whenever a public hearing is held under subsection (2) of this section, it shall occur no later than fifty-one days from the issuance of the draft EIS and no earlier than fifteen days from such date of issuance. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-480, filed 7/31/79; Order 79, § 232-18-480, filed 4/9/76.]

WAC 232-18-485 Notice of public hearing on environmental impact of the proposal. Notice of all public hearings to be held pursuant to WAC 232-18-480(2) shall be published in a newspaper of general circulation in the area where the project will be implemented. For nonproject actions the notice shall be published in the general area where the department has its principal office. The notice shall be published no later than five days preceding the hearing. For nonproject proposals having regional or statewide applicability, copies of the notice shall be transmitted to the Olympia bureaus of the Associated Press and United Press International. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-485, filed 7/31/79; Order 79, § 232-18-485, filed 4/9/76.]

WAC 232-18-490 Public hearing on the proposal—Use of environmental documents. Whenever the Department holds a public hearing on the environmental impact of a proposal, the hearing shall be open to discussion of all environmental documents and any written comments which have been received by the department prior to the hearing. A copy of the draft EIS shall be made available for public inspection at the public hearing. [Order 79, § 232-18-490, filed 4/9/76.]

WAC 232-18-495 Preparation of amended or new draft EIS. (1) The department, as lead agency, shall prepare an amended or new draft EIS whenever it determines:

(a) That substantial changes have been made in the proposal, or significant new information concerning anticipated environmental impacts has become available subsequent to circulation of the initial draft EIS, and

(b) That circulation of a new draft EIS is necessary to provide further input and review on the proposal.

(2) In such event, the department shall follow the provisions of WAC 232-18-450 through 232-18-490 for the amended or new draft EIS. [Order 79, § 232-18-495, filed 4/9/76.]

WAC 232-18-500 Department responsibilities when consulted as an agency with jurisdiction. The contact person when responding to a consultation request prior to a threshold determination, participating in predraft consultation, or reviewing a draft EIS, shall insure immediate commencement of the research and, if necessary, field investigations which the department would normally conduct in conjunction with whatever license the department requires for a proposal; or, in the event no license is involved the contact person shall direct the appropriate person to investigate the impacts of the activity the department will undertake which gives the department jurisdiction over a portion of the proposal. The end result of these investigations would be that the contact person will be able to transmit to the lead agency substantive information on those environmental impacts of the proposal which are within the scope of the license or activity of the department. The contact person, in his/her response to the lead agency, should also indicate which of the impacts the department has discovered may be mitigated or avoided and how this might be accomplished, and describe those areas of environmental risks which remain after the department has conducted the investigations that may have been required. The contact person must transmit a written response to the lead agency within the time limits specified in the subcategories that follow:

(1) If a threshold determination consultation request is received by the contact person, the contact person must transmit a written response to the lead agency by such time as specified by the lead agency in the consultation request.

(2) If a predraft consultation request is received by the contact person, the contact person must transmit a written response to the lead agency within forty-five days of when the department received the consultation packet from the lead agency.

(3) If a draft EIS consultation request is received by the contact person. The contact person must transmit a written response to the lead agency within thirty-five days from receipt of the draft EIS. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-500, filed 7/31/79; Order 79, § 232-18-500, filed 4/9/76.]

WAC 232-18-510 Department responsibilities when consulted as an agency with expertise but no jurisdiction.

(1) The contact person when responding to a consultation request as part of the lead agency's predraft process of EIS review process, shall insure that substantive data, information, test results or other material relevant to the proposal which the department then possesses relating to the department's area of expertise is provided to the lead agency within the time limits specified in WAC 232-18-500 (a), (b) and/or (c) whichever is applicable.

(2) The contact person may at his/her option direct an appropriate person within the department to investigate, develop and transmit to him/her additional information when it is necessary that such information be provided to the lead agency for the lead agency to meet

lead agency responsibilities under WAC 197-10-440 or 197-10-442. [Order 79, § 232-18-510, filed 4/9/76.]

WAC 232-18-535 Cost of performance of consulted agency responsibilities. The department shall not charge the lead agency for any costs incurred in complying with WAC 197-10-500 through 197-10-540, including, but not limited to, providing relevant data to the lead agency and the reproduction of various documents that are transmitted to the lead agency. This section shall not prohibit a consulted agency from charging those costs allowed by chapter 42.17 RCW, for the reproduction of any environmental document when the request for a copy of the document is from an agency other than the lead agency, or from an individual or private organization. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-535, filed 7/31/79; Order 79, § 232-18-535, filed 4/9/76.]

WAC 232-18-540 Limitations on responses to consultation. If part or all of the relevant data possessed by a consulted agency is voluminous in nature, extremely bulky or otherwise incapable of ready transmittal to the lead agency, or if it consists of a report or document published by another agency, or represents a standard text or other work obtainable at a public library, such data or information may be clearly identified or cited by the consulted agency in its comments to the lead agency and the data itself need not be transmitted. When the consulted agency identifies relevant data, files or other material pursuant to this section, it shall describe briefly the nature of such information and clearly indicate its relevance to the environmental analysis of the proposed action in question. If the details of the proposal supplied with the consultation request are not sufficient to allow a complete response, the consulted agency shall be required to transmit only that information it is capable of developing from the material sent to it with the consultation request. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-540, filed 7/31/79; Order 79, § 232-18-540, filed 4/9/76.]

WAC 232-18-545 Effect of no written comment. If a consulted agency does not respond with written comments within thirty-five days of the receipt of the draft EIS or fails to respond within the fifteen-day extension period which may have been granted by the department, the department may assume that the consulted agency has no information relating to the potential impact of the proposal upon the subject area of the consulted agency's jurisdiction or special expertise. Any consulted agency which fails to submit substantive information to the department in response to a draft EIS is thereafter barred from alleging any defects in the department's compliance with WAC 197-10-400 through 197-10-495, or with the contents of the final EIS. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-545, filed 7/31/79; Order 79, § 232-18-545, filed 4/9/76.]

WAC 232-18-550 Preparation of the final EIS--Time period allowed. The R.O. aide shall prepare a final EIS within seventy-five days of the issuance of the draft EIS. The R.O. aide may extend the time period whenever the proposal is unusually large in scope, or the environmental impact associated with the proposal is unusually complex. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-550, filed 7/31/79; Order 79, § 232-18-550, filed 4/9/76.]

WAC 232-18-570 Preparation of the final EIS--Contents--When no critical comments received on the draft EIS. (1) If the R.O. aide does not receive any comments critical of the scope or content of the draft EIS, the R.O. aide may prepare a statement to that effect and circulate that statement in the manner prescribed in WAC 232-18-600.

(2) The statement prepared and circulated pursuant to subsection (1) of this section, together with the draft EIS (which is not recirculated with the statement), shall constitute the "final EIS" for the proposal: *Provided*, That when the draft EIS was not circulated to the office of the governor or the ecological commission, then the draft EIS shall be attached only to the statement sent to these agencies. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-570, filed 7/31/79; Order 79, § 232-18-570, filed 4/9/76.]

WAC 232-18-580 Preparation of the final EIS--Contents--When critical comments received on the draft EIS. (1) When the R.O. aide receives any comments critical of the scope or content of the draft EIS, whether made in writing or made orally at any public hearing on the environmental impact of the proposal, the R.O. aide shall comply with either subsection (2) or (3) of this section.

(2) The R.O. aide may determine that no changes or only minor changes are required in either the draft EIS or the proposal, despite the critical comments that were received during the commenting period. The R.O. aide must prepare a document containing a general response to the comments that were received, any minor changes to the EIS or proposal the text or summary of written comments, and a summary of the oral comments made by the public at any hearing held on the proposal or its environmental impacts. The R.O. aide shall then circulate the document in the manner prescribed in WAC 232-18-600: *Provided*, That when the draft EIS was not circulated to the office of the governor or the ecological commission, then the draft EIS shall be attached only to the statement sent to these agencies.

(3) The R.O. aide may determine that it is necessary and appropriate to rewrite the contents of the draft EIS in order to respond to critical comments received during the commenting period. In such instances, the R.O. aide shall circulate the rewritten EIS in the manner specified in WAC 232-18-600. The R.O. aide shall ensure that the rewritten EIS evidences an affirmative response by the department to the critical comments, or alternatively, contains a summary of those critical comments with which it does not agree.

(4) A document prepared and circulated pursuant to subsection (2) or (3) of this section shall constitute the "final EIS" for the proposal. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-580, filed 7/31/79; Order 79, § 232-18-580, filed 4/9/76.]

WAC 232-18-600 Circulation of the final EIS. The final EIS shall be issued by circulating it to the department of ecology, office of the governor or the governor's designee, the ecological commission, agencies with jurisdiction, and federal agencies with jurisdiction which received the draft EIS. It shall be made available to the public in the same manner and cost as the draft EIS. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-600, filed 7/31/79; Order 79, § 232-18-600, filed 4/9/76.]

WAC 232-18-650 Effect of an adequate final EIS prepared pursuant to NEPA. (1) The requirements of this chapter relating to the preparation of an EIS shall not apply when an adequate final EIS has been prepared pursuant to the national environmental policy act of 1969 (NEPA), in which event such EIS may be utilized in lieu of a final EIS separately prepared under SEPA.

(2) The final EIS of a federal agency shall be adequate unless:

(a) A court rules that it is inadequate; or,

(b) The administrator of the United States Environmental Protection Agency issues a written comment pursuant to the Federal Clean Air Act, 42 USC § 1857, which determines it to be inadequate; or,

(c) The environmental elements of WAC 197-10-444, when applied locally, are not adequately treated in it.

(3) If, after review thereof, the department determines that the federal EIS is adequate, a notice of this effect shall be circulated as in WAC 232-18-600.

(4) If a hearing open to public comment upon the adequacy of the federal EIS has not previously been held within the state of Washington, a public hearing on the sole issue of the adequacy of the content of a federal EIS shall be held if, within thirty-five days of the notice in subsection (3) of this section, at least fifty persons who reside within Washington state, or are adversely affected by the environmental impact of the proposal, make written request therefor. The department shall reconsider its determination of adequacy in view of comments received at any such public hearing. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-650, filed 7/31/79; Order 79, § 232-18-650, filed 4/9/76.]

WAC 232-18-652 Supplementation by the department of an inadequate final NEPA EIS. When a final EIS prepared pursuant to NEPA is inadequate under the criteria set forth in WAC 232-18-650(2), then the R.O. aide shall either:

(1) Prepare a draft EIS independent of the final NEPA EIS or

(2) Modify or supplement the final NEPA EIS as necessary to prepare an adequate draft EIS. [Order 79, § 232-18-652, filed 4/9/76.]

WAC 232-18-660 Use of previously prepared EIS for a different proposed action. (1) The department may adopt and utilize a previously prepared EIS, or portion thereof, to satisfy certain of the EIS requirements applicable to a different proposed action, as set forth in subsections (2) and (3) of this section. In such event, two requirements shall be met:

(a) The previous EIS or portion thereof, together with any supplement to it, shall meet the requirements of these guidelines applicable to an EIS for the new proposed action, and

(b) Where any intervening change in conditions would make the previous EIS misleading when applied to the new proposed action, a previous EIS shall not be used without an explanatory supplement.

(2) When the new proposed action will have an impact on the environment that was not adequately analyzed in the previously prepared EIS, the R.O. aide shall prepare a draft supplemental EIS and comply with the provisions of WAC 232-18-400 through 232-18-695. The contents of the draft and final supplemental EIS shall be limited to those impacts of the proposed action which were not adequately analyzed in the earlier EIS.

(3) When the new proposed action will not have an impact on the environment that is substantially different than the impacts of the earlier proposed action, the R.O. aide may prepare a written statement setting forth the responsible official's decision under this subsection and circulate it as provided in WAC 232-18-600. The department shall not be required to prepare a new or supplemental draft or final EIS on the new proposed action when this subsection is determined to apply. However provisions of WAC 232-18-480 through 232-18-490, relating to a public hearing on the environmental impact of a proposal shall apply. [Statutory Authority: RCW 77.12.040. 79-08-116 (Order 138), § 232-18-660, filed 7/31/79; Order 79, § 232-18-660, filed 4/9/76.]

WAC 232-18-690 Use of another agency's EIS by the department. (1) When the department is considering an action which is part of a proposal covered by a final EIS of a lead agency, and the department was consulted as an agency with jurisdiction during the consultation process on the previous EIS because of the action it is now considering, the department must utilize the previous EIS unchanged when it is considering its present action except under the conditions of subsection (2) of this section.

(2) The department shall review and consider supplementing an EIS prepared by the lead agency only if:

(a) The proposal has been significantly modified since the lead agency prepared the EIS; or,

(b) The action now being considered was identified in the lead agency's EIS as one which would require further environmental evaluation; or,

(c) The level of design or planning for the proposal has become more detailed, revealing inadequately analyzed impacts; or,

(d) Technical data has become available which indicates the presence of a significant adverse environmental impact.

In such cases, the R.O. aide shall prepare a supplement to the lead agency's EIS if, the R.O. aide determines that significant adverse environmental impacts have been inadequately analyzed in the lead agency's EIS.

(3) If the department is not listed as a licensing agency in the draft EIS pursuant to WAC 197-10-440 (2)(d) and did not receive a copy of the draft EIS, the department shall not be limited by the contents of the earlier EIS in preparing its statement. [Statutory Authority: RCW 77.12.040, 79-08-116 (Order 138), § 232-18-690, filed 7/31/79; Order 79, § 232-18-690, filed 4/9/76.]

WAC 232-18-695 Draft and final supplements to a revised EIS. (1) In any case where the R.O. aide is preparing a supplement to an earlier EIS or to an EIS prepared pursuant to NEPA, R.O. aide shall prepare a draft supplemental EIS and comply with WAC 232-18-450 through 232-18-470. Copies of both the prior and supplemental EIS shall be transmitted to the consulted agencies which had not previously received it.

(2) Upon preparation of the draft supplemental EIS, the R.O. aide shall comply with WAC 232-18-550 through 232-18-580 and the final supplemental EIS, together with the prior EIS, shall be regarded as a final EIS for all purposes of these guidelines. [Statutory Authority: RCW 77.12.040, 79-08-116 (Order 138), § 232-18-695, filed 7/31/79; Order 79, § 232-18-695, filed 4/9/76.]

WAC 232-18-700 No action for seven days after publication of the final EIS. The department shall take no major action (as defined in WAC 232-18-040(26)) on a proposal for which an EIS has been required, prior to seven days from the issuance of the final EIS. [Statutory Authority: RCW 77.12.040, 79-08-116 (Order 138), § 232-18-700, filed 7/31/79; Order 79, § 232-18-700, filed 4/9/76.]

WAC 232-18-710 EIS combined with existing planning and review processes. The EIS process shall be combined with the existing planning, review and project approval processes being used by the department when it has jurisdiction by law over a proposal. When required to be prepared, the EIS, the declaration of nonsignificance, or the previously circulated EIS being utilized pursuant to WAC 232-18-660, shall accompany a proposal through the existing review processes. [Order 79, § 232-18-710, filed 4/9/76.]

WAC 232-18-840 Application of department guidelines to ongoing actions. (1) These guidelines shall apply

to any proposed action when initiated subsequent to the effective date of the guidelines of the lead agency or the agency proposing the action.

(2) For proposals made prior to the effective date of the guidelines of the lead agency or the agency proposing the action, these guidelines shall apply to those elements of SEPA compliance remaining to be undertaken subsequent to the effective date of such guidelines. These guidelines adopted pursuant to RCW 43.21C.120 and the requirements of chapter 197-10 WAC shall not be applied to invalidate or require modification of any threshold determination, EIS or other element of SEPA compliance undertaken or completed prior to the effective date of the guidelines of the lead agency or agency proposing the action. [Order 79, § 232-18-840, filed 4/9/76.]

WAC 232-18-870 Filing of agency action--Publication--Form--Time limitation for commencing challenge to action. The R.O. aide shall file for the department any nonexempt agency actions, as defined by WAC 232-18-040(2). The method of filing, publication form of notice, publication and appeals from such action shall be as directed by the terms of RCW 43.21C.080. [Order 79, § 232-18-870, filed 4/9/76.]

WAC 232-18-910 Severability. If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter, or the application of the provision to other persons or circumstances, shall not be affected. [Order 79, § 232-18-910, filed 4/9/76.]

Chapter 232-21 WAC

GOLD PROSPECTING--CLASSIFICATIONS

WAC
232-21-101 Gold and fish.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

232-21-100 Gold prospecting. [Statutory Authority: RCW 77.12.040, 80-15-065 (Order 157), § 232-20-100 (codified as WAC 232-21-100), filed 10/16/80. Effective until June 30, 1981.] Repealed by 81-12-005 (Order 164), filed 5/26/81. Statutory Authority: RCW 77.12.040.

WAC 232-21-101 Gold and fish. [Statutory Authority: RCW 77.12.040, 81-12-005 (Order 164), § 232-21-101, filed 5/26/81.]

Reviser's note: The text comprising the gold and fish rules adopted by the department of game have been omitted from publication in the Washington Administrative Code under the authority of RCW 34.04.050(3) as being unduly cumbersome to publish. Copies of the rules may be obtained from the main office of the Department of Game, 600 North Capitol Way, Olympia, Washington 98504, and are available in pamphlet form from the department, its six regional offices, and at numerous drug and sporting goods stores throughout the state.

Chapter 232-24 WAC
TEMPORARY REGULATIONS

WAC

232-24-120 Temporary regulation.

Reviser's note: Regulations pertaining to game and game fish open and closed areas and seasons and bag and catch limits are customarily promulgated by the game commission as temporary regulations and filed with code reviser's office. Such regulations are also printed in pamphlet form and are made available to the public at all places where hunting and fishing licenses are sold. Because of the transitory nature of these regulations and the wide distribution thereof, such regulations are omitted from the Washington Administrative Code by authority of RCW 34.04.050(3). Copies of the pamphlets may also be obtained by writing to the Department of Game, 600 N. Capitol Way, Olympia. The original orders may be inspected in the office of the Code Reviser, Legislative Building, Olympia 98504.

Published each season in pamphlet form are:

1. Hunting seasons and game bag limits.
2. Upland and migratory game bird hunting seasons and bag limits.
3. Game management unit descriptions.
4. Mountain goat hunting season and application instructions.
5. Game fish seasons and catch limits.
6. Dove and pigeon hunting season.
7. Mountain goat and mountain sheep hunting seasons.
8. Hunting and trapping seasons.
9. Fishing seasons and regulations (published in game commission regulation pamphlet).
10. Mourning dove and band-tailed pigeon seasons.
11. Trapping seasons and regulations.
12. Bobcat hunting season.
13. Black bear, cougar, bobcat, raccoon, rockchuck and blacktail jackrabbit.
14. Spring and summer hunting seasons.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 232-24-010 Juvenile fishing and catch limits. [Temporary Regulation 184, filed 4/14/61; Regulation 159, filed 3/21/60. Formerly WAC 232-12-540.] Repealed by Order 4, filed 4/20/70.
- 232-24-020 Scatter Creek public hunting area—Dog training and trails. [Temporary Regulation 228, filed 7/25/64.] Repealed by Order 4, filed 4/20/70.
- 232-24-030 Lake Terrell classified as "catch and release" lake. [Temporary Regulation 261, filed 1/25/67; Temporary Regulation 245, filed 12/7/65.] Repealed by Order 4, filed 4/20/70.
- 232-24-040 Restriction on applicants for mountain goat and mountain sheep (Bighorn) controlled hunts. [Temporary Regulation 251, filed 5/31/66.] Repealed by Order 4, filed 4/20/70.
- 232-24-043 Ineligible applicants making application for controlled goat, mountain sheep (Bighorn sheep) or elk hunt permits—Penalties. [Temporary Regulation 289, filed 8/12/69.] Repealed by Order 16, filed 6/30/71.
- 232-24-045 Restrictions on applicants for controlled elk hunts. [Temporary Regulation 263, filed 5/15/67.] Repealed by Order 4, filed 4/20/70.
- 232-24-050 White fallow deer in Grant and Douglas counties. [Temporary Regulation 241, filed 8/16/65; Temporary Regulation 206, filed 8/14/62.] Repealed by Order 4, filed 4/20/70.
- 232-24-060 Pursuit of bear and cougar without taking or killing. [Temporary Regulation 268, filed 8/25/67, 7/15/67.] Repealed by Order 4, filed 4/20/70.
- 232-24-070 Means of taking migratory waterfowl or migratory game birds. [Order 281 (part), filed 9/11/68, effective 10/12/68.] Repealed by Order 4, filed 4/20/70.
- 232-24-080 Use of dog unlawful when pursuing bear, predatory animals or predatory birds. [Temporary Regulation 288 (part), filed 6/5/69.] Repealed by Order 4, filed 4/20/70.

(1983 Ed.)

- 232-24-090 Transporting mountain sheep and mountain goat. [Temporary Regulation 288 (part), filed 6/5/69.] Repealed by Order 4, filed 4/20/70.

WAC 232-24-120 Temporary regulation. The current fishing closing date of September 5, 1977, for Desire, Shadow and Steel lakes in King County, for Martha (Warm Beach) and Silver Lakes in Snohomish County, for McMurray Lake in Skagit County, and for Deep Lake in Thurston County is hereby extended through October 31, 1977. [Order 104, § 232-24-120, filed 8/4/77.]

Chapter 232-28 WAC
SEASONS AND LIMITS

WAC

- 232-28-106 1983 Upland migratory game bird seasons.
- 232-28-20401 Incisor tooth requirement.
- 232-28-206 1983 Fall opening dates.
- 232-28-207 1983 Hunting seasons and game bag limits and 1983 game management units and area legal descriptions.
- 232-28-404 1981-82 Upland game bird and migratory waterfowl seasons.
- 232-28-406 1983-84 Upland game bird and migratory waterfowl seasons.
- 232-28-407 1983 Fall turkey season.
- 232-28-506 1983-84 Trapping seasons and regulations.
- 232-28-60101 Opening of South Warden and Warden lakes in Grant County.
- 232-28-60102 Closing of Medical Lake in Spokane County.
- 232-28-604 Game fish seasons and catch limits.
- 232-28-60415 Season extension on Burke Lake (Grant County) through December 31, 1982.
- 232-28-605 1983 Game fish seasons and catch limits.
- 232-28-60508 Establish an open fishing season on the Snake and Grande Ronde rivers to angling for steelhead.
- 232-28-606 1984 Washington game fish seasons and catch limits.
- 232-28-607 Marine waters regulations.
- 232-28-608 Region I.
- 232-28-609 Region II.
- 232-28-610 Region III.
- 232-28-611 Region IV.
- 232-28-612 Region V.
- 232-28-613 Region VI.
- 232-28-705 1983 Spring bear and turkey seasons.
- 232-28-805 1983 Mountain goat, sheep and moose hunting seasons.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 232-28-001 1977 Mountain goat, sheep and moose hunting seasons. [Order 97, (codified as WAC 232-28-001), filed 5/27/77.] Repealed by 81-22-015 (Order 175), filed 10/23/81. Statutory Authority: RCW 77.12.040.
- 232-28-100 1977 Upland migratory game bird seasons. [Order 101, § 232-28-100, filed 7/22/77.] Repealed by 78-08-094 (Order 118), filed 7/31/78 and 81-22-015 (Order 175), filed 10/23/81. Statutory Authority: RCW 77.12.040.
- 232-28-101 1978 Upland migratory game bird seasons. [Statutory Authority: RCW 77.12.040, 78-08-094 (Order 118), § 232-28-101, filed 7/31/78.] Repealed by 79-08-066 (Order 137), filed 7/23/79. Statutory Authority: RCW 77.12.040.
- 232-28-102 1979 Upland migratory game bird seasons. [Statutory Authority: RCW 77.12.040, 79-08-066 (Order 137), § 232-28-102, filed 7/23/79.] Repealed by 80-09-028 (Order 149), filed 7/9/80. Statutory Authority: RCW 77.12.040.

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- 232-28-103 1980 Upland migratory game bird seasons. [Statutory Authority: RCW 77.12.040. 80-09-028 (Order 149), § 232-28-103, filed 7/9/80.] Repealed by 82-16-013 (Order 187), filed 7/26/82. Statutory Authority: RCW 77.12.040.
- 232-28-105 1982 Upland migratory game bird seasons. [Statutory Authority: RCW 77.12.040. 82-16-013 (Order 187), § 232-28-105, filed 7/26/82.] Repealed by 83-17-021 (Order 212), filed 8/9/83. Statutory Authority: RCW 77.12.040.
- 232-28-200 1977 Hunting seasons and bag limits. [Order 102, § 232-28-200, filed 7/22/77.] Repealed by 78-07-085 (Order 117), filed 7/5/78 and 81-22-015 (Order 175), filed 10/23/81. Statutory Authority: RCW 77.12.040.
- 232-28-201 1978 Hunting seasons and bag limits. [Statutory Authority: RCW 77.12.040. 78-07-085 (Order 117), § 232-28-201, filed 7/5/78.] Repealed by 79-07-051 (Order 136), filed 6/25/79. Statutory Authority: RCW 77.12.040.
- 232-28-202 1979 Hunting seasons and game bag limits. [Statutory Authority: RCW 77.12.040. 79-07-051 (Order 136), § 232-28-202, filed 6/25/79.] Repealed by 80-09-003 (Order 148), filed 7/3/80. Statutory Authority: RCW 77.12.040.
- 232-28-203 1980 Hunting seasons and game bag limits. [Statutory Authority: RCW 77.12.040. 80-09-003 (Order 148), § 232-28-203, filed 7/3/80.] Repealed by 81-15-066 (Order 167), filed 7/20/81. Statutory Authority: RCW 47.04.060.
- 232-28-204 1981 Hunting seasons and game bag limits. [Statutory Authority: RCW 77.12.040. 81-15-066 (Order 167), § 232-28-204, filed 7/20/81.] Repealed by 82-15-013 (Order 185), filed 7/12/82. Statutory Authority: RCW 77.12.040.
- 232-28-205 1982 Hunting seasons and rules. [Statutory Authority: RCW 77.12.040. 82-15-013 (Order 185), § 232-28-205, filed 7/12/82.] Repealed by 83-15-058 (Order 209), filed 7/20/83. Statutory Authority: RCW 77.12.040.
- 232-28-300 1977 Game management unit and area legal descriptions. [Order 103, § 232-28-300, filed 7/22/77.] Repealed by 78-07-085 (Order 117), filed 7/5/78 and 81-22-015 (Order 175), filed 10/23/81. Statutory Authority: RCW 77.12.040.
- 232-28-301 1978 Game management unit and area legal descriptions. [Statutory Authority: RCW 77.12.040. 78-07-085 (Order 117), § 232-28-301, filed 7/5/78.] Repealed by 79-07-051 (Order 136), filed 6/25/79. Statutory Authority: RCW 77.12.040.
- 232-28-302 1979 Game management unit and area legal descriptions. [Statutory Authority: RCW 77.12.040. 79-07-051 (Order 136), § 232-28-302, filed 6/25/79.] Repealed by 80-09-003 (Order 148), filed 7/3/80. Statutory Authority: RCW 77.12.040.
- 232-28-303 1980 Game management unit and area legal descriptions. [Statutory Authority: RCW 77.12.040. 80-09-003 (Order 148), § 232-28-303, filed 7/3/80.] Repealed by 81-15-066 (Order 167), filed 7/20/81. Statutory Authority: RCW 47.04.060.
- 232-28-304 1981 Game management unit and area legal descriptions. [Statutory Authority: RCW 77.12.040. 81-15-066 (Order 167), § 232-28-304, filed 7/20/81.] Repealed by 82-15-013 (Order 185), filed 7/12/82. Statutory Authority: RCW 77.12.040.
- 232-28-400 1977 Upland game bird and migratory waterfowl seasons. [Order 106A, § 232-28-400, filed 10/7/77; Order 106, § 232-28-400, filed 9/12/77.] Repealed by 78-10-086 (Order 122), filed 9/29/78 and 81-22-015 (Order 175), filed 10/23/81. Statutory Authority: RCW 77.12.040.
- 232-28-401 1978 Upland game bird and migratory waterfowl seasons. [Statutory Authority: RCW 77.12.040. 78-10-086 (Order 122), § 232-28-401, filed 9/29/78.] Repealed by 79-10-035 (Order 142), filed 9/12/79. Statutory Authority: RCW 77.12.040.
- 232-28-402 1979-1980 Upland game birds and migratory waterfowl seasons. [Statutory Authority: RCW 77.12.040. 79-10-035 (Order 142), § 232-28-402, filed 9/12/79.] Repealed by 80-13-027 (Order 154), filed 9/10/80. Statutory Authority: RCW 77.12.040.
- 232-28-403 1980-81 Upland game bird and migratory waterfowl seasons. [Statutory Authority: RCW 77.12.040. 80-13-027 (Order 154), § 232-28-403, filed 9/10/80.] Repealed by 81-19-108 (Order 173), filed 9/22/81. Statutory Authority: RCW 77.12.040.
- 232-28-405 1982-83 Upland game bird and migratory waterfowl seasons. [Statutory Authority: RCW 77.12.040. 82-19-027 (Order 193), § 232-28-405, filed 9/9/82.] Repealed by 83-18-040 (Resolution No. 214), filed 9/1/83. Statutory Authority: RCW 77.12.040.
- 232-28-500 Trapping seasons and regulations 1977-1978. [Order 108, § 232-28-500, filed 10/7/77.] Repealed by 78-09-093 (Order 120), filed 8/31/78 and 81-22-015 (Order 175), filed 10/23/81. Statutory Authority: RCW 77.12.040.
- 232-28-501 1978-1979 Trapping seasons and regulations. [Statutory Authority: RCW 77.12.040. 78-09-093 (Order 120), § 232-28-501, filed 8/31/78.] Repealed by 79-09-050 (Order 140), filed 8/23/79. Statutory Authority: RCW 77.12.040.
- 232-28-502 1979-1980 Trapping seasons and regulations. [Statutory Authority: RCW 77.12.040. 79-09-050 (Order 140), § 232-28-502, filed 8/23/79.] Repealed by 80-12-010 (Order 151), filed 8/25/80. Statutory Authority: RCW 77.12.040.
- 232-28-503 1980-1981 Trapping seasons and regulations. [Statutory Authority: RCW 77.12.040. 80-12-010 (Order 151), § 232-28-503, filed 8/25/80.] Repealed by 81-18-024 (Order 024), filed 8/26/81. Statutory Authority: RCW 77.12.040.
- 232-28-504 1981-82 Trapping seasons and regulations. [Statutory Authority: RCW 77.12.040. 81-18-024 (Order 171), § 232-28-504, filed 8/26/81.] Repealed by 82-18-030 (Order 189), filed 8/25/82. Statutory Authority: RCW 77.12.040.
- 232-28-505 1982-83 Trapping seasons and regulations. [Statutory Authority: RCW 77.12.040. 82-18-030 (Order 189), § 232-28-505, filed 8/25/82.] Repealed by 83-18-042 (Order 216), filed 9/1/83. Statutory Authority: RCW 77.12.040.
- 232-28-600 1978 Washington game fish seasons and catch limits. [Order 111, § 232-28-600, filed 12/1/77.] Repealed by 79-01-047 (Order 128), filed 12/21/78 and 81-22-015 (Order 175), filed 10/23/81. Statutory Authority: RCW 77.12.040.
- 232-28-601 1979 Game fish seasons and catch limits. [Statutory Authority: RCW 77.12.040. 79-01-047 (Order 128), § 232-28-601, filed 12/21/78.] Repealed by 79-11-112 (Order 144), filed 11/2/79. Statutory Authority: RCW 77.12.040.
- 232-28-602 1980 Game fish seasons and catch limits. [Statutory Authority: RCW 77.12.040. 79-11-112 (Order 144), § 232-28-602, filed 11/2/79.] Repealed by 80-18-027 (Order 158), filed 12/1/80. Statutory Authority: RCW 77.12.040.
- 232-28-603 1981 Game fish seasons and catch limits. [Statutory Authority: RCW 77.12.040. 80-18-027 (Order 158), § 232-28-603, filed 12/1/80.] Repealed by 81-24-063 (Order 176), filed 12/2/81. Statutory Authority: RCW 77.12.040.
- 232-28-60304 Modification of 1981 "selective fishery (catch and release) waters" regulations for the Wind River system, Skamania County, Washington beginning August 17, 1981. [Statutory Authority: RCW 77.12.040. 81-15-064 (Order 166), § 232-28-60304, filed 7/20/81.] Repealed by 82-09-015 (Order 179), filed 4/9/82. Statutory Authority: RCW 77.12.040.
- 232-28-60405 Fishing season closure on Grizzly, Ryan, Hanaford, Elk, and Tradedollar lakes in Skamania County, and Fawn and Forest lakes in Cowlitz County. [Statutory Authority: RCW 77.12.040. 82-10-014 (Order 181),

- § 232-28-60405, filed 4/28/82.] Repealed by 83-01-004 (Order 196), filed 12/2/82. Statutory Authority: RCW 77.12.040.
- 232-28-60406 Mt. St. Helens area hunting, fishing, and trapping closure. [Statutory Authority: RCW 77.12.040. 82-09-014 and 82-10-015 (Order 180 and 182), § 232-28-60406, filed 4/9/82 and 4/28/82.] Repealed by 82-19-025 (Order 191), filed 9/9/82. Statutory Authority: RCW 77.12.040.
- 232-28-60416 Mt. St. Helens' area hunting, fishing, and trapping closure. [Statutory Authority: RCW 77.12.040. 82-19-025 (Order 191), § 232-28-60416, filed 9/9/82.] Repealed by 83-18-041 (Order 215), filed 9/1/83. Statutory Authority: RCW 77.12.040.
- 232-28-700 1978 Spring and summer hunting seasons. [Statutory Authority: RCW 77.12.040. 78-03-087 (Order 115), § 232-28-700, filed 3/1/78.] Repealed by 79-03-039 (Order 130), filed 3/1/79. Statutory Authority: RCW 77.12.040.
- 232-28-701 1979 Spring and summer hunting seasons. [Statutory Authority: RCW 77.12.040. 79-03-039 (Order 130), § 232-28-701, filed 3/1/79.] Repealed by 80-03-042 (Order 145), filed 2/20/80. Statutory Authority: RCW 77.12.040.
- 232-28-702 1980 Spring and summer hunting seasons. [Statutory Authority: RCW 77.12.040. 80-03-042 (Order 145), § 232-28-702, filed 2/20/80.] Repealed by 81-04-018 (Order 159), filed 1/29/81. Statutory Authority: RCW 77.12.040.
- 232-28-703 1981 Early hunting seasons and fall opening dates. [Statutory Authority: RCW 77.12.040. 81-04-018 (Order 159), § 232-28-703, filed 1/29/81.] Repealed by 82-05-032 (Order 178), filed 2/16/82. Statutory Authority: RCW 77.12.040.
- 232-28-704 1982 Hunting seasons and fall opening dates. [Statutory Authority: RCW 77.12.040. 82-05-032 (Order 178), § 232-28-704, filed 2/16/82.] Repealed by 83-06-061 (Order 200), filed 3/2/83. Statutory Authority: RCW 77.12.040 and 77.12.150.
- 232-28-800 1978 Mountain goat, sheep and moose hunting season. [Statutory Authority: RCW 77.12.040. 78-05-057 (Order 116), § 232-28-800, filed 4/26/78.] Repealed by 79-05-037 (Order 133), filed 4/25/79. Statutory Authority: RCW 77.12.040.
- 232-28-801 1979 Mountain goat, sheep and moose hunting season. [Statutory Authority: RCW 77.12.040. 79-05-037 (Order 133), § 232-28-801, filed 4/25/79.] Repealed by 80-06-059 (Order 147), filed 5/21/80. Statutory Authority: RCW 77.12.040.
- 232-28-802 1980 Mountain goat, sheep and moose hunting season. [Statutory Authority: RCW 77.12.040. 80-06-059 (Order 147), § 232-28-802, filed 5/21/80.] Repealed by 81-12-004 (Order 163), filed 5/26/81. Statutory Authority: RCW 77.12.040.
- 232-28-803 1981 Mountain goat, sheep and moose hunting seasons. [Statutory Authority: RCW 77.12.040. 81-12-004 (Order 163), § 232-28-803, filed 5/26/81.] Repealed by 82-11-098 (Order 183), filed 5/19/82. Statutory Authority: RCW 77.12.040.
- 232-28-804 1982 Mountain goat, sheep and moose hunting seasons. [Statutory Authority: RCW 77.12.040. 82-11-098 (Order 183), § 232-28-804, filed 5/19/82.] Repealed by 83-15-057 (Order 208), filed 7/20/83. Statutory Authority: RCW 77.12.040.

WAC 232-28-106 1983 Upland migratory game bird seasons.

-Statewide-

MOURNING DOVE:

September 1 - September 15, inclusive
 Daily bag limit: 10
 Possession limit: 20

BAND-TAILED PIGEON:

September 1 - September 30, inclusive
 Daily bag limit: 5
 Possession limit: 5

SHOOTING HOURS as follows: (Daylight Saving Time)

DATES INCLUSIVE	Eastern Washington		Western Washington	
	From A.M.	To P.M.	From A.M.	To P.M.
Thu. Sept. 1 Sun. Sept. 4	5:45	7:35	6:00	7:45
Mon. Sept. 5 Sun. Sept. 11	5:55	7:25	6:05	7:35
Mon. Sept. 12 Sun. Sept. 18	6:05	7:10	6:15	7:20
Mon. Sept. 19 Sun. Sept. 25	6:10	6:55	6:25	7:10
Mon. Sept. 26 Fri. Sept. 30	6:25	6:40	6:35	6:55

[Statutory Authority: RCW 77.12.040. 83-17-021 (Order 212), § 232-28-106, filed 8/9/83.]

WAC 232-28-20401 Incisor tooth requirement. Selected permit holders who bag an animal under a controlled hunt permit must submit a middle incisor tooth (including its root) to the Department of Game, 600 N. Capitol Way, Olympia, Washington, 98504 in the self-

addressed envelope provided with the permit. [Statutory Authority: RCW 77.12.040. 81-15-065 (Order 168), § 232-28-20401, filed 7/20/81.]

WAC 232-28-206 1983 Fall opening dates.

Deer

- Early Buck—September 15 (Thursday)
Recommend 3-point antler restriction
- General Deer—October 15 (Saturday)
- Late Buck—November 18 (Friday)
(Western Washington)
November 23 (Wednesday) (In Game Management Units 105, 107, 109, 112, 115, 118, 119, 121, and 124.)

Elk

- Blue Mountains—Stratified season similar to Yakima
November 2 (Wednesday) First stratification
November 5 (Saturday) Second stratification
- Colockum—October 27 (Thursday)
- Yakima—Stratified season
November 6 (Sunday) First stratification
November 12 (Saturday) Second stratification
- Western Washington—November 5 (Saturday)

Black Bear

- Open Season in Early Buck Areas—September 15 (Thursday)
Eastern Washington
Pursuit Only Season
August 1 (Monday) (Game Management Units 100 through 124)
- Open Season (All of eastern Washington except early buck areas and outside Umatilla National Forest in Walla Walla and Columbia counties—September 7 (Wednesday) Walla Walla and Columbia counties outside Umatilla National Forest—October 15 (Saturday)
- Western Washington (except early buck areas)
Open Season
August 1 (Monday), except closed in Game Management Units 669, 678, and 681

Cougar, Bobcat, and Raccoon

- Early Buck Areas—Cougar Only—September 15 (Thursday)
Eastern Washington
Pursuit Only Season—Cougar and Bobcat
August 1 (Monday) in Game Management Units 100 [the] [through] 124. **Note—Pursuit Season closed for raccoon.**
September 10 (Saturday) All of eastern Washington except closed outside Umatilla National Forest in Walla Walla and Columbia counties.
- Open Season
October 15 (Saturday)
- Western Washington
Pursuit only
August 1 (Monday)
- Open Season
October 15 (Saturday) Except cougar closed in Game Management Units 536, 538, 669, 672, 675, 678, 681, and 684.

- Rabbits** —Cottontail, Snowshoe, Washington Hare, Whitetailed Jackrabbits
Eastern Washington
Snowshoe Rabbits
September 1 (Thursday)
Cottontail and Whitetailed Jackrabbits
October 15 (Except closed for whitetailed jackrabbits in Okanogan, Douglas, and Grant counties)
Western Washington
Rabbits, Hares
September 1 (Thursday)

Band-tailed Pigeons and Mourning Doves
September 1 (Thursday)**Upland Birds**

- Blue Grouse, Ruffed Grouse and Spruce (Franklin Grouse)
September 1 (Thursday)
- Early Chukar, Redleg and Hungarian Partridge
September 24—Colockum and Southeastern Washington only
- Chinese Pheasant, Quail, Chukar, Redleg and Hungarian Partridge
October 15 (Noon Saturday)
- Early Western Washington Pheasant
October 1 (8:00 a.m. Saturday)
- Waterfowl (Except Brant)
October 15 (Noon Saturday)

[Statutory Authority: RCW 77.12.040. 83-09-023 (Order 202), § 232-28-206, filed 4/14/83.]

WAC 232-28-207 1983 Hunting seasons and game bag limits and 1983 game management units and area legal descriptions. [Statutory Authority: RCW 77.12.040. 83-15-058 (Order 209), § 232-28-207, filed 7/20/83.]

Reviser's note: The text and accompanying pamphlet comprising the 1983 Hunting seasons and game bag limits and the 1983 game management units and area legal descriptions adopted by the department of game have been omitted from publication in the Washington Administrative Code under the authority of RCW 34.04.050(3) as being unduly cumbersome to publish. Copies of the rules may be obtained from the main office of the Department of Game, 600 North Capitol Way, Olympia, Washington 98504, and are available in pamphlet form from the department, its six regional offices, and at numerous drug and sporting goods stores throughout the state.

WAC 232-28-404 1981-82 Upland game bird and migratory waterfowl seasons. [Statutory Authority: RCW 77.12.040. 81-19-108 (Order 173), § 232-28-404, filed 9/22/81.]

Reviser's note: The text and accompanying pamphlet comprising the 1981-82 Upland game bird and migratory waterfowl seasons adopted by the department of game have been omitted from publication in the Washington Administrative Code under the authority of RCW 34.04.050(3) as being unduly cumbersome to publish. Copies of the rules may be obtained from the main office of the Department of Game, 600 North Capitol Way, Olympia, Washington 98504, and are available in pamphlet form from the Department, its six regional offices, and at numerous drug and sporting goods stores throughout the state.

WAC 232-28-406 1983-84 Upland game bird and migratory waterfowl seasons. [Statutory Authority:

RCW 77.12.040. 83-18-040 (Resolution No. 214), § 232-28-406, filed 9/1/83.]

Reviser's note: The text and accompanying pamphlet comprising the 1983-84 Upland game bird and migratory waterfowl seasons adopted by the department of game have been omitted from publication in the

Washington Administrative Code under the authority of RCW 34.04.050(3) as being unduly cumbersome to publish. Copies of the rules may be obtained from the main office of the Department of Game, 600 North Capitol Way, Olympia, Washington 98504, and are available in pamphlet form from the department, its six regional offices, and at numerous drug and sporting goods stores throughout the state.

WAC 232-28-407 1983 Fall turkey season.

WAC 232-28-407

Either sex - Sept. 24 - Sept. 30

Klickitat and Skamania counties

Daily	Possession
1	1

Bag and possession limit one turkey per calendar year (Jan. 1 - Dec. 31).

NOTE: Hunters are requested not to shoot roosting turkeys. Such a practice may disrupt the future use of traditional roosting areas.

Special regulations: Open for shotgun and bow and arrow only; turkey stamp required; return game harvest report card after making kill.

*Cooperative road management program—Klickitat County.

In order to improve the quality of fall turkey hunting opportunities in 1983, Washington department of game (WDG) will be using cooperative road management programs in Klickitat County. Limited road closures will be in place in the following three areas:

- Klickitat Habitat Management Area (Washington department of game land)
- Wahkiacus Heights/Beaks Canyon (department of natural resources land)
- High Prairie (department of natural resources section)

OFFICIAL HUNTING HOURS

	Eastern Washington		Western Washington	
	From A.M.	To P.M.	From A.M.	To P.M.
Sat. Sept. 24 - Sun. Sept. 25	6:10	6:55	6:25	7:10
Mon. Sept. 26 - Fri. Sept. 30	6:25	6:40	6:35	6:55

[Statutory Authority: RCW 77.12.040. 83-17-102 (Order 213), § 232-28-407, filed 8/23/83.]

WAC 232-28-506 1983-84 Trapping seasons and regulations. [Statutory Authority: RCW 77.12.040. 83-18-042 (Order 216), § 232-28-506, filed 9/1/83.]

Reviser's note: The text and accompanying pamphlet comprising the 1983-84 Trapping seasons and regulations adopted by the department of game have been omitted from publication in the Washington Administrative Code under the authority of RCW 34.04.050(3) as being unduly cumbersome to publish. Copies of the rules may be obtained from the main office of the Department of Game, 600 North Capitol Way, Olympia, Washington 98504, and are available in pamphlet form from the department, its six regional offices, and at numerous drug and sporting goods stores throughout the state.

WAC 232-28-60101 Opening of South Warden and Warden lakes in Grant County. Notwithstanding the provisions of WAC 232-28-601, South Warden and Warden lakes in Grant County shall be open to fishing for all game fish April 22, 1979 to September 30, 1979. [Statutory Authority: RCW 77.12.040. 79-07-011 (Order 135), § 232-28-60101, filed 6/8/79.]

WAC 232-28-60102 Closing of Medical Lake in Spokane County. Notwithstanding the provisions of

WAC 232-28-601, Medical Lake in Spokane County shall be closed to fishing for all game fish. [Statutory Authority: RCW 77.12.040. 79-07-011 (Order 135), § 232-28-60102, filed 6/8/79.]

WAC 232-28-604 Game fish seasons and catch limits. [Statutory Authority: RCW 77.12.040. 81-24-063 (Order 176), § 232-28-604, filed 12/2/81.]

Reviser's note: The text and accompanying pamphlet comprising the 1982 Game fish seasons and catch limits adopted by the department of game have been omitted from publication in the Washington Administrative Code under the authority of RCW 34.04.050(3) as being unduly cumbersome to publish. Copies of the rules may be obtained from the main office of the Department of Game, 600 North Capitol Way, Olympia, Washington 98504, and are available in pamphlet form from the Department, its six regional offices, and at numerous drug and sporting goods stores throughout the state.

WAC 232-28-60415 Season extension on Burke Lake (Grant County) through December 31, 1982. Notwithstanding the provisions of WAC 232-28-604, Burke Lake (Grant County) shall have an extension of the fishing season through December 31, 1982. [Statutory

Authority: RCW 77.12.040. 82-18-056 (Order 190), § 232-28-60415, filed 8/31/82.]

WAC 232-28-605 1983 Game fish seasons and catch limits. [Statutory Authority: RCW 77.12.040. 83-12-005 (Order 203), § 232-28-605, filed 5/20/83; 83-09-025 (Order 204), § 232-28-605, filed 4/14/83; 83-01-005 (Order 197), § 232-28-605, filed 12/2/82.]

Reviser's note: The text and accompanying pamphlet comprising the amendments to the 1983 Game fish seasons and catch limits adopted by the department of game have been omitted from publication in the Washington Administrative Code under the authority of RCW 34.04.050(3) as being unduly cumbersome to publish. Copies of the amendments may be obtained from the main office of the Department of Game, 600 North Capitol Way, Olympia, Washington 98504, and are available in pamphlet form from the department, its six regional offices, and at numerous drug and sporting goods stores throughout the state.

WAC 232-28-60508 Establish an open fishing season on the Snake and Grande Ronde rivers to angling for steelhead. Notwithstanding the provisions of WAC 232-28-605, it shall be lawful for any sport fisherman to take, fish for, or possess trout (including steelhead over 20 inches in length) in the Snake and Grande Ronde rivers provided that these activities occur under the following provisions.

Snake River – mainstem only, from mouth upstream to mouth of Redbird Creek.

Season opening dates: September 1, 1983 – December 31, 1983.

- Special provisions: 1. From September 1 through November 14, all trout (including steelhead over 20 inches in length) must be released unless the dorsal fin measures 2-1/4 inches or less in height.
2. It is unlawful to possess a trout (including steelhead over 20 inches in length) with a freshly cut or mutilated dorsal fin.
3. Barbless hooks only.
4. All existing catch, size and possession limits for trout are retained.

Snake River – mainstem only, from the mouth of Redbird Creek upstream to the boundary formed by the Washington, Idaho, and Oregon state lines.

Season opening dates: September 1, 1983 – December 31, 1983.

- Special provisions: 1. All trout (including steelhead over 20 inches in length) must be released unless the dorsal fin measures 2-1/4 inches or less in height.
2. It is unlawful to possess a trout (including steelhead over 20 inches in length) with a freshly cut or mutilated dorsal fin.
3. Barbless hooks only.

4. All existing catch, size and possession limits for trout are retained.

Grande Ronde River – mainstem only, from mouth to junction of Washington and Oregon state lines.

Season opening dates: September 1, 1983 – November 30, 1983.

- Special provisions: 1. All trout (including steelhead over 20 inches in length) must be released.
2. Selective fishery regulations apply.

[Statutory Authority: RCW 77.12.040. 83-15-056 (Order 207), § 232-28-60508, filed 7/20/83, effective 9/1/83.]

WAC 232-28-606 1984 Washington game fish seasons and catch limits. [Statutory Authority: RCW 77.12.040. 83-24-042 (Order 219), § 232-28-606, filed 12/1/83, effective 1/1/84.]

Reviser's note: The text and accompanying pamphlet comprising the 1984 Washington game fish seasons and catch limits, WAC 232-28-606 through 232-28-613, adopted by the department of game have been omitted from publication in the Washington Administrative Code under the authority of RCW 34.04.050(3) as being unduly cumbersome to publish. Copies of the rules may be obtained from the main office of the Department of Game, 600 North Capitol Way, Olympia, Washington 98504, and are available in pamphlet form from the department, its six regional offices, and at numerous drug and sporting goods stores throughout the state.

WAC 232-28-607 Marine waters regulations. [Statutory Authority: RCW 77.12.040. 83-24-042 (Order 219), § 232-28-607, filed 12/1/83, effective 1/1/84.]

Reviser's note: See reviser's note following WAC 232-28-606.

WAC 232-28-608 Region I. [Statutory Authority: RCW 77.12.040. 83-24-042 (Order 219), § 232-28-608, filed 12/1/83, effective 1/1/84.]

Reviser's note: See reviser's note following WAC 232-28-606.

WAC 232-28-609 Region II. [Statutory Authority: RCW 77.12.040. 83-24-042 (Order 219), § 232-28-609, filed 12/1/83, effective 1/1/84.]

Reviser's note: See reviser's note following WAC 232-28-606.

WAC 232-28-610 Region III. [Statutory Authority: RCW 77.12.040. 83-24-042 (Order 219), § 232-28-610, filed 12/1/83, effective 1/1/84.]

Reviser's note: See reviser's note following WAC 232-28-606.

WAC 232-28-611 Region IV. [Statutory Authority: RCW 77.12.040. 83-24-042 (Order 219), § 232-28-611, filed 12/1/83, effective 1/1/84.]

Reviser's note: See reviser's note following WAC 232-28-606.

WAC 232-28-612 Region V. [Statutory Authority: RCW 77.12.040. 83-24-042 (Order 219), § 232-28-612, filed 12/1/83, effective 1/1/84.]

Reviser's note: See reviser's note following WAC 232-28-606.

WAC 232-28-613 Region VI. [Statutory Authority: RCW 77.12.040. 83-24-042 (Order 219), § 232-28-613, filed 12/1/83, effective 1/1/84.]

Reviser's note: See reviser's note following WAC 232-28-606.

WAC 232-28-705 1983 Spring bear and turkey seasons. [Statutory Authority: RCW 77.12.040 and 77.12.150. 83-06-061 (Order 200), § 232-28-705, filed 3/2/83.]

Reviser's note: The text and accompanying pamphlet comprising the 1983 Spring bear and turkey seasons adopted by the department of game have been omitted from publication in the Washington Administrative Code under the authority of RCW 34.04.050(3) as being unduly cumbersome to publish. Copies of the rules may be obtained from the main office of the Department of Game, 600 North Capitol Way, Olympia, Washington 98504, and are available in pamphlet form from the department, its six regional offices, and at numerous drug and sporting goods stores throughout the state.

WAC 232-28-805 1983 Mountain goat, sheep and moose hunting seasons. [Statutory Authority: RCW 77.12.040. 83-15-057 (Order 208), § 232-28-805, filed 7/20/83.]

Reviser's note: The text and accompanying pamphlet comprising the 1983 Mountain goat, sheep and moose hunting seasons adopted by the department of game have been omitted from publication in the Washington Administrative Code under the authority of RCW 34.04.050(3) as being unduly cumbersome to publish. Copies of the rules may be obtained from the main office of the Department of Game, 600 North Capitol Way, Olympia, Washington 98504, and are available in pamphlet form from the department, its six regional offices, and at numerous drug and sporting goods stores throughout the state.