

Moses Lake 98337 1
Ahlrs Building, Suite A
310 S. Balsam

Yakima 98901 1,2
1106 B
West Lincoln

Northwest Region

Seattle 98134 1,2
666 S. Dearborn
International Bldg.

Southwest Region

Tacoma 98405 1,2
1201 S. Proctor

Vancouver 98663 1
Suite 5, Angelo Plaza
1801 D Street

NOTES

1 - Information, inspection, investigation, training, and intergovernmental liaison.

2 - Audit.

All records of the commission are maintained in the administrative office in Olympia.

[Statutory Authority: RCW 9.46.070 (7), (13) and (18). 85-07-031 (Order 148), § 230-60-015, filed 3/15/85. Statutory Authority: RCW 42.17.250. 81-11-039 (Order 108), § 230-60-015, filed 5/19/81. Statutory Authority: RCW 42.17.250 and 42.17.260. 79-07-019 (Order 90), § 230-60-015, filed 6/14/79; Order 75, § 230-60-015, filed 9/16/77.]

Title 232 WAC GAME, DEPARTMENT OF

Chapters

232-12 Permanent regulations.
232-14 State Hydraulic Code guidelines.
232-16 Game reserves.
232-18 State Environmental Policy Act guidelines.
232-19 Department of game SEPA procedures.
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Chapter 232-12 WAC PERMANENT REGULATIONS

WAC

232-12-017 Deleterious exotic wildlife.
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232-12-086 Director or his designee is empowered to enter agreements to control nuisance or problem wildlife.
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232-12-129 Captive propagation of raptors—Sale, records, reports and inspection.
232-12-134 Report required of licensed trappers.
232-12-157 Steelhead permit card.
232-12-227 Hunter education training program requirements.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

232-12-084 Director empowered to alter seasons. [Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-084, filed 6/1/81. Formerly WAC 232-12-205.] Repealed by 84-12-009 (Order 226), filed 5/25/84. Statutory Authority: RCW 77.04.020.

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 except for purposes of scientific research as authorized by the director. [Statutory Authority: RCW 77.12.040. 85-09-014 (Order 247), § 232-12-017, filed 4/9/85; 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 232-12-025 Hunts authorized pursuant to RCW 77.12.240. Anyone participating in a director-authorized hunt must conduct themselves in accordance with the following rules:

- (1) Black bear
 - (a) No dogs are permitted out of the vehicle, including on a strikeboard, outside of the designated hunting area. If the bear is started inside a permit area, it may be pursued and killed outside the permit boundaries.
 - (b) When a bear is taken, the permittee shall skin the entire bear, including head, leaving claws attached, and deliver the hide, together with the first tooth behind the canine tooth on the lower jaw to the regional office. All bear hides taken pursuant to a black bear damage permit shall be disposed of as prescribed in RCW 77.12.240.
 - (c) Within 5 days after expiration of a black bear permit, the permittee shall return to the respective region a bear hunting report and the windshield identification cards. Failure to comply with this provision shall constitute ineligibility for the next year's black bear damage permit drawings.
 - (d) The permittee shall abide by all conditions as set forth on the black bear damage permit. Failure to comply with these hunting conditions shall constitute a violation of RCW 77.16.020(1) (Hunting bear during closed season).
 - (2) Deer and elk.

(a) Only persons with a damage permit are allowed to hunt and take one deer or one elk as designated on their damage control permit.

(b) If a hunter takes an animal of the same species during an earlier hunt, that person will be ineligible for a damage hunt permit.

(c) Deer and elk damage control hunts will be antlerless only unless specified either sex on the damage permit.

(d) The April 1 to June 30 time period will be excluded from damage control hunts.

(e) Permittees may hunt only within the prescribed area and season dates as specified on their permit. If a deer or elk is wounded inside the damage hunt area, it may be pursued and taken outside permit boundaries.

(f) Within five days after expiration of a deer or elk permit, the permittee shall return to the respective region a deer/elk hunting report. If an animal is taken, the permittee shall skin the entire animal and deliver the hide together with an incisor tooth to a regional game department office. All deer or elk hides taken pursuant to a damage permit shall be disposed of as prescribed in RCW 77.12.240. Failure to comply with this provision shall constitute ineligibility for the next year's damage permit drawings. [Statutory Authority: RCW 77.12.240. 85-04-042 (Order 241), § 232-12-025, filed 2/1/85; 84-04-015 (Order 222), § 232-12-025, filed 1/24/84.]

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), or (c) 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 *Syrnaticus reevesi*; wild turkeys of the species *Meleagris gallopavo*; Hungarian partridge of the genus *Perdix*; chukar partridge of the genus *Alectoris*; quail, of the genus *Lophorhyx*, *Colinus*, and *Oreortyx*; waterfowl of the family *Anatidae*, and tinamou of the genus *Nothoprocta*

(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 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 77.12.030, 77.12.040, 77.16.020 and 77.32.211. 85-20-127 (Order 258), § 232-12-027, filed 10/2/85. 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 232-12-051 Muzzle-loading firearms. (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 or musket 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. Ignition is to be wheellock, 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 handgun designed for black powder use only.

(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 any one time while hunting in a special primitive muzzle-loading season.

(5) It is unlawful to use a black powder substitute in a muzzle-loading firearm during any special primitive muzzle-loading season. [Statutory Authority: RCW 77.12.040. 84-18-013 (Order 234), § 232-12-051, filed 8/28/84; 81-12-029 (Order 165), § 232-12-051, filed 6/1/81. Formerly WAC 232-12-135.]

WAC 232-12-064 Live wildlife. Taking from the wild, importation, possession, holding in captivity.

(1) It is unlawful to take live wild animals, wild birds, or game fish from the wild without a permit provided for by rule of the commission.

(2) It is unlawful to import into the state or to hold live wildlife which were taken, held, possessed or transported contrary to federal or state law, local ordinance or commission rule. Live wild animals, wild birds or game fish shall not be brought into the state without first presenting veterinarian or fish pathologist certification to the department that the wildlife is disease free and that the area from which acquired has no history of wildlife disease which may pose a risk to wildlife in this state. Proof of lawful importation must be produced for inspection on request of a department employee.

(3) It is unlawful to possess or hold in captivity live wild animals, wild birds, or game fish unless lawfully acquired. Proof of lawful acquisition must be produced for inspection on request of a department employee. Such proof shall contain: (1) Species; (2) age and sex of animal; (3) origin of animal; (4) name of receiving party; (5) source—name and address; (6) invoice/state-ment date; and (7) documentation of prior transfers.

(4) Wildlife held in captivity which becomes diseased must immediately be placed under the professional care of a licensed veterinarian or certified fish pathologist, and such incident reported immediately to the department by the owner. If diseased wildlife present a threat to the wildlife of the state, the director may order such actions as necessary, including quarantine or destruction of stock, sterilization of enclosures and facilities, cessation of activities and disposal of the wildlife in a manner satisfactory to the department.

(5) Live wild animals, wild birds or game fish held in captivity or their progeny or parts thereof may not be sold or otherwise commercialized on except as provided by rule of the commission.

(6) No wildlife shall be released from captivity except as provided in WAC 232-12-271, except that it is lawful to return to the waters from which caught, game fish caught and subsequently kept alive on stringers, in live wells or other containers while fishing. The release of fish into any waters of the state, including private, natural or man-made ponds requires a fish planting permit.

(7) All live wildlife possessed or held in captivity, and the area where held, must be open to inspection by department personnel at reasonable times. [Statutory Authority: RCW 77.16.040. 85-09-008 (Order 243), § 232-12-064, filed 4/5/85; 84-09-052 (Order 224), § 232-12-064, filed 4/16/84. 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 232-12-066 Revocation, modification, or suspension of a permit to hold wild animals, wild birds, or game fish in captivity. 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 not be limited to, failure to provide adequate holding facilities and equipment or the failure to provide adequate care, feed or maintenance of wildlife subject to the permit or for inhumane treatment of wildlife. [Statutory Authority: RCW 77.12.010. 84-09-053 (Order 225), § 232-12-066, filed 4/16/84.]

WAC 232-12-084 Repealed. See Disposition Table at beginning of this chapter.

WAC 232-12-085 Director empowered to alter seasons. When the director determines from biological data or climatic conditions that the population of game fish, game animals or game birds is in jeopardy or distressed or may become in jeopardy or distressed within the established season, the director may close or shorten that season by emergency rule. After a season has been closed or shortened, the director may reopen it, limited to the time period originally established by the game commission, and establish daily, weekly, or seasonal bag limits for that season. [Statutory Authority: RCW 77.04.020. 84-12-009 (Order 226), § 232-12-085, filed 5/25/84.]

WAC 232-12-086 Director or his designee is empowered to enter agreements to control nuisance or problem wildlife. When the director or his designee determines that nuisance or problem wildlife can be controlled by persons, political subdivisions of this state, or the United States, the director or his designee may enter into agreements for control of said nuisance or problem wildlife.

Agreements entered into shall be subject to the following criteria:

(1) The control activity shall not adversely affect the department's obligation to preserve, protect and perpetuate the states wildlife.

(2) The agreement shall include but is not limited to:

(a) The procedure for reporting control activity to the department.

(b) Species of animals approved for control.

(c) Location of control activity covered by the agreement.

(d) Methods of control activity allowed (by species).

(e) Disposition of animals controlled or captured.

(3) The person or agency doing the control work shall have the equipment, knowledge and ability to control those species listed in the agreement.

(4) Agreements may be revoked, modified or suspended by the director or issuing authority as provided in WAC 232-12-197.

(5) Term of the agreement shall not exceed three years. The agreement may be extended three years at a time with written approval of both parties. [Statutory Authority: RCW 77.04.020. 84-21-086 (Order 255), § 232-12-086, filed 10/19/84.]

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 license and comply with the following provisions:

(a) A department fish buyer's license is valid for a year (January 1 to December 31).

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

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

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

(e) Fish buyer's licenses 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. 85-09-014 (Order 247), § 232-12-091, filed 4/9/85; 81-12-029 (Order 165), § 232-12-091, filed 6/1/81. Formerly WAC 232-12-212.]

WAC 232-12-129 Captive propagation of raptors-- Sale, records, reports and inspection. (1) Anyone holding a valid raptor propagation permit may offer for sale, sell, or trade any captive bred raptor, wearing a seamless U.S. Fish and Wildlife Service band, to anyone holding a permit authorizing possession of said raptor.

(2) Anyone holding a valid raptor propagation permit, falconry permit, or other permit authorizing possession may purchase said captive bred raptor.

(3) Sale of a captive bred raptor is unlawful if it is not accompanied by an invoice. The raptor propagator must retain a copy of the invoice for two years and must send to the department a copy or a listing of the transfers in an annual report.

(4) Anyone holding a valid raptor propagation permit must keep record of the date each clutch is initiated, the onset of incubation and the date of hatching of each chick. The initiation of each clutch of eggs must be reported to the department within 72 hours. These records must be up to date and the breeding facilities and records open for inspection by a wildlife agent at reasonable times.

(5) Anyone holding a valid raptor propagation permit must submit to the department before January 31 of each year a report summarizing the year's activities. [Statutory Authority: RCW 77.12.030, 77.12.090, 77.12.105 and 77.32.070. 85-09-006 (Order 245), § 232-12-129, filed 4/5/85.]

WAC 232-12-134 Report required of licensed trappers. It is unlawful for any licensed trapper to fail to complete and submit to the department, a trappers report on the form supplied by the department, on or before April 10 of each year. [Statutory Authority: RCW 77.12.040. 84-16-015 (Order 232), § 232-12-134, filed 7/23/84; 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 232-12-157 Steelhead permit card. (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 permit card.

(2) Upon retaining a steelhead trout over twenty inches in length, the holder of a steelhead permit card must immediately enter on the permit card in ink the date of the catch and the river code number as listed on the card.

(3) Every person possessing a steelhead permit card must, by June 1, following the period for which it was issued, return that permit card to an authorized license dealer or the department. [Statutory Authority: RCW 77.12.040. 85-12-005 (Order 252), § 232-12-157, filed 5/23/85; 84-03-021 (Order 220), § 232-12-157, filed 1/11/84. 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.]

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 obtain a hunting license in the state of Washington without having completed a department-approved course involving at least ten 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 issue a hunting license for 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 77.32.155. 85-16-004 (Order 260), § 232-12-227, filed 7/25/85. Statutory Authority: RCW 77.12.040. 81-12-029 (Order 165), § 232-12-227, filed 6/1/81. Formerly WAC 232-12-500.]

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.

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, as last amended by the department of fisheries Order 84-176, are here adopted by reference and also made a part of Title 232 WAC. [Statutory Authority: RCW 75.20.100 and 77.12.010. 84-22-040 (Order 256), § 232-14-010, filed 11/6/84; 84-05-003 (Order 221), § 232-14-010, filed 2/2/84; 83-09-026 (Order 205), § 232-14-010, filed 4/14/83. Formerly WAC 232-12-294.]

Chapter 232-16 WAC GAME RESERVES

WAC
232-16-120 Repealed.
232-16-280 Repealed.
232-16-670 Lower Crab Creek Game Reserve.
232-16-700 Swinomish Spit Game Reserve.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

232-16-120 Deer Park State Game Reserve. [Order, filed 7/29/64; Resolution 1 (part), filed 3/21/60.] Repealed by 85-09-005 (Order 246), filed 4/5/85. Statutory Authority: RCW 77.12.040.
232-16-280 Nason Creek Bow and Arrow Hunting Area. [Order 280 (part), filed 8/1/68; Order, filed 7/29/64; Resolution No. 1 (part), filed 3/21/60.] Repealed by 84-21-048 (Order 251), filed 10/12/84. Statutory Authority: RCW 77.12.040.

WAC 232-16-120 Repealed. See Disposition Table at beginning of this chapter.

WAC 232-16-280 Repealed. See Disposition Table at beginning of this chapter.

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; SW 1/4 of Section 29; that part of the SE 1/4 of Section 30 east of Bonneville Power Administration transmission line; the NE 1/4 of Section 31; the North 1/2 of the Northwest 1/4 of Section 32. [Statutory Authority: RCW 77.12.040. 85-09-007 (Order 244), § 232-16-670, filed 4/5/85; 83-18-043 (Order 217), § 232-16-670, filed 9/1/83.]

WAC 232-16-700 Swinomish Spit Game Reserve. It shall be unlawful to hunt wild animals and wild birds within the following described boundary: Beginning at the Burlington Northern railroad tracks on the west shoreline of the Swinomish Channel; thence in a northwesterly direction along the west side of the Swinomish Channel to the red channel mark buoy N "20" (as indicated on Navigation Map #18427, 13th Ed., July 16, 1983); thence 6,000 feet ENE (East-northeast); thence 3,300 feet SSE (south-southeast); thence 4,200 feet SW (southwest) to the dike at the south end of Padilla Bay; thence continue westerly along said dike to the intersection of the Burlington Northern railroad tracks and the east shoreline of the Swinomish Channel; thence continue along said railroad tracks (across swing bridge) to the west shoreline of the Swinomish Channel and the point of beginning. [Statutory Authority: RCW 77.12.040. 84-21-046 (Order 249), § 232-16-700, filed 10/12/84.]

Chapter 232-18 WAC STATE ENVIRONMENTAL POLICY ACT GUIDELINES

WAC
232-18-010 through 232-18-910 Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

232-18-010 Authority. [Order 79, § 232-18-010, filed 4/9/76.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904. Later promulgation, see chapter 232-19 WAC.
232-18-020 Purpose. [Order 79, § 232-18-020, filed 4/9/76.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
232-18-025 Scope and coverage of this chapter. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
232-18-040 Definitions. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.

- 232-18-050 Use of the environmental checklist form. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-060 Scope of a proposal and its impacts for the purposes of lead agency determination, threshold determination, and EIS preparation. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-100 Summary of information which may be required of a private applicant. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-150 Exemptions exclusive—CEP approval of changes in exemptions. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-160 No presumption of significance for nonexempt actions. [Order 79, § 232-18-160, filed 4/9/76.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-180 Exemption for emergency actions. [Order 79, § 232-18-180, filed 4/9/76.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-190 Use and effect of categorical exemptions. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-200 Lead agency—Responsibilities. [Order 79, § 232-18-200, filed 4/9/76.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-203 Determination of lead agency—Procedures. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-205 Lead agency designation—Department proposals. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-215 Lead agency designation—Private projects for which the department is the only agency with jurisdiction. [Order 79, § 232-18-215, filed 4/9/76.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-240 Agreements as to lead agency status. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-245 Agreements between the department and other agency(s) on lead agency duties. [Order 79, § 232-18-245, filed 4/9/76.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-270 Assumption of lead agency status by department. [Order 79, § 232-18-270, filed 4/9/76.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-300 Threshold determination requirement. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-305 Timing for threshold determination. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-310 Threshold determination procedures—Environmental checklist. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-320 Threshold determination procedures—Initial review of environmental checklist. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-330 Threshold determination procedures—Information in addition to checklist. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-340 Threshold determination procedures—Negative declarations. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-345 Assumption of lead agency status by department—Prerequisites, effect and form of notice. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-350 Affirmative threshold determination. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-355 Form of declaration of significance/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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-360 Threshold determination criteria—Application of environmental checklist. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-365 Environmental checklist. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-370 Withdrawal of affirmative threshold determination. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-375 Withdrawal of negative threshold determination. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-400 Duty to begin preparation of a draft EIS. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-405 Purpose and function of a draft EIS. [Order 79, § 232-18-405, filed 4/9/76.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-410 Predraft consultation procedures. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-420 Preparation of EIS by persons outside the department. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-425 Organization and style of a draft EIS. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-440 Contents of a draft EIS. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-442 Special considerations regarding contents of an EIS on a nonproject action. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-444 List of elements of the environment. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-450 Public awareness of availability of draft EIS. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-455 Circulation of the draft EIS—Review period. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-460 Specific agencies to which draft EIS shall be sent. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-470 Cost to the public for reproduction of environmental documents. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-480 Public hearing on a proposal—When required. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-485 Notice of public hearing on environmental impact of the proposal. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-490 Public hearing on the proposal—Use of environmental documents. [Order 79, § 232-18-490, filed 4/9/76.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-495 Preparation of amended or new draft EIS. [Order 79, § 232-18-495, filed 4/9/76.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-500 Department responsibilities when consulted as an agency with jurisdiction. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-510 Department responsibilities when consulted as an agency with expertise but no jurisdiction. [Order 79, § 232-18-510, filed 4/9/76.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-535 Cost of performance of consulted agency responsibilities. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-540 Limitations on responses to consultation. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-545 Effect of no written comment. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-550 Preparation of the final EIS—Time period allowed. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-570 Preparation of the final EIS—Contents—When no critical comments received on the draft EIS. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-580 Preparation of the final EIS—Contents—When critical comments received on the draft EIS. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-600 Circulation of the final 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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-650 Effect of an adequate final EIS prepared pursuant to NEPA. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-652 Supplementation by the department of an inadequate final NEPA EIS. [Order 79, § 232-18-652, filed 4/9/76.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-660 Use of previously prepared EIS for a different proposed action. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-690 Use of another agency's EIS by the department. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-695 Draft and final supplements to a revised EIS. [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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-700 No action for seven days after publication 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.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-710 EIS combined with existing planning and review processes. [Order 79, § 232-18-710, filed 4/9/76.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-840 Application of department guidelines to ongoing actions. [Order 79, § 232-18-840, filed 4/9/76.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-870 Filing of agency action—Publication—Form—Time limitation for commencing challenge to action. [Order 79, § 232-18-870, filed 4/9/76.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.
- 232-18-910 Severability. [Order 79, § 232-18-910, filed 4/9/76.] Repealed by 84-20-012 (Order 238), filed 9/24/84. Statutory Authority: RCW 43.21C.120 and WAC 197-11-904.

WAC 232-18-010 through 232-18-910 Repealed.
See Disposition Table at beginning of this chapter.

Chapter 232-19 WAC

DEPARTMENT OF GAME SEPA PROCEDURES

WAC

232-19-010 Authority.

- 232-19-015 Policy.
- 232-19-020 Adoption by reference.
- 232-19-030 Purpose.
- 232-19-040 Additional definitions.
- 232-19-050 Designation of responsible official.
- 232-19-055 SEPA public information center.
- 232-19-060 EIS preparation.
- 232-19-070 Environmentally sensitive areas.
- 232-19-080 Threshold levels adopted by local governments.
- 232-19-090 Coordination of combined state-federal action.
- 232-19-100 Public notice requirements.
- 232-19-110 Notice/statute of limitations.
- 232-19-120 Policies and procedures for conditioning or denying permits or other approvals.
- 232-19-130 Informal appeal.
- 232-19-140 Formal administrative appeal.
- 232-19-180 Severability.

WAC 232-19-010 Authority. These rules are promulgated under RCW 43.21C.120 (the State Environmental Policy Act) and chapter 197-11 WAC (SEPA rules). [Statutory Authority: RCW 43.21C.120 and WAC 197-11-904. 84-20-012 (Order 238), § 232-19-010, filed 9/24/84. Formerly chapter 232-18 WAC.]

WAC 232-19-015 Policy. (1) The policies and goals set forth in SEPA are supplementary to existing agency authority.

(2) The department of game shall to the fullest extent possible:

(a) Interpret and administer the policies, regulations, and laws of the state of Washington in accordance with the policies set forth in SEPA and these rules.

(b) Find ways to make the SEPA process more useful to decisionmakers and the public; promote certainty regarding the requirements of the act; reduce paperwork and the accumulation of extraneous background data; and emphasize important environmental impacts and alternatives.

(c) Prepare environmental documents that are concise, clear, and to the point, and are supported by evidence that the necessary environmental analyses have been made.

(d) Initiate the SEPA process early in conjunction with other agency operations to avoid delay and duplication.

(e) Integrate the requirements of SEPA with existing agency planning and licensing procedures and practices, so that such procedures run concurrently rather than consecutively.

(f) Encourage public involvement in decisions that significantly affect environmental quality.

(g) Identify, evaluate, and require or implement, where required by the act and these rules, reasonable alternatives that would mitigate adverse effects of proposed actions on the environment. [Statutory Authority: RCW 43.21C.120 and WAC 197-11-904. 84-20-012 (Order 238), § 232-19-015, filed 9/24/84.]

WAC 232-19-020 Adoption by reference. The department of game adopts the following sections of chapter 197-11 WAC by reference.

WAC

197-11-020 Purpose.

- 197-11-040 Definitions.
- 197-11-050 Lead agency.
- 197-11-055 Timing of the SEPA process.
- 197-11-060 Content of environmental review.
- 197-11-070 Limitations on actions during SEPA process.
- 197-11-080 Incomplete or unavailable information.
- 197-11-090 Supporting documents.
- 197-11-100 Information required of applicants.
- 197-11-300 Purpose of this part.
- 197-11-305 Categorical exemptions.
- 197-11-310 Threshold determination required.
- 197-11-315 Environmental checklist.
- 197-11-330 Threshold determination process.
- 197-11-335 Additional information.
- 197-11-340 Determination of nonsignificance (DNS).
- 197-11-350 Mitigated DNS.
- 197-11-360 Determination of significance (DS)/initiation of scoping.
- 197-11-390 Effect of threshold determination.
- 197-11-400 Purpose of EIS.
- 197-11-402 General requirements.
- 197-11-405 EIS types.
- 197-11-406 EIS timing.
- 197-11-408 Scoping.
- 197-11-410 Expanded scoping. (Optional)
- 197-11-425 Style and size.
- 197-11-430 Format.
- 197-11-435 Cover letter or memo.
- 197-11-440 EIS contents.
- 197-11-442 Contents of EIS on nonproject proposals.
- 197-11-443 EIS contents when prior nonproject EIS.
- 197-11-444 Elements of the environment.
- 197-11-448 Relationship of EIS to other considerations.
- 197-11-450 Cost-benefit analysis.
- 197-11-455 Issuance of DEIS.
- 197-11-460 Issuance of FEIS.
- 197-11-500 Purpose of this part.
- 197-11-502 Inviting comment.
- 197-11-504 Availability and cost of environmental documents.
- 197-11-508 SEPA register.
- 197-11-535 Public hearings and meetings.
- 197-11-545 Effect of no comment.
- 197-11-550 Specificity of comments.
- 197-11-560 FEIS response to comments.
- 197-11-570 Consulted agency costs to assist lead agency.
- 197-11-600 When to use existing environmental documents.
- 197-11-610 Use of NEPA documents.
- 197-11-620 Supplemental environmental impact statement—Procedures.
- 197-11-625 Addenda—Procedures.
- 197-11-630 Adoption—Procedures.
- 197-11-635 Incorporation by reference—Procedures.
- 197-11-640 Combining documents.
- 197-11-650 Purpose of this part.
- 197-11-655 Implementation.
- 197-11-660 Substantive authority and mitigation.
- 197-11-680 Appeals.
- 197-11-700 Definitions.
- 197-11-702 Act.
- 197-11-704 Action.
- 197-11-706 Addendum.
- 197-11-708 Adoption.
- 197-11-710 Affected tribe.
- 197-11-712 Affecting.
- 197-11-714 Agency.
- 197-11-716 Applicant.
- 197-11-718 Built environment.
- 197-11-720 Categorical exemption.
- 197-11-722 Consolidated appeal.
- 197-11-724 Consulted agency.
- 197-11-726 Cost-benefit analysis.
- 197-11-728 County/city.
- 197-11-730 Decision maker.
- 197-11-734 Determination of nonsignificance (DNS).
- 197-11-736 Determination of significance (DS).
- 197-11-738 EIS.
- 197-11-740 Environment.
- 197-11-742 Environmental checklist.
- 197-11-744 Environmental document.
- 197-11-746 Environmental review.
- 197-11-748 Environmentally sensitive area.
- 197-11-750 Expanded scoping.
- 197-11-752 Impacts.
- 197-11-754 Incorporation by reference.
- 197-11-756 Lands covered by water.
- 197-11-758 Lead agency.
- 197-11-760 License.
- 197-11-762 Local agency.
- 197-11-764 Major action.
- 197-11-766 Mitigated DNS.
- 197-11-768 Mitigation.
- 197-11-770 Natural environment.
- 197-11-772 NEPA.
- 197-11-774 Nonproject.
- 197-11-776 Phased review.
- 197-11-778 Preparation.
- 197-11-780 Private project.
- 197-11-782 Probable.
- 197-11-784 Proposal.
- 197-11-786 Reasonable alternative.
- 197-11-788 Responsible official.
- 197-11-790 SEPA.
- 197-11-792 Scope.
- 197-11-793 Scoping.
- 197-11-794 Significant.
- 197-11-796 State agency.
- 197-11-797 Threshold determination.
- 197-11-799 Underlying governmental action.
- 197-11-800 Categorical exemptions.
- 197-11-810 Exemptions and nonexemptions applicable to specific state agencies.
- 197-11-840 Department of game.
- 197-11-880 Emergencies.
- 197-11-890 Petitioning DOE to change exemptions.
- 197-11-900 Purpose of this part.
- 197-11-908 Environmentally sensitive areas.
- 197-11-912 Procedures on consulted agencies.

- 197-11-916 Application to ongoing actions.
- 197-11-917 Relationship to chapter 197-10 WAC.
- 197-11-920 Agencies with environmental expertise.
- 197-11-922 Lead agency rules.
- 197-11-924 Determining the lead agency.
- 197-11-926 Lead agency for governmental proposals.
- 197-11-928 Lead agency for public and private proposals.
- 197-11-930 Lead agency for private projects with one agency with jurisdiction.
- 197-11-932 Lead agency for private projects requiring licenses from more than one agency, when one of the agencies is a county/city.
- 197-11-934 Lead agency for private projects requiring licenses from a local agency, not a county/city, and one or more state agencies.
- 197-11-936 Lead agency for private projects requiring licenses from more than one state agency.
- 197-11-938 Lead agencies for specific proposals.
- 197-11-940 Transfer of lead agency status to a state agency.
- 197-11-942 Agreements on lead agency status.
- 197-11-944 Agreements on division of lead agency duties.
- 197-11-946 DOE resolution of lead agency disputes.
- 197-11-948 Assumption of lead agency status.
- 197-11-960 Environmental checklist.
- 197-11-965 Adoption notice.
- 197-11-970 Determination of nonsignificance (DNS).
- 197-11-980 Determination of significance and scoping notice (DS).
- 197-11-985 Notice of assumption of lead agency status.
- 197-11-990 Notice of action.

[Statutory Authority: RCW 43.21C.120 and WAC 197-11-904. 84-20-012 (Order 238), § 232-19-020, filed 9/24/84.]

WAC 232-19-030 Purpose. This chapter implements the state-wide rules in chapter 197-11 WAC as they apply to the department of game. [Statutory Authority: RCW 43.21C.120 and WAC 197-11-904. 84-20-012 (Order 238), § 232-19-030, filed 9/24/84.]

WAC 232-19-040 Additional definitions. The following terms shall have the listed meanings:

(1) "Department" means department of game unless otherwise indicated.

(2) "Commission" means the game commission unless otherwise indicated. [Statutory Authority: RCW 43.21C.120 and WAC 197-11-904. 84-20-012 (Order 238), § 232-19-040, filed 9/24/84.]

WAC 232-19-050 Designation of responsible official. Within the department of game the ultimate responsible official is the director. The responsible official for a specific proposal shall be the supervisor of the environmental affairs program or his/her designee. [Statutory Authority: RCW 43.21C.120 and WAC 197-11-

904. 84-20-012 (Order 238), § 232-19-050, filed 9/24/84.]

WAC 232-19-055 SEPA public information center. The department designates the Olympia office of habitat management division as its SEPA public information center. The mailing address is: Department of Game, Habitat Management Division, 600 North Capitol Way, Olympia, Washington 98504. [Statutory Authority: RCW 43.21C.120 and WAC 197-11-904. 84-20-012 (Order 238), § 232-19-055, filed 9/24/84.]

WAC 232-19-060 EIS preparation. (1) Preparation of draft and final EISs and SEISs is the responsibility of the department's environmental affairs program. The responsible official shall be satisfied that all EISs and SEISs issued by the department are in compliance with these rules and chapter 197-11 WAC.

(2) Any draft or final EIS or SEIS shall be prepared by the department, the applicant, or by a consultant mutually agreed upon by the department and applicant.

(3) Whenever someone other than the department prepares a draft or final EIS or SEIS, the responsible official shall:

(a) Coordinate scoping to insure that the individual preparing the document receives all substantive information submitted by any agency or person.

(b) Direct the areas of research and study to be undertaken and the content and organization of the document.

(c) Assist in obtaining information on file with another agency that is needed by the person preparing the document.

(d) Allow the person preparing the document access to department records relating to the document (under chapter 42.17 RCW, public disclosure and public records law).

(4) The responsible official may not require more information of a private applicant than allowed by these rules.

(5) 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 197-11-914). A performance bond in an amount specified by the department may be required of the applicant to insure payment of department expenses in preparing in whole, or part, a draft or final EIS or SEIS. [Statutory Authority: RCW 43.21C.120 and WAC 197-11-904. 84-20-012 (Order 238), § 232-19-060, filed 9/24/84.]

WAC 232-19-070 Environmentally sensitive areas. During threshold determination and in determining whether a proposal is exempt from SEPA, the department shall give all due consideration to "environmentally sensitive area" designations made by local governments under WAC 197-11-908. [Statutory Authority: RCW 43.21C.120 and WAC 197-11-904. 84-20-012 (Order 238), § 232-19-070, filed 9/24/84.]

WAC 232-19-080 Threshold levels adopted by local governments. During threshold determination and in determining whether a proposal is exempt from SEPA, the department shall respect threshold levels adopted by local governments under WAC 197-11-800. [Statutory Authority: RCW 43.21C.120 and WAC 197-11-904. 84-20-012 (Order 238), § 232-19-080, filed 9/24/84.]

WAC 232-19-090 Coordination of combined state-federal action. When the department considers actions which also involve federal actions, it shall coordinate the two governmental processes so that only one EIS, or other environmental document, need be prepared for that proposal. [Statutory Authority: RCW 43.21C.120 and WAC 197-11-904. 84-20-012 (Order 238), § 232-19-090, filed 9/24/84.]

WAC 232-19-100 Public notice requirements. (1) When these rules require notice of environmental document preparation or availability, as a lead agency the department shall give public notice by using at least one of the following methods:

- (a) Posting the property, for site-specific proposals;
- (b) Publishing notice in a newspaper of general circulation in the county, city, or general area where the proposal is located;
- (c) Notifying public or private groups which have expressed interest in a certain proposal or in the type of proposal being considered;
- (d) Notifying the news media; and/or
- (e) Publishing notice in the department's newsletters.

(2) Whenever possible, the department shall integrate these public notice requirements with existing notice procedures for any department or commission permits or approvals required for the proposal.

(3) The department may require an applicant to complete the public notice requirements for the applicant's proposal at his or her expense. [Statutory Authority: RCW 43.21C.120 and WAC 197-11-904. 84-20-012 (Order 238), § 232-19-100, filed 9/24/84.]

WAC 232-19-110 Notice/statute of limitations. (1) The department, applicant for, or proponent of an action may publish a notice of action pursuant to RCW 43.21C.080.

(2) The form of the notice shall be substantially in the form provided in WAC 197-11-990. The notice shall be published by the department, applicant, or proponent pursuant to RCW 43.21C.080. [Statutory Authority: RCW 43.21C.120 and WAC 197-11-904. 84-20-012 (Order 238), § 232-19-110, filed 9/24/84.]

WAC 232-19-120 Policies and procedures for conditioning or denying permits or other approvals. (1) The policies and goals in this section are supplementary to existing authorities of the department.

(2) It is the policy of the department to avoid or mitigate adverse environmental impacts which may result from the department's decisions.

(3) The department shall use all practical means, consistent with other essential considerations of state

policy, to improve and coordinate plans, functions, programs, and resources to the end that the state and its citizens may:

(a) Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;

(b) Assure for all people of Washington safe, healthful, productive, and aesthetically and culturally pleasing surroundings;

(c) Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;

(d) Preserve important historic, cultural, and natural aspects of our national heritage;

(e) Maintain, wherever possible, an environment which supports diversity and variety of individual choice;

(f) Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and

(g) Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

(4) The department recognizes that each person has a fundamental and inalienable right to a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

(5) The department shall ensure that presently unquantified environmental amenities and values will be given appropriate consideration in decision-making along with economic and technical considerations.

(6)(a) When the environmental document for a proposal shows it will cause specific adverse impacts, the responsible official shall consider whether:

(i) The environmental document identified mitigation measures that are reasonable and capable of being accomplished;

(ii) Other local, state, or federal requirements and enforcement would mitigate the significant adverse environmental impacts; and

(iii) Reasonable mitigation measures are sufficient to mitigate the significant adverse impacts.

(b) The responsible official may:

(i) Condition the approval for a proposal if mitigation measures are reasonable and capable of being accomplished and the proposal is inconsistent with the policies in this section; or

(ii) Deny the permit or approval for a proposal if reasonable mitigation measures are insufficient to mitigate significant adverse environmental impacts and the proposal is inconsistent with the policies in this section.

(c) The procedures in WAC 197-11-660 must also be followed when conditioning or denying permits or other approvals. [Statutory Authority: RCW 43.21C.120 and WAC 197-11-904. 84-20-012 (Order 238), § 232-19-120, filed 9/24/84.]

WAC 232-19-130 Informal appeal. Any person who, upon proper application, is denied a permit or approval or contests a condition placed in a permit or approval granted under these rules, may contact the

responsible official to discuss the denial or conditions. If the result of this contact with the responsible official does not satisfy the applicant, then that person may contact the responsible official's supervisors up through the chain of command to the director of the department. If the applicant is not satisfied by the results of this informal appeal process, then that person may make a formal appeal. The department encourages the applicant to exhaust this informal appeal process prior to initiating a formal appeal. [Statutory Authority: RCW 43.21C-.120 and WAC 197-11-904. 84-20-012 (Order 238), § 232-19-130, filed 9/24/84.]

WAC 232-19-140 Formal administrative appeal. Any person who, upon proper application, is denied a permit or approval or contests a condition placed in a permit or approval granted under these rules, or a final threshold determination or final EIS, is entitled to an opportunity for hearing, pursuant to the Administrative Procedure Act, chapter 34.04 RCW. To obtain a hearing a written request must be filed with the department. The mailing address is: Department of Game, Habitat Management Division, 600 North Capitol Way, Olympia, WA 98504. Requests must be filed within thirty days of the department's decision. An administrative law judge will be used to hear all evidence. The record in the hearing shall include those items set forth in RCW 34.04.090(5). The record, including a transcript of the oral proceedings, shall be submitted to the director for final decision pursuant to RCW 34.04.110. All final decisions are appealable as provided by the Administrative Procedure Act, chapter 34.04 RCW. Administrative law judges will be provided by the office of administrative hearings. For additional information, reference should be made to WAC 197-11-680 (3)(a) through (c). [Statutory Authority: RCW 43.21C.120 and WAC 197-11-904. 84-20-012 (Order 238), § 232-19-140, filed 9/24/84.]

WAC 232-19-180 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. [Statutory Authority: RCW 43.21C.120 and WAC 197-11-904. 84-20-012 (Order 238), § 232-19-180, filed 9/24/84.]

**Chapter 232-28 WAC
SEASONS AND LIMITS**

WAC	
232-28-106	Repealed.
232-28-107	Repealed.
232-28-108	1985 Upland migratory game bird seasons.
232-28-207	Repealed.
232-28-208	Repealed.
232-28-20801	Repealed.
232-28-20802	Repealed.
232-28-209	1985 Fall opening dates.
232-28-210	1985 Hunting seasons and game bag limits and 1985 game management units and area legal descriptions.
232-28-406	Repealed.
232-28-408	Repealed.

232-28-409	1985-86 Upland game bird and migratory waterfowl seasons.
232-28-506	Repealed.
232-28-507	Repealed.
232-28-508	1985-86 Trapping seasons and rules.
232-28-606	Repealed.
232-28-607	Repealed.
232-28-60701	Repealed.
232-28-608	Repealed.
232-28-609	Repealed.
232-28-610	Repealed.
232-28-611	Repealed.
232-28-61101	Repealed.
232-28-612	Repealed.
232-28-613	Repealed.
232-28-61301	Repealed.
232-28-614	Repealed.
232-28-61401	Repealed.
232-28-61402	Repealed.
232-28-615	1986 Washington game fish seasons and catch limits.
232-28-705	Repealed.
232-28-706	Repealed.
232-28-707	1985 Spring bear and turkey seasons.
232-28-805	Repealed.
232-28-806	Repealed.
232-28-807	1985 Mountain goat, sheep and moose hunting seasons.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

232-28-106	1983 Upland migratory game bird seasons. [Statutory Authority: RCW 77.12.040. 83-17-021 (Order 212), § 232-28-106, filed 8/9/83.] Repealed by 84-16-016 (Order 233), filed 7/23/84. Statutory Authority: RCW 77.12.040.
232-28-107	1984 Upland migratory game bird seasons. [Statutory Authority: RCW 77.12.040. 84-16-016 (Order 233), § 232-28-107, filed 7/23/84.] Repealed by 85-16-026 (Order 261), filed 7/30/85. Statutory Authority: RCW 77.12.040.
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.] Repealed by 84-14-070 (Order 231), filed 7/2/84. Statutory Authority: RCW 77.12.040.
232-28-208	1984 Hunting seasons and game bag limits and 1984 game management units and area legal descriptions. [Statutory Authority: RCW 77.12.040. 84-14-070 (Order 231), § 232-28-208, filed 7/2/84.] Repealed by 85-14-037 (Order 259), filed 6/27/85. Statutory Authority: RCW 77.12.040.
232-28-20801	Elk Area No. 061: Mt. Tebo (Mason County). [Statutory Authority: RCW 77.12.040. 84-21-050 (Order 253), § 232-28-20801, filed 10/12/84.] Repealed by 85-14-037 (Order 259), filed 6/27/85. Statutory Authority: RCW 77.12.040.
232-28-20802	Game Management Unit 603—Pysht. [Statutory Authority: RCW 77.12.040. 84-21-051 (Order 254), § 232-28-20802, filed 10/12/84.] Repealed by 85-14-037 (Order 259), filed 6/27/85. Statutory Authority: RCW 77.12.040.
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.] Repealed by 84-18-026 (Order 236), filed 8/29/84. Statutory Authority: RCW 77.12.040.
232-28-408	1984-85 Upland game bird and migratory waterfowl seasons. [Statutory Authority: RCW 77.12.040. 84-18-026 (Order 236), § 232-28-408, filed 8/29/84.] Repealed by 85-18-032 (Order 262), filed 8/28/85. Statutory Authority: RCW 77.12.040.
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.] Repealed by 84-18-025

- (Order 235), filed 8/29/84. Statutory Authority: RCW 77.12.040.
- 232-28-507 1984-85 Trapping seasons and rules. [Statutory Authority: RCW 77.12.040. 84-18-025 (Order 235), § 232-28-507, filed 8/29/84.] Repealed by 85-19-081 (Order 263), filed 9/18/85. Statutory Authority: RCW 77.12.040.
- 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.] Repealed by 84-24-031 (Order 239), filed 11/30/84, effective 1/1/85. Statutory Authority: RCW 77.12.040.
- 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.] Repealed by 84-24-031 (Order 239), filed 11/30/84, effective 1/1/85. Statutory Authority: RCW 77.12.040.
- 232-28-60701 Establish an open fishing season for hatchery origin steelhead trout on the mainstem Columbia River and Drano Lake. [Statutory Authority: RCW 77.12.030. 84-12-011 (Order 228), § 232-28-60701, filed 5/25/84.] Repealed by 84-24-031 (Order 239), filed 11/30/84, effective 1/1/85. Statutory Authority: RCW 77.12.040.
- 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.] Repealed by 84-24-031 (Order 239), filed 11/30/84, effective 1/1/85. Statutory Authority: RCW 77.12.040.
- 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.] Repealed by 84-24-031 (Order 239), filed 11/30/84, effective 1/1/85. Statutory Authority: RCW 77.12.040.
- 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.] Repealed by 84-24-031 (Order 239), filed 11/30/84, effective 1/1/85. Statutory Authority: RCW 77.12.040.
- 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.] Repealed by 84-24-031 (Order 239), filed 11/30/84, effective 1/1/85. Statutory Authority: RCW 77.12.040.
- 232-28-61101 Steelhead fishing regulation change on the mainstem of the Stillaguamish River. [Statutory Authority: RCW 77.12.030. 84-12-012 (Order 229), § 232-28-61101, filed 5/25/84.] Repealed by 84-24-031 (Order 239), filed 11/30/84, effective 1/1/85. Statutory Authority: RCW 77.12.040.
- 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.] Repealed by 84-24-031 (Order 239), filed 11/30/84, effective 1/1/85. Statutory Authority: RCW 77.12.040.
- 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.] Repealed by 84-24-031 (Order 239), filed 11/30/84, effective 1/1/85. Statutory Authority: RCW 77.12.040.
- 232-28-61301 Season closure for steelhead fishing on the Quinault River system. [Statutory Authority: RCW 77.12.030. 84-12-010 (Order 227), § 232-28-61301, filed 5/25/84.] Repealed by 84-24-031 (Order 239), filed 11/30/84, effective 1/1/85. Statutory Authority: RCW 77.12.040.
- 232-28-614 1985 Washington game fish seasons and catch limits. [Statutory Authority: RCW 77.12.040. 84-24-031 (Order 239), § 232-28-614, filed 11/30/84, effective 1/1/85.] Repealed by 85-24-060 (Order 264), filed 12/2/85. Statutory Authority: RCW 77.12.040.
- 232-28-61401 Amendment to 1985 Washington game fish seasons and catch limits—Lake Washington and Wenatchee Lake. [Statutory Authority: RCW 77.12.040. 85-03-041 (Order 240), § 232-28-61401, filed 1/11/85.] Repealed by 85-24-060 (Order 264), filed 12/2/85. Statutory Authority: RCW 77.12.040.
- 232-28-61402 Amendment to 1985 Washington game fish seasons and catch limits—Deep Lake (Thurston County). [Statutory Authority: RCW 77.12.040. 85-03-041 (Order 240), § 232-28-61402, filed 1/11/85.] Repealed by 85-24-060 (Order 264), filed 12/2/85. Statutory Authority: RCW 77.12.040.
- 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.] Repealed by 84-05-060 (Order 223), filed 2/22/84. Statutory Authority: RCW 77.12.040.
- 232-28-706 1984 Spring bear and turkey seasons. [Statutory Authority: RCW 77.12.040. 84-05-060 (Order 223), § 232-28-706, filed 2/22/84.] Repealed by 85-05-051 (Order 242), filed 2/20/85. Statutory Authority: RCW 77.12.040.
- 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.] Repealed by 84-12-031 (Order 230), filed 5/30/84. Statutory Authority: RCW 77.12.040.
- 232-28-806 1984 Mountain goat, sheep and moose hunting seasons. [Statutory Authority: RCW 77.12.040. 84-12-031 (Order 230), § 232-28-806, filed 5/30/84.] Repealed by 85-12-006 (Order 257), filed 5/23/85. Statutory Authority: RCW 77.12.040.

WAC 232-28-106 Repealed. See Disposition Table at beginning of this chapter.

WAC 232-28-107 Repealed. See Disposition Table at beginning of this chapter.

WAC 232-28-108 1985 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

SELECTED REGULATIONS AND LAWS PERTAINING TO DOVE AND PIGEON HUNTING:

Trespass unlawful.

It is unlawful to trespass upon private property without permission of the landowner.

RCW 77.16.070 Hunting while intoxicated. It is unlawful to hunt while under the influence of intoxicating liquor or drugs.

RCW 77.16.090 Waste of wildlife. It is unlawful for a person who kills or possesses game animals, game birds or game fish to allow them to needlessly go to waste.

RCW 77.16.095 Mutilation of wildlife, hampering identification. It is unlawful to mutilate wildlife so that the size, species, or sex cannot be determined visually in the field or while being transported. The commission may prescribe specific criteria for field identification to satisfy this section.

RCW 77.16.100 Use of dogs—Public nuisance, when. It is unlawful for the owner or a person harboring a dog to directly or negligently permit the dog to pursue or injure deer or elk or to accompany a person who is hunting deer or elk. During the closed season for a species of game animal or game bird, a dog found pursuing that species, molesting its young, or destroying the nest of a game bird may be declared a public nuisance.

RCW 77.16.250 Loaded firearms in vehicles. It is unlawful to carry, transport, convey, possess, or control in or on a motor vehicle a shotgun or rifle containing shells or cartridge in the magazine or chamber, or a muzzle-loading firearm loaded and capped or primed.

RCW 77.16.260 Shooting firearm from public highway. It is unlawful to shoot a firearm from, across, or along the maintained portion of a public highway.

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.

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.

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.

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.

FOR SAFETY, HUNTERS ARE ENCOURAGED TO WEAR HUNTER ORANGE WHILE HUNTING UPLAND BIRDS AS WELL AS OTHER SPECIES.

SHOOTING HOURS as follows: (Daylight saving time)

Dates Inclusive	Western Washington from		Eastern Washington from	
	A.M.	P.M.	A.M.	P.M.
Sun. Sept. 1 - Sun. Sept. 8	6:00	7:45	5:45	7:30
Mon. Sept. 9 - Sun. Sept. 15	6:10	7:30	6:00	7:15
Mon. Sept. 16 - Sun. Sept. 22	6:20	7:15	6:10	7:00
Mon. Sept. 23 - Sun. Sept. 29	6:30	7:00	6:20	6:45
Mon. Sept. 30 -	6:40	6:45	6:30	6:35

[Statutory Authority: RCW 77.12.040. 85-16-026 (Order 261), § 232-28-108, filed 7/30/85.]

WAC 232-28-207 Repealed. See Disposition Table at beginning of this chapter.

WAC 232-28-208 Repealed. See Disposition Table at beginning of this chapter.

WAC 232-28-20801 Repealed. See Disposition Table at beginning of this chapter.

WAC 232-28-20802 Repealed. See Disposition Table at beginning of this chapter.

WAC 232-28-209 1985 Fall opening dates.
Deer

Early Archery

Western Washington—September 4
(Wednesday)

Eastern Washington
Units 100-124—September 21
(Saturday)
Units 130-376—October 1 (Tuesday)

Early Muzzleloader

Western Washington—September 28
(Saturday)

Eastern Washington
Units 119—September 21 (Saturday)
Units 242, 301, 304—October 1
(Tuesday)

Early Buck—September 15 (Sunday)

General Buck—October 12 (Saturday)

Late Buck

Western Washington—November 23
(Saturday)

Northeast Washington
Units 105, 107, 109, 112, 115, 118, 119,
121, and 124—November 25 (Monday)

Elk

Early Archery

Western Washington—September 4
(Wednesday)

Eastern Washington
Units 100-124—September 21
(Saturday)
Units 130-376—October 1 (Tuesday)

Early Muzzleloader

Western Washington—October 5
(Saturday)

Eastern Washington—October 1 (Tuesday)

General Bull (Modern Firearm)

Blue Mountains—October 30 (Wednesday)
(Permit hunting starting November 2)

Colockum—October 27 (Sunday) (Permit
hunt October 24-26)

Yakima—November 5 (Tuesday) (Permit
hunt November 1-4)

Western Washington—November 6
(Wednesday) (Permit hunt starting
November 30)

Black BearPursuit Only

Units 100-124—August 1 (Thursday)

Open Season

Western Washington—August 1 (Thursday)
(Except unit closures)

Eastern Washington—September 4
(Wednesday) (Except September 15 in
Early Buck Areas and October 12 in Walla
Walla and Columbia Counties outside of
Umatilla National Forest)

CougarPursuit Only

Northeast Washington (Units 100-124) and
Western Washington (Except unit clo-
sures—August 1 (Thursday))

Eastern Washington—September 4
(Wednesday) (Except early buck hunt and
unit closures)

Open Season

December 15 (Sunday) (An open season
during the deer season will be considered by
the Game Commission in May.)

BobcatWestern WashingtonPursuit Only

August 1—Except closed units 669, 678,
681

Open Season

October 12

Eastern Washington

September 1

Early Partridge

To be set at August Game Commission meetings
(See early partridge, fall turkey, dove flyer for
dates)

Chinese Pheasant, Quail, Partridge

General Open Season—October 12

Early Western Washington Pheasant—September
28

Bird Dog Training Season—August 1

Fox

October 12—Except closed within exterior bound-
aries of the Mt. Baker/Snoqualmie, Okanogan,
Wenatchee, and Gifford Pinchot National Forests.

Changed from October 1 to coincide with general
hunting opener.

Rabbits

Cottontail, snowshoe, Washington hare, and white-tailed
jack rabbit

October 12—Except closed for white-tailed jacks
in Okanogan, Douglas, and Grant Counties

September 1—In all western Washington except
closed in Unit 522 (St. Helens)

Additional Open Season Snowshoe Rabbits

September 1—Chelan, Ferry, Kittitas,
Klickitat, Okanogan, Pend Oreille, Spokane,
Stevens, and Yakima Counties

Black-Tailed Jack Rabbit

Year Round

Falconry

Rabbits—August 1

Upland Birds—September 1

[Statutory Authority: RCW 77.12.040. 85-12-004 (Or-
der 248), § 232-28-209, filed 5/23/85.]

**WAC 232-28-210 1985 Hunting seasons and game
bag limits and 1985 game management units and area le-
gal descriptions.** [Statutory Authority: RCW 77.12.040.
85-14-037 (Order 259), § 232-28-210, filed 6/27/85.]

Reviser's note: The text and accompanying pamphlet comprising the
1985 Hunting seasons and game bag limits and 1985 Game manage-
ment units and area legal descriptions adopted by the department of
game have been omitted from publication in the Washington Adminis-
trative Code under the authority of RCW 34.04.050(3) as being un-
duly 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 Repealed. See Disposition Table
at beginning of this chapter.

WAC 232-28-408 Repealed. See Disposition Table
at beginning of this chapter.

**WAC 232-28-409 1985-86 Upland game bird and
migratory waterfowl seasons.** [Statutory Authority:
RCW 77.12.040. 85-18-032 (Order 262), § 232-28-
409, filed 8/28/85.]

Reviser's note: The text and accompanying pamphlet comprising the 1985-86 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 232-28-506 Repealed. See Disposition Table at beginning of this chapter.

WAC 232-28-507 Repealed. See Disposition Table at beginning of this chapter.

WAC 232-28-508 1985-86 Trapping seasons and rules. [Statutory Authority: RCW 77.12.040. 85-19-081 (Order 263), § 232-28-508, filed 9/18/85.]

Reviser's note: The text and accompanying pamphlet comprising the 1985-86 Trapping seasons and 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.

WAC 232-28-606 Repealed. See Disposition Table at beginning of this chapter.

WAC 232-28-607 Repealed. See Disposition Table at beginning of this chapter.

WAC 232-28-60701 Repealed. See Disposition Table at beginning of this chapter.

WAC 232-28-608 Repealed. See Disposition Table at beginning of this chapter.

WAC 232-28-609 Repealed. See Disposition Table at beginning of this chapter.

WAC 232-28-610 Repealed. See Disposition Table at beginning of this chapter.

WAC 232-28-611 Repealed. See Disposition Table at beginning of this chapter.

WAC 232-28-61101 Repealed. See Disposition Table at beginning of this chapter.

WAC 232-28-612 Repealed. See Disposition Table at beginning of this chapter.

WAC 232-28-613 Repealed. See Disposition Table at beginning of this chapter.

WAC 232-28-61301 Repealed. See Disposition Table at beginning of this chapter.

WAC 232-28-614 Repealed. See Disposition Table at beginning of this chapter.

WAC 232-28-61401 Repealed. See Disposition Table at beginning of this chapter.

WAC 232-28-61402 Repealed. See Disposition Table at beginning of this chapter.

WAC 232-28-615 1986 Washington game fish seasons and catch limits. [Statutory Authority: RCW 77.12.040. 85-24-060 (Order 264), § 232-28-615, filed 12/2/85.]

Reviser's note: The text and accompanying pamphlet comprising the 1986 Washington 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 232-28-705 Repealed. See Disposition Table at beginning of this chapter.

WAC 232-28-706 Repealed. See Disposition Table at beginning of this chapter.

WAC 232-28-707 1985 Spring bear and turkey seasons. [Statutory Authority: RCW 77.12.040. 85-05-051 (Order 242), § 232-28-707, filed 2/20/85.]

Reviser's note: The text and accompanying pamphlet comprising the 1985 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 Repealed. See Disposition Table at beginning of this chapter.

WAC 232-28-806 Repealed. See Disposition Table at beginning of this chapter.

WAC 232-28-807 1985 Mountain goat, sheep and moose hunting seasons. [Statutory Authority: RCW 77.12.040. 85-12-006 (Order 257), § 232-28-807, filed 5/23/85.]

Reviser's note: The text and accompanying pamphlet comprising the 1985 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.

Chapter 232-32 WAC
COOPERATIVE WILDLIFE PROJECTS

WAC

232-32-010	Purpose.
232-32-020	Definitions.
232-32-030	Information required from volunteer groups.
232-32-040	Review and selection process.
232-32-050	Criteria used in selecting cooperative wildlife projects.
232-32-060	Procedures for revocation of a cooperative wildlife project.
232-32-070	Priority for eggs, seed, juveniles, broodstock, and department facilities.

WAC 232-32-010 Purpose. The purpose of this chapter shall be to ensure compliance by the department of game with the provisions of chapter 72, Laws of 1984 (Title 75 RCW). [Statutory Authority: 1984 c 72. 84-18-065 (Order 237), § 232-32-010, filed 9/5/84.]

WAC 232-32-020 Definitions. (1) "Volunteer group" means any person or group of persons interested in or party to an agreement with the department of game relating to a cooperative wildlife project.

(2) "Cooperative wildlife project" means a project conducted by a volunteer group that will benefit the game fish, game bird, game animal, or nongame wildlife resources of the state and for which the benefits of the project, including wildlife reared and released, are available to all citizens of the state. [Statutory Authority: 1984 c 72. 84-18-065 (Order 237), § 232-32-020, filed 9/5/84.]

WAC 232-32-030 Information required from volunteer groups. The following information should be furnished by volunteer groups when applying for a cooperative wildlife project.

(1) Date of application.

(2) Name of volunteer group or person proposing cooperative project. If a group, give the name, address, and telephone number of one person in that group who will serve as contact person and project leader.

(3) General description of proposed project, including title, project objectives (how the proposed project will benefit the wildlife resource), methods for achieving objectives, and criteria for measuring achievement of objectives.

(4) Location and physical size of project, as specific as possible, including county, legal description, street address (if applicable), property ownership, township, range, section, and acreage.

(5) Estimated beginning and ending date of project.

(6) Estimated cost of project in terms of money and man-days for required materials and labor. Include estimate of supervision or assistance that will be required of department of game personnel.

(7) If the project is to plant or rear fish or wildlife, the following additional information should be developed, unless exempted by the department: (a) Species to be produced; (b) proposed source of eggs, broodstock, or juveniles; including how these would be obtained, used, and transferred to and from the project; (c) type of incubation or rearing facilities available; (d) qualitative

and quantitative information about water to be used for the project, including volume (high and low flows), temperature, acidity, alkalinity, dissolved oxygen, dissolved solids (for fish projects); (e) number and size(s) of fish, wildlife, or eggs proposed to be incubated, reared, or released, as well as the timing of all phases of these activities; (f) proposed release sites; (g) statement about the volunteer groups' knowledge of culture and pathology of the species proposed to be produced; and (h) availability of professional or technical expertise; i.e., local veterinarian, hatchery nearby, etc.

(8) A list of permits or agreements (other than those needed to raise or release game birds and game fish) needed to accomplish the proposed project, if known; included here would be cooperative landowner agreements, water rights, hydraulic project approval (HPA), building permit, shorelines permit, zoning variance, etc. [Statutory Authority: 1984 c 72. 84-18-065 (Order 237), § 232-32-030, filed 9/5/84.]

WAC 232-32-040 Review and selection process. The following steps are included in the process of reviewing and selecting cooperative wildlife projects:

(1) Applications will be mailed to a list of conservation organizations the department thinks might be interested in conducting a cooperative project, as well as to any other volunteer group that requests an application from the department. Application forms will also be available at any time at the Olympia headquarters and all regional offices of the department of game.

(2) Applications will be mailed from the Olympia headquarters in September 1984 and in July of each even-numbered year, thereafter.

(3) The deadline for receipt of applications where funding is requested will be November 1, 1984 and October 1st of each even-numbered year, thereafter. Applications for nonfunded projects may be submitted at any time.

(4) The department will send each applicant, within 45 days of receipt of each application, a written acknowledgement of the receipt of the application and give the applicant a date when notification of acceptance or rejection of the proposal can be expected. The written acknowledgement will also provide the department's selection criteria and a general description of the review and selection process. Final decisions and notification of acceptance or rejection of proposals where funding is requested will be made only after the biennial budget is passed by the legislature and signed by the governor.

(5) The department will determine when a proposed project might affect the management programs of federal, other state, and local agencies and of treaty Indian tribes and will make contact with these entities, when the department determines it is appropriate to do so, during the review and selection process. If the department determines that ongoing coordination between a volunteer group and another agency or tribe would be appropriate, it may be required as a condition of the permit, when issued.

(6) Each approved agreement will include the following, when determined by the department to be necessary

or appropriate: (a) Permit for release of fish or wildlife; (b) procedures for applying for a hydraulic project approval (HPA), and (c) description of methods that will be used to provide the volunteer group with fish, bird, or animal food or other available supplies. [Statutory Authority: 1984 c 72. 84-18-065 (Order 237), § 232-32-040, filed 9/5/84.]

WAC 232-32-050 Criteria used in selecting cooperative wildlife projects. The following criteria will be considered by the department in ranking project proposals for funding. These criteria are not rigid but are intended to guide the department in selecting projects that are feasible, cost effective, and complementary with other department programs.

(1) Game commission policy: The game commission policies, adopted in 1980, as amended, will be used, along with other criteria, to rank project proposals. Policies include the following: (a) The first management priority will be to establish and perpetuate the highest quality wildlife habitat, with the second priority being to provide recreation opportunity in the form of hunting, fishing, and wildlife enjoyment; and (b) within habitat capabilities, wildlife will be managed according to the following priorities: Natural reproduction rather than stocking; native species of wildlife; and species which provide the most recreational opportunities for hunting, fishing, and wildlife viewing.

(2) Program goals, objectives, and priorities: Project proposals will be ranked according to their adherence to program goals, objectives, and priorities, as outlined in department species plans and regional operational plans. When production or rearing projects are considered, potential conflicts or competition with other species of fish and wildlife, including food fish and shellfish, will be considered.

(3) Costs versus benefits: Project proposals will be evaluated and ranked according to expected ratio of costs to public benefits. Costs will include both money and man-days; benefits may include direct benefits to wildlife or habitat and benefits to the public in terms of recreational opportunities or increased knowledge about wildlife.

(4) Educational value. Consideration will be given to a project's value in educating and informing the public about the life history and needs of wildlife.

(5) Capabilities of volunteer groups. When considering the renewal or refunding of projects, the relative success of that project and the overall capability of a particular volunteer group in managing cooperative projects and producing results will be considered; this will include the amount of department supervision or assistance required to accomplish the project. [Statutory Authority: 1984 c 72. 84-18-065 (Order 237), § 232-32-050, filed 9/5/84.]

WAC 232-32-060 Procedures for revocation of a cooperative wildlife project. The following criteria and

procedures will be followed when the department considers revocation or actually revokes a cooperative wildlife project:

(1) The department may revoke a cooperative project agreement for the following reasons: (a) A violation of agreement provisions; (b) unavailability of adequate biological or financial resources to continue participation by the department; and (c) the development of unacceptable biological or resource management conflicts.

(2) When the department decides that a cooperative project is in danger of being revoked, a certified letter will be sent to the contact person, with the volunteer group responsible for the project advising him or her of the problem and either setting conditions for continuation of the project, or attempting to arrange a meeting to discuss ways of bringing the cooperative agreement into compliance or resolving other problems that might result in revocation.

(3) When the department decides that a cooperative project should be terminated, a certified letter to that effect will be sent to the contact person within the volunteer group responsible for the project. The exact termination date will be determined by the severity of the problem which requires revocation. [Statutory Authority: 1984 c 72. 84-18-065 (Order 237), § 232-32-060, filed 9/5/84.]

WAC 232-32-070 Priority for eggs, seed, juveniles, broodstock, and department facilities. The following priorities will be followed in allocating eggs, seed, juveniles, broodstock, or using rearing space at department hatcheries and other facilities:

- (1) Needs of the department of game
- (2) Needs of other public agencies in Washington
- (3) Cooperative wildlife projects
- (4) Exchange agreements with agencies outside Washington
- (5) Sales. [Statutory Authority: 1984 c 72. 84-18-065 (Order 237), § 232-32-070, filed 9/5/84.]

Title 236 WAC

GENERAL ADMINISTRATION, DEPARTMENT OF

Chapters

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| 236-11 | Compliance with State Environmental Policy Act. |
| 236-12 | State capitol grounds traffic and parking regulations. |
| 236-20A | Display of flags—State capitol grounds. |
| 236-28 | Small works roster. |
| 236-47 | Division of purchasing. |
| 236-70 | A rule to facilitate private investment in energy conservation for state-owned facilities. |