

# Washington State Register

**MARCH 19, 1997**

**OLYMPIA, WASHINGTON**

**ISSUE 97-06**



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filed not later than March 5, 1997

## CITATION

Cite all material in the Washington State Register by its issue number and sequence within that issue, preceded by the acronym WSR. Example: the 37th item in the August 5, 1981, Register would be cited as WSR 81-15-037.

## PUBLIC INSPECTION OF DOCUMENTS

A copy of each document filed with the code reviser's office, pursuant to chapter 34.05 RCW, is available for public inspection during normal office hours. The code reviser's office is located on the ground floor of the Legislative Building in Olympia. Office hours are from 8 a.m. to 5 p.m., Monday through Friday, except legal holidays. Telephone inquiries concerning material in the Register or the Washington Administrative Code (WAC) may be made by calling (360) 753-7470.

## REPUBLICATION OF OFFICIAL DOCUMENTS

All documents appearing in the Washington State Register are prepared and printed at public expense. There are no restrictions on the republication of official documents appearing in the Washington State Register. All news services are especially encouraged to give wide publicity to all documents printed in the Washington State Register.

## CERTIFICATE

Pursuant to RCW 34.08.040, the publication of rules or other information in this issue of the Washington State Register is hereby certified to be a true and correct copy of such rules or other information, except that headings of public meeting notices have been edited for uniformity of style.

DENNIS W. COOPER  
Code Reviser

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### STATE MAXIMUM INTEREST RATE

(Computed and filed by the State Treasurer under RCW 19.52.025)

The maximum allowable interest rate applicable for the month of March 1997 pursuant to RCW 19.52.020 is twelve point zero percent (12.00%).

NOTICE: FEDERAL LAW PERMITS FEDERALLY INSURED FINANCIAL INSTITUTIONS IN THE STATE TO CHARGE THE HIGHEST RATE OF INTEREST THAT MAY BE CHARGED BY ANY FINANCIAL INSTITUTION IN THE STATE. THE MAXIMUM ALLOWABLE RATE OF INTEREST SET FORTH ABOVE MAY NOT APPLY TO A PARTICULAR TRANSACTION.

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# WASHINGTON STATE REGISTER

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## STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

### 1. ARRANGEMENT OF THE REGISTER

The Register is arranged in the following six sections:

- (a) **PREPROPOSAL**-includes the Preproposal Statement of Inquiry that will be used to solicit public comments on a general area of proposed rule making before the agency files a formal notice.
- (b) **PROPOSED**-includes the full text of formal proposals, continuances, supplemental notices, and withdrawals.
- (c) **PERMANENT**-includes the full text of permanently adopted rules.
- (d) **EMERGENCY**-includes the full text of emergency rules and rescissions.
- (e) **MISCELLANEOUS**-includes notice of public meetings of state agencies, rules coordinator notifications, summaries of attorney general opinions, executive orders and emergency declarations of the governor, rules of the state Supreme Court, and other miscellaneous documents filed with the code reviser's office under RCW 34.08.020 and 42.30.075.
- (f) **TABLE**-includes a cumulative table of the WAC sections that are affected in the current year.
- (g) **INDEX**-includes a combined subject matter and agency index.

Documents are arranged within each section of the Register according to the order in which they are filed in the code reviser's office during the pertinent filing period. The three part number in the heading distinctively identifies each document, and the last part of the number indicates the filing sequence with a section's material.

### 2. PRINTING STYLE—INDICATION OF NEW OR DELETED MATERIAL

RCW 34.05.395 requires the use of certain marks to indicate amendments to existing agency rules. This style quickly and graphically portrays the current changes to existing rules as follows:

- (a) In amendatory sections—
  - (i) underlined material is new material;
  - (ii) ~~deleted material is ((lined out between double parentheses))~~;
- (b) Complete new sections are prefaced by the heading **NEW SECTION**;
- (c) The repeal of an entire section is shown by listing its WAC section number and caption under the heading **REPEALER**.

### 3. MISCELLANEOUS MATERIAL NOT FILED UNDER THE ADMINISTRATIVE PROCEDURE ACT

Material contained in the Register other than rule-making actions taken under the APA (chapter 34.05 RCW) does not necessarily conform to the style and format conventions described above. The headings of these other types of material have been edited for uniformity of style; otherwise the items are shown as nearly as possible in the form submitted to the code reviser's office.

### 4. EFFECTIVE DATE OF RULES

- (a) Permanently adopted agency rules normally take effect thirty-one days after the rules and the agency order adopting them are filed with the code reviser's office. This effective date may be delayed or advanced and such an effective date will be noted in the promulgation statement preceding the text of the rule.
- (b) Emergency rules take effect upon filing with the code reviser's office unless a later date is provided by the agency. They remain effective for a maximum of one hundred twenty days from the date of filing.
- (c) Rules of the state Supreme Court generally contain an effective date clause in the order adopting the rules.

### 5. EDITORIAL CORRECTIONS

Material inserted by the code reviser's office for purposes of clarification or correction or to show the source or history of a document is enclosed in [brackets].

## 1996 - 1997

### DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue No.	Closing Dates <sup>1</sup>			Distribution Date	First Agency Hearing Date <sup>3</sup>
	Non-OTS & 30 p. or more	Non-OTS & 11 to 29 p.	OTS <sup>2</sup> or 10 p. max. Non-OTS		
<i>For Inclusion in--</i>	<i>File no later than 12:00 NOON--</i>			<i>Count 20 days from--</i>	<i>For hearing on or after</i>
96-16	Jul 10	Jul 24	Aug 7	Aug 21	Sep 10
96-17	Jul 24	Aug 7	Aug 21	Sep 4	Sep 24
96-18	Aug 7	Aug 21	Sep 4	Sep 18	Oct 8
96-19	Aug 21	Sep 4	Sep 18	Oct 2	Oct 22
96-20	Sep 4	Sep 18	Oct 2	Oct 16	Nov 5
96-21	Sep 25	Oct 9	Oct 23	Nov 6	Nov 26
96-22	Oct 9	Oct 23	Nov 6	Nov 20	Dec 10
96-23	Oct 23	Nov 6	Nov 20	Dec 4	Dec 24
96-24	Nov 6	Nov 20	Dec 4	Dec 18, 1996	Jan 7, 1997
97-01	Nov 21	Dec 5	Dec 19, 1996	Jan 2, 1997	Jan 22
97-02	Dec 5	Dec 19, 1996	Jan 2, 1997	Jan 15	Feb 4
97-03	Dec 26, 1996	Jan 8, 1997	Jan 22	Feb 5	Feb 25
97-04	Jan 8	Jan 22	Feb 5	Feb 19	Mar 11
97-05	Jan 22	Feb 5	Feb 19	Mar 5	Mar 25
97-06	Feb 5	Feb 19	Mar 5	Mar 19	Apr 8
97-07	Feb 19	Mar 5	Mar 19	Apr 2	Apr 22
97-08	Mar 5	Mar 19	Apr 2	Apr 16	May 6
97-09	Mar 26	Apr 9	Apr 23	May 7	May 27
97-10	Apr 9	Apr 23	May 7	May 21	Jun 10
97-11	Apr 23	May 7	May 21	Jun 4	Jun 24
97-12	May 7	May 21	Jun 4	Jun 18	Jul 8
97-13	May 21	Jun 4	Jun 18	Jul 2	Jul 22
97-14	Jun 4	Jun 18	Jul 2	Jul 16	Aug 5
97-15	Jun 25	Jul 9	Jul 23	Aug 6	Aug 26
97-16	Jul 9	Jul 23	Aug 6	Aug 20	Sep 9
97-17	Jul 23	Aug 6	Aug 20	Sep 3	Sep 23
97-18	Aug 6	Aug 20	Sep 3	Sep 17	Oct 7
97-19	Aug 20	Sep 3	Sep 17	Oct 1	Oct 21
97-20	Sep 3	Sep 17	Oct 1	Oct 15	Nov 4
97-21	Sep 24	Oct 8	Oct 22	Nov 5	Nov 25
97-22	Oct 8	Oct 22	Nov 5	Nov 19	Dec 9
97-23	Oct 22	Nov 5	Nov 19	Dec 3	Dec 23
97-24	Nov 5	Nov 19	Dec 3	Dec 17, 1997	Jan 6, 1998

<sup>1</sup>All documents are due at the code reviser's office by 12:00 noon on or before the applicable closing date for inclusion in a particular issue of the Register; see WAC 1-21-040.

<sup>2</sup>A filing of any length will be accepted on the closing dates of this column if it has been prepared and completed by the order typing service (OTS) of the code reviser's office; see WAC 1-21-040. Agency-typed material is subject to a ten page limit for these dates; longer agency-typed material is subject to the earlier non-OTS dates.

<sup>3</sup>At least twenty days before the rule-making hearing, the agency shall cause notice of the hearing to be published in the Register; see RCW 34.05.320(1). These dates represent the twentieth day after the distribution date of the applicable Register.

## **REGULATORY FAIRNESS ACT**

The Regulatory Fairness Act, chapter 19.85 RCW, was enacted in 1982 to minimize the impact of state regulations on small business. Amended in 1994, the act requires a small business economic impact analysis of proposed rules that impose more than a minor cost on twenty percent of the businesses in all industries, or ten percent of the businesses in any one industry. The Regulatory Fairness Act defines industry as businesses within a four digit SIC classification, and for the purpose of this act, small business is defined by RCW 19.85.020 as "any business entity, including a sole proprietorship, corporation, partnership, or other legal entity, that is owned and operated independently from all other businesses, that has the purpose of making a profit, and that has fifty or fewer employees."

### **Small Business Economic Impact Statements (SBEIS)**

A small business economic impact statement (SBEIS) must be prepared by state agencies when a proposed rule meets the above criteria. Chapter 19.85 RCW requires the Washington State Business Assistance Center (BAC) to develop guidelines for agencies to use in determining whether the impact of a rule is more than minor and to provide technical assistance to agencies in developing a SBEIS. All permanent rules adopted under the Administrative Procedure Act, chapter 34.05 RCW, must be reviewed to determine if the requirements of the Regulatory Fairness Act apply; if an SBEIS is required it must be completed before permanent rules are filed with the Office of the Code Reviser.

### **Mitigation**

In addition to completing the economic impact analysis for proposed rules, state agencies must take reasonable, legal, and feasible steps to reduce or mitigate the impact of rules on small businesses when there is a disproportionate impact on small versus large business. State agencies are encouraged to reduce the economic impact of rules on small businesses when possible and when such steps are in keeping with the stated intent of the statute(s) being implemented by proposed rules. Since 1994, small business economic impact statements must contain a list of the mitigation steps taken, or reasonable justification for not taking steps to reduce the impact of rules on small businesses.

### **When is an SBEIS Required?**

When:

The proposed rule has more than a minor (as defined by the BAC) economic impact on businesses in more than twenty percent of all industries or more than ten percent of any one industry.

### **When is an SBEIS Not Required?**

When:

The rule is proposed only to comply or conform with a federal law or regulation, and the state has no discretion in how the rule is implemented;

There is less than minor economic impact on business;

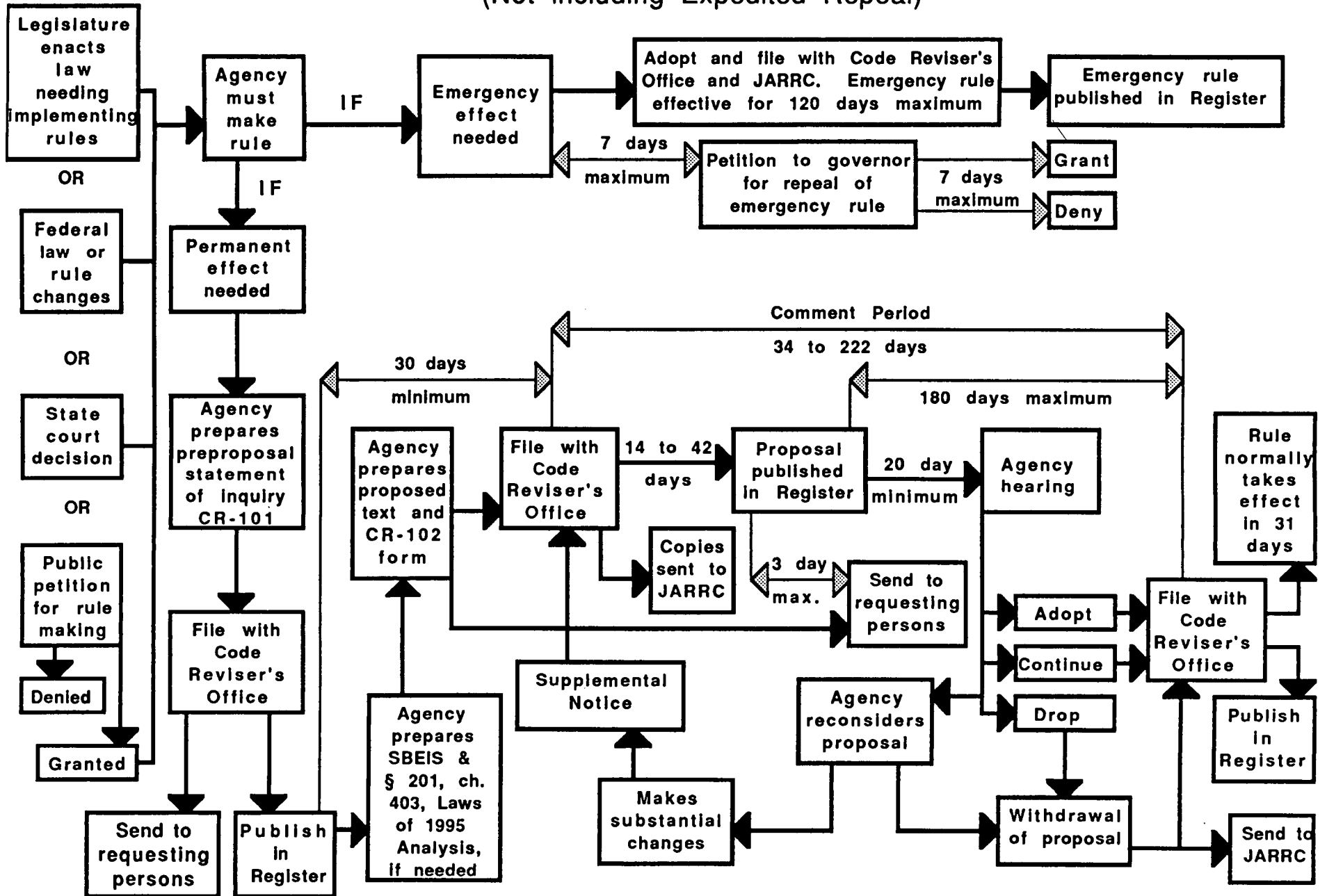
The rule REDUCES costs to business (although an SBEIS may be a useful tool for demonstrating this reduced impact);

The rule is adopted as an emergency rule, although an SBEIS may be required when an emergency rule is proposed for adoption as a permanent rule; or

The rule is pure restatement of state statute.

# RULE-MAKING PROCESS

(Not including Expedited Repeal)



**WSR 97-06-008****PREPROPOSAL STATEMENT OF INQUIRY  
CLARK COLLEGE**

[Filed February 24, 1997, 2:00 p.m.]

Subject of Possible Rule Making: Chapter 132N-20 WAC, Code of student conduct.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 28B.50 and 28B.10 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed revisions to the code of student conduct are necessary to ensure that Clark College policies and practices are in compliance with changes in state and federal statutes; and to set in place appropriate due process guidelines.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Dr. Tana Hasart, Dean of Students, Clark College, 1800 East McLoughlin Boulevard, Vancouver, WA 98663-3598, phone (360) 992-2102, FAX (360) 992-2878.

February 20, 1997  
Earl P. Johnson  
President

**WSR 97-06-011****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF AGRICULTURE**

[Filed February 24, 1997, 3:56 p.m.]

Subject of Possible Rule Making: To adopt rules requiring warning statements on raw milk labels concerning presence of pathogenic bacteria or toxins and to establish the maximum pull date for the sale of raw milk.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 15.36.021(4), 69.04.398(3), 69.04.915.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Raw milk is a hazardous product that may contain harmful microorganisms or toxins produced by microorganisms. Sampling of raw milk at retail stores has shown that the growth of microorganisms in raw milk is very rapid and quality standards are exceeded in a short time. E. coli 0157:H7 has caused food poisoning outbreaks in raw milk in a neighboring state. Establishing a short shelf life would reduce the opportunity for sale of raw milk with hazardous levels of microorganisms to the consumer.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Public Health Service/Food and Drug Administration. The Food and Drug Administration does not allow the sale of raw milk in interstate commerce, they have also made the recommendation that the Washington State Department of Agriculture prohibit sale of raw milk in intrastate commerce.

Process for Developing New Rule: The department will work with an ad hoc food safety committee for review and

input. Opportunity for review and comment by the regulated industry will be provided.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Verne E. Hedlund, P.O. Box 42560, Olympia, WA 98504-2560, (360) 902-1860, FAX (360) 902-2087. Meeting of the ad hoc food safety advisory committee and interested parties before the filing of the CR-102. Interested parties may submit written comments through May 1, 1997.

February 24, 1997  
Dr. Candace A. Jacobs  
Assistant Director

**WSR 97-06-014****PREPROPOSAL STATEMENT OF INQUIRY  
WESTERN WASHINGTON UNIVERSITY**

[Filed February 25, 1997, 2:07 p.m.]

Subject of Possible Rule Making: Parking and traffic regulations, chapter 516-12 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.35.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Update regulations.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Carl Root, Director, Parking Services, Western Washington University, Mailstop 9098, Bellingham, Washington 98225, phone (360) 650-2945, FAX (360) 650-3412.

February 24, 1997  
Gloria A. McDonald  
Rules Coordinator

**WSR 97-06-018****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF HEALTH**

(Veterinary Board of Governors)

[Filed February 25, 1997, 2:19 p.m.]

Subject of Possible Rule Making: After careful consideration, the Veterinary Board of Governors has identified the need to review their current fee structure. This review includes possibilities of adding a new fee and incorporating a change in an existing fee.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.70.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 43.70.250 states that the cost of each profession shall be fully borne by members of that profession. Currently, the Veterinary Board of Governors is not able to support the veterinary program within the existing revenue base. The current problems with the revenue base include the implementation of a new impairment monitoring program and increase in investigative

and legal costs that were previously shared within the Department of Health. The veterinary board has identified the need to do a fee study to determine what can be done. The veterinary board understands the impact of I-601 and any fee increase would be within those limits.

**Process for Developing New Rule:** The veterinary board will be distributing notices of possible rule making to all actively licensed veterinarians and animal technicians in the state. Opportunities to participate in the process will be published in the Washington State Veterinary Medical Association Newsletter. The Veterinary Board of Governors chair will be appearing at the Washington State Veterinary Medical Association executive meetings to solicit input from the association. The Veterinary Board of Governors will be accepting FAX and/or mailed written comments. The Veterinary Board of Governors is committed to the participation of interested persons in this rule-writing effort.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested persons can contact the board to submit written comments on the rules process. Attendance of interested persons at the Veterinary Board of Governors board meetings is welcomed and encouraged. The Veterinary Board of Governors will accept comments by mail or FAX. All written comments should be sent to Traci Troutman, Program Manager, P.O. Box 47868, Olympia, WA 98504-7868, (360) 586-4566, FAX (360) 753-0657.

February 24, 1997  
Traci Troutman  
Program Manager

**WSR 97-06-062**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**PARKS AND RECREATION**  
**COMMISSION**

[Filed February 27, 1997, 4:27 p.m.]

**Subject of Possible Rule Making:** Establish annual/daily state-wide parking permit.

**Statutes Authorizing the Agency to Adopt Rules on this Subject:** RCW 43.51.060(6) . . . The commission may . . . charge such fees for services, utilities and use of facilities as the commission may deem proper.

**Reasons Why Rules on this Subject may be Needed and What They Might Accomplish:** The purpose is to generate revenue to state parks.

**Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies:** None.

**Process for Developing New Rule:** Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Washington State Parks and Recreation Commission, 7150 Cleanwater Lane, P.O. Box 42650, Olympia, WA 98504-2650, ATTN: Pamela McConkey, phone (360) 902-8595, FAX (360) 586-5875, e-mail pamm@parks.wa.gov. Washington State Parks and Recreation Commission meeting April 18 in Tacoma and May 30 in Wenatchee.

February 27, 1997  
Jim French  
Policy Analyst

**WSR 97-06-063**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**PARKS AND RECREATION**  
**COMMISSION**

[Filed February 27, 1997, 4:29 p.m.]

**Subject of Possible Rule Making:** Removal of restrictive wording in existing WAC 352-32-235.

**Statutes Authorizing the Agency to Adopt Rules on this Subject:** RCW 43.51.040 and 43.51.180(7).

**Reasons Why Rules on this Subject may be Needed and What They Might Accomplish:** To expand public use of state parks, specifically recreational metal detecting. State parks intends to remove restrictive language from existing WAC 352-32-235.

**Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies:** None.

**Process for Developing New Rule:** Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Washington State Parks and Recreation Commission, 7150 Cleanwater Lane, P.O. Box 42650, Olympia, WA 98504-2650, ATTN: Pamela McConkey, phone (360) 902-8595, FAX (360) 586-5875, e-mail pamm@parks.wa.gov. Washington State Parks and Recreation Commission meeting May 30 in Wenatchee.

February 27, 1997  
Jim French  
Policy Analyst



**WSR 97-06-072**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

(Public Assistance)  
 [Filed February 28, 1997, 2:14 p.m.]

Subject of Revision	WAC Affected	Authorizing Statute
define intangible assets	WAC 388-96-010	RCW 74.46.800
clarify in nonaudit years desk reviewed allowable costs are used to compute the final settlement	WAC 388-96-220, 388-96-221 and 388-96-224	RCW 74.46.150, [74.46.]160, [74.46.]170, and [74.46.]800
add refunds of any allowable cost as an example of financial benefit that must be offset against allowable costs in year of receipt	WAC 388-96-505	RCW 74.46.200 and 74.46.800
clarify effective dates of a JCADs and reduce the time for a revision from ninety days to thirty days	WAC 388-96-534	RCW 74.46.270
raise limit on depreciable assets to \$750; delete subsection (3), (4) and (5); and move (6) to WAC 388-96-565	WAC 388-96-553	RCW 74.46.310, [74.46.]320 and [74.46.]330
change limit to \$750 and remove subsection (3) and (4)	WAC 388-96-554	RCW 74.46.310, [74.46.]320, and [74.46.]330
clarify the suspension of depreciation for time the asset is not used in the Medicaid program	WAC 388-96-559	RCW 74.46.360
to add subsection (6) from WAC 388-96-553	WAC 388-96-565	RCW 74.46.310, [74.46.]320, and [74.46.]330
revise (j) bad debts to limit the time to request compensation from when the bad debt occurred.	WAC 388-96-585	RCW 74.46.190, [74.46.]460, and [74.46.]800
revise (gg) to used bed rights as an example of intangible assets that are not used in patient care.		
revise (w) to remove "in terms of costs to employees and benefits commensurate to such costs"		
to revise method for determining anticipated days	WAC 388-96-709	Proposed amendment to chapter 74.46 RCW
to remove actual tables from Marshall Swift and make a reference to the latest published Marshall Swift	WAC 388-96-745(7)	RCW 74.46.800
to allow current funding of real estate taxes that result from renovations and possible other related sections	WAC 388-96-776	Proposed amendment to RCW 74.46.465

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Health Care Financing Administration of the Department of Health and Human Services (HCFA), within ninety days of the effective date of the revisions, the agency

must submit a state plan amendment. The HCFA will notify the agency of acceptance or rejection of the plan.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Patricia Hague at (360) 493-2969

or FAX at (360) 493-9484 or write P.O. Box 45600, Mail-stop 45600, Olympia, WA 98504-5600, e-mail phague@dshs.wa.gov, TTY (360) 902-8324.

February 28, 1997  
Merry A. Kogut, Manager  
Rules and Policies Assistance Unit

Olympia, WA 98507-2957, phone (360) 902-3773, FAX (360) 664-0831, TDD (360) 664-8885. Comments are requested by April 19, 1997.

February 28, 1997  
Nancy Kelly, Administrator  
Title and Registration Services

#### WSR 97-06-081

##### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed March 3, 1997, 10:05 a.m.]

Subject of Possible Rule Making: Confidential vessel registration applications and procedures.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 88.02.035.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Maintenance and update of rules pertaining to registration of vessels used for law enforcement purposes and for certain state and local government official activities.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested parties are invited to participate in this rule making. Please contact Jack L. Lince, Contracts Manager, Title and Registration Services, P.O. Box 2957, Olympia, WA 98507-2957, phone (360) 902-3773, FAX (360) 664-0831, TDD (360) 664-8885. Comments are requested by April 19, 1997.

February 28, 1997  
Nancy Kelly, Administrator  
Title and Registration Services

#### WSR 97-06-082

##### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed March 3, 1997, 10:06 a.m.]

Subject of Possible Rule Making: Confidential vehicle license plate applications and procedures.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.08.066.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Maintenance and update of rules pertaining to registration of vehicles used for law enforcement purposes and for certain state and local government official activities.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested parties are invited to participate in this rule making. Please contact Jack L. Lince, Contracts Manager, Title and Registration Services, P.O. Box 2957,

#### WSR 97-06-083

##### PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF FISH AND WILDLIFE

[Filed March 3, 1997, 10:08 a.m.]

Subject of Possible Rule Making: Amend rules relating to the time, place and manner of commercial fishing; specifically Puget Sound commercial net gear configurations and/or open periods.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 75.08.080.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Changes in fishing strategies are likely needed in order to reduce bycatch of seabirds and to meet federal regulatory obligations.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: United States Fish and Wildlife Service protected migratory birds through the Migratory Bird Treaty Act, and regulates the taking of threatened or endangered species through the Endangered Species Act. National Marine Fisheries Service has regulatory control of net fisheries directed at Fraser River sockeye and pink salmon; through the Fraser River Panel of the Pacific Salmon Commission, per the Pacific Salmon Treaty. The Washington Department of Fish and Wildlife has worked with the United States Fish and Wildlife Service and National Marine Fisheries Service since 1993, meeting at least annually to develop fishing strategies to reduce impacts on seabirds in those fisheries.

Process for Developing New Rule: Agency study, 1997 is the fourth year of a five-year conservation plan developed in 1994 to address concerns about seabird entanglement in net fisheries. The first year of the plan included a major study to estimate marbled murrelet and other seabird entanglement rates and a pilot study that began to test modified gillnet and purse seine gear designed to reduce bird mortalities. The gillnet gear studies were expanded in 1995 and 1996, and the 1996 study resulted in recommendations for gear modifications in gillnet fisheries. The fourth and fifth years of the plan, 1997 and 1998, were intended for phased implementation of the gear modifications indicated by the studies. New rule proposals will incorporate recommendations from 1994-1996 gillnet gear studies.

The conservation plan, entanglement rate study, gear modification studies and annual conservation actions were developed and carried out with participation of the fishing industry (Puget Sound Gillnetters Association, Purse Seine Vessel Owners Association, Lummi Fisheries Supply), in consultation with the United States Fish and Wildlife Service, National Marine Fisheries Service, Northwest Indian Fisheries Commission, United States Bureau of Indian Affairs, Washington Sea Grant, and representatives from environmental groups such as National Audubon Society,

Black Hills Audubon Society, Rainier Audubon Society, American Oceans Campaign, and Greenpeace.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Bruce Crawford, Department of Fish and Wildlife, 600 North Capitol Way, Olympia, WA 98504.

Expected Proposal: April 23, 1997.

Expected Hearing Date: May 30, 1997.

Expected Adoption Hearing: June 1, 1997.

February 28, 1997

Evan Jacoby

Rules Coordinator

Personnel or federal holidays designated by the federal reserve system.

Process for Developing New Rule: Criteria established by statute, legal holidays established for the state by the Department of Personnel and for the federal government by the federal reserve system, are applied to establish pay dates for state officers and employees.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Millie Lund, Office of Financial Management, 406 Legion Way S.E., Olympia, WA 98504-3123, phone (360) 664-3419, FAX (360) 664-3423.

March 5 [4], 1997

Douglas Mah

Rules Coordinator

### WSR 97-06-091

#### PREPROPOSAL STATEMENT OF INQUIRY SECRETARY OF STATE

[Filed March 3, 1997, 2:45 p.m.]

Subject of Possible Rule Making: Exempting county auditors from transmitting voter registration cards to the Secretary of State.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 29.04.080 and 29.07.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This proposed WAC will, through interlocal agreement, exempt county auditors from transmitting signature cards and voter registration updates to the Secretary of State. Provides mechanism to implement RCW 20.07.120 [29.07.120].

Process for Developing New Rule: The proposed WAC is a product of a long-term cooperative effort between the Secretary of State's Office and affected county auditors.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested parties may contact Brian Mohoric, Secretary of State's Office, (360) 664-3442, FAX (360) 664-2971.

March 3, 1997

Donald F. Whiting

Assistant Secretary of State

### WSR 97-06-100

#### PREPROPOSAL STATEMENT OF INQUIRY WASHINGTON STATE PATROL

[Filed March 4, 1997, 4:20 p.m.]

Subject of Possible Rule Making: Chapter 204-72 WAC, Standards for mounting, adjusting, and aiming of lamps. WAC 204-72-040(4) Fog lamps, amend this section to bring it in compliance with the state law, RCW 46.37.180(2).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.37.005 and 46.37.180.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The amendment to this rule will ensure motorists only use fog lamps with the low beam headlamps as indicated by RCW 46.37.180(2).

Process for Developing New Rule: In order to ensure rule complies with state law.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ms. C. Morton, Washington State Patrol, Equipment and Standards Review Unit, P.O. Box 42635, Olympia, WA 98504-2635, (360) 412-8934, FAX 493-9090.

March 4, 1997

Annette M. Sandberg

Chief

### WSR 97-06-093

#### PREPROPOSAL STATEMENT OF INQUIRY OFFICE OF FINANCIAL MANAGEMENT

[Filed March 4, 1997, 8:52 a.m.]

Subject of Possible Rule Making: Setting pay dates for state officers and employees for 1998.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.16.010(1) and 42.16.017.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Office of Financial Management is required by statute to establish pay dates for each calendar year.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: State pay dates are coordinated so that they do not fall on state holidays designated by the Department of

#### AMENDATORY SECTION (Amending Order 80-12-01, filed 12/5/80)

**WAC 204-72-040 Mounting requirements, specific.**  
(1) Clearance, sidemarker, and identification lamps.

(a) Clearance lamps, sidemarker lamps, and combination clearance and sidemarker lamps shall be mounted as specified in FMVSS 108, except for combination clearance and sidemarker lamps on pole trailers which shall be mounted as required by RCW 46.37.090 (5)(c). On vehicles manufactured prior to May 1, 1980, clearance lamps need not be visible at the inboard angles, and clearance and sidemarker lamps need not comply with the mounting height requirements of FMVSS 108.

(b) Identification lamps shall be mounted as specified in FMVSS 108, except where the cab of a vehicle is not more than 42 inches wide at the front roof line a single identifica-

tion lamp shall be deemed to comply with the requirements for front identification lamps.

(c) Specialized lamps. Specialized combination lamps designed to be mounted with the base at angles other than 0, 45, or 90 degrees from the longitudinal axis of the vehicle shall be installed in accordance with the manufacturer's instructions.

(2) Cornering lamps. Cornering lamps shall be mounted on the front of the vehicle near the side or the side near the front and not lower than 12 inches nor higher than 30 inches.

(3) Deceleration lamps. Deceleration lamps shall be mounted on the rear of the vehicle on or adjacent to the centerline of the vehicle at a height not lower than 20 inches and not higher than 72 inches.

(4) Fog lamps. A fog lamp is a lighting device mounted to provide illumination forward of the vehicle under conditions of rain, snow, dust, or fog. Fog lamps shall be mounted at a height of not less than 12 inches nor more than 30 inches, and so that the inner edge of the lens retaining ring is no closer than 4 inches to the optical center of the front turn signal lamp. The fog lamp(s) may be used ~~((at the driver's discretion))~~ only with ~~((either))~~ the low ~~((or high))~~ beam headlamps. Fog lamps shall not be used alone in lieu of headlamps.

(5) Headlamps. Headlamps shall be mounted as specified in FMVSS 108 and as follows:

(a) Spacing. Headlamp units installed after November 15, 1975, shall not be closer to the centerline of the vehicle than 12 inches measured from the center of the lens, except on motorcycles and motorized bicycles, and shall be spaced as far apart as practicable. In cases of customized headlamp installation, headlamps shall not be mounted closer together than at the time or original manufacture of the vehicle body.

(b) Height. Headlamps shall be mounted at a height of not less than 24 inches nor more than 54 inches.

(c) Covers. No grille, plastic or glass covers, or any other obstruction which distorts the color or the distribution of light or substantially decreases its intensity shall be in front of the headlamp lens, except for headlamp concealment devices meeting the requirements of FMVSS 112.

(6) Auxiliary passing lamps. A passing lamp is an auxiliary low beam lamp meeting the photometric requirements of SAE Standard J582a. Passing lamps shall be mounted not lower than 24 inches nor higher than 42 inches, and so the inner edge of the lens retaining ring is no closer than 4 inches to the optical center of the front turn signal lamp. The lamp may be used at the driver's discretion with either low or high beam headlamps. Passing lamps shall not be used alone in lieu of headlamps.

(7) Auxiliary driving lamps. A driving lamp is a lighting device mounted to provide illumination forward of the vehicle to supplement the upper beam of a standard headlamp system. Driving lamps shall be mounted on the front not lower than 16 inches nor higher than 42 inches. Driving lamps shall be wired so that the taillights are lighted whenever the driving lamps are lighted. If driving lamps are not wired to operate only with headlamp high beams, then a separate switch and indicator lamp shall be provided to operate the driving lamps. Driving lamps shall not be used alone in lieu of headlamps.

(8) Side turn signal lamps. Side turn signal lamps shall be mounted on the side not lower than 20 inches nor higher

than 72 inches. The lamps shall flash with the front and rear turn signal lamps on their respective sides of the vehicle. On vehicles equipped with sequential turn signal lamps, the side turn signal lamps shall flash with the front turn signal lamps. If the side turn signal lamps flash when the hazard warning switch is actuated, all such lamps shall flash with the rear turn signal lamps.

(9) Supplemental signal lamps. Supplemental stop or turn signal lamps shall be single-faced, shall be actuated in the same manner and at the same time as the required stoplamps or turn signal lamps, and shall not be used in lieu of such lamps. Supplemental turn signal lamps and supplemental combination stop-and-turn signal lamps shall be mounted in pairs facing the rear with one lamp near each side of the vehicle, at the same height and equally spaced from the vehicle centerline. Supplemental stoplamps shall be mounted in pairs as specified above or with not more than two lamps on or adjacent to the centerline of the vehicle. Supplemental stop or turn signal lamps shall be mounted not lower than 35 inches nor higher than 55 inches. Standard stop or turn signal lamps not combined with tail lamps or reflex reflectors may be used respectively as supplemental lamps in which case they shall be mounted at any height not lower than 15 inches nor higher than 72 inches.

(10) Turn signal lamps. Turn signal lamps shall be mounted and operated as follows:

(a) Motor vehicles. Turn signal systems on motor vehicles shall consist of at least two single-faced or double-faced turn signal lamps on or near the front and at least two single-faced turn signal lamps on the rear. Double-faced turn lamps shall be mounted ahead of the center of the steering wheel or the center of the outside rearview mirror, whichever is rearmost. A truck-tractor or a truck chassis without body or load may be equipped with one double-faced turn signal lamp on each side in lieu of the four separate lamps otherwise required on a motor vehicle. Front and rear turn signal lamps on motorcycles shall be at least 9 inches apart, except that front turn signals on motorcycles manufactured after January 1, 1973, shall be at least 16 inches apart. Turn signal lamps on other vehicles shall be spaced as far apart as practical. The optical center of the front turn signal lamp shall be at least 4 inches from the inside diameter of the retaining ring of the lower beam headlamp unit, fog lamp unit, or passing lamp unit. Original equipment turn signals that emit two and one-half times the minimum candela requirements may be closer.

(b) Towed vehicles. The rearmost vehicle in a combination of vehicles shall be equipped with at least two single-faced turn signal lamps on the rear. The signal system on a combination of vehicles towed by a motor vehicle equipped with double-faced front turn signal lamps may be connected so only the double-faced turn signal lamps on the towing vehicle and the signal lamps on the rear of the rearmost vehicle are operative.

(c) Operation. Turn signal lamps visible to approaching or following drivers shall flash in unison, except that a turn signal consisting of two or more units mounted horizontally may flash in sequence from inboard to outboard. The lamps may be either extinguished simultaneously or lighted simultaneously. Turn signal lamps shall flash at a rate of 60 to 120 flashes per minute.

(11) Warning lamps. Required front warning lamps other than school bus warning lamps shall be mounted so the entire projected area of the lens is visible from all eye heights of drivers of other vehicles at angles within 45 degrees left to 45 degrees right of the front of the vehicle. If the light within these required angles is blocked by the vehicle or any substantial object on it, an additional warning lamp shall be displayed within the obstructed angle. Warning lamps may be mounted at any height.

**WSR 97-06-101**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
 [Filed March 5, 1997, 8:05 a.m.]

Subject of Possible Rule Making: Respiratory protection, chapter 296-62 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 49.17.010, [49.17].040, and [49.17].050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amendments will be proposed to correct errors in WAC 296-62-071, Table 5, Respiratory Protection Factors.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Federal OSHA also regulates this subject. The department will ensure the state standard is at-least-as-effective-as the federal standard as required by the OSHA/WISHA state plan agreement.

Process for Developing New Rule: The department must adopt rules identical or at-least-as-effective-as OSHA rules as required by the OSHA/WISHA state plan agreement. The department will hold meetings with affected customers. Interested parties may contact the person listed below. Interested parties may also give oral or written comments once it is formally proposed and a hearing is held.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Dan Locke, Industrial Hygienist, Department of Labor and Industries, Division of Consultation and Compliance Services, P.O. Box 44620, Olympia, WA 98504-4620, phone (360) 902-5524, FAX (360) 902-5529.

March 5, 1997  
 Gary Moore  
 Director

**WSR 97-06-102**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**BOARD OF**  
**PILOTAGE COMMISSIONERS**  
 [Filed March 5, 1997, 8:24 a.m.]

Subject of Possible Rule Making: WAC 296-116-082 Limitations on new pilots.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 88.16.105.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: There is currently only one pilot in the Grays Harbor pilotage district holding an

unlimited license. The board intends to modify license limitations in order to enable a new pilot, during his/her first five years, to perform pilotage services on a wider variety of larger vessels.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: The board will consider emergency adoption of modified license limitations at their March 13, 1997, regular meeting in order to provide a more adequate pilot work force to handle larger vessels in the Grays Harbor pilotage district. The board encourages written and oral comments pursuant to formal notice requirements for purposes of establishing a permanent rule.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Comments will be received at the next board meeting on March 13, 1997, at 9:00 a.m. at the Marine Exchange Conference Center, 2701 1st Avenue, #110, Seattle, WA. Specific time schedules will be set for intended permanent adoption and implementation. Contact Peggy Larson, 801 Alaskan Way, Seattle, WA 98104-1487, phone (206) 515-3904, FAX (206) 515-3969.

February 14, 1997  
 Peggy Larson  
 Administrator

**WSR 97-06-107**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**BUILDING CODE COUNCIL**  
 [Filed March 5, 1997, 8:35 a.m.]

Subject of Possible Rule Making: Review, amend and adopt the 1997 Edition of the Uniform Plumbing Code and Plumbing Code Standards published by the International Association of Plumbing and Mechanical Officials. This will replace chapters 51-26 and 51-27 WAC, which will be repealed.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 19.27.074.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This proposed rule making will provide a detailed technical review of code changes from the 1991 Edition of the Uniform Plumbing Code currently adopted by Washington state and will respond to public request that the state Building Code Council enter into rule making on this subject.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable.

Process for Developing New Rule: Negotiated rule making; and appointment of a technical advisory group to work with the council.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Individuals or organizations interested in following the development of this rule should submit a letter of interest to James R. Beaver, Chair, Washington State Building Code Council, P.O. Box 48300, Olympia, WA 98504-8300, or FAX to (360) 586-5880. Meeting notices; minutes and draft language will be provided upon request.

For further information, please contact Lori Graham at (360) 753-4308.

February 28, 1997  
James R. Beaver  
Chair

**WSR 97-06-111**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF REVENUE**

[Filed March 5, 1997, 9:48 a.m.]

Subject of Possible Rule Making: WAC 458-40-660  
Timber excise tax—Stumpage value tables.

Statutes Authorizing the Agency to Adopt Rules on this  
Subject: RCW 82.32.330 and 84.33.096.

Reasons Why Rules on this Subject may be Needed and  
What They Might Accomplish: The law (RCW 84.33.091)  
requires that the stumpage value tables be revised twice  
annually. The stumpage values are established by the  
department so that timber harvesters are apprised of the  
timber values on which the timber excise tax is calculated.

Other Federal and State Agencies that Regulate this  
Subject and the Process Coordinating the Rule with These  
Agencies: The United States Forest Service, Washington  
State Department of Natural Resources, and the Washington  
State Forest Practices Board. The nontax processes and  
definitions will be coordinated with these other agencies to  
avoid conflict in the areas of process and definition.

Process for Developing New Rule: Negotiated rule  
making.

Interested parties can participate in the decision to adopt  
the new rule and formulation of the proposed rule before  
publication. Written comments should be submitted by the  
public meeting date to ensure full consideration, but will be  
accepted until the date of adoption. Written comments on  
and/or requests for copies of the rule may be directed to Ed  
Ratcliffe, Legislation and Policy, P.O. Box 47467, Olympia,  
WA 98504-7467, phone (360) 586-3505, FAX (360) 664-  
0693.

Location and Date of Public Meeting: Department of  
Revenue Conference Room, Target Place Building No. 4,  
2735 Harrison Avenue N.W., Olympia, WA, on April 16,  
1997, at 10:00 a.m.

March 5, 1997  
Russell W. Brubaker  
Assistant Director  
Legislation and Policy Division

**WSR 97-06-112**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**HOUSING FINANCE COMMISSION**

[Filed March 5, 1997, 10:02 a.m.]

Subject of Possible Rule Making: (1) WAC 262-01-  
030(8), allowing for the appointment of designees to act on  
behalf of commission members.

(2) WAC 262-02-020 to 262-02-030, stating the purpose  
of the commission and providing rules of conduct for  
commissioners and commission staff.

Statutes Authorizing the Agency to Adopt Rules on this  
Subject: Chapters 43.180, 42.52 RCW.

Reasons Why Rules on this Subject may be Needed and  
What They Might Accomplish: (1) The proposed rules  
amend the commission's procedure for appointing designees.  
The revised rules will allow the commission to approve  
designees to act until replaced by the ex officio member.

(2) The proposed rules also amend the commission's  
rules of conduct to implement the ethics in public service  
law codified at chapter 42.52 RCW.

Other Federal and State Agencies that Regulate this  
Subject and the Process Coordinating the Rule with These  
Agencies: The state of Washington Executive Ethics Board  
has reviewed the proposed rules of conduct. The proposed  
rules of conduct have been revised in response to the  
Executive Ethics Board's advisory opinion.

Process for Developing New Rule: The commission  
will request written comments from persons who may be  
interested in the development of the rules implementing  
chapter 42.52 RCW and revising WAC 262-01-030(8).  
Comments received will be considered by the commission  
before the proposed rules are published pursuant to a formal  
notice.

Interested parties can participate in the decision to adopt  
the new rule and formulation of the proposed rule before  
publication. Written comments must be received by June 25,  
1997. These comments will be considered by the commis-  
sion at its June 26, 1997, meeting. Thereafter, the commis-  
sion will proceed with rule making. Contact Mr. Mark  
McLaughlin, Deputy Executive Director, Washington State  
Housing Finance Commission, 1000 Second Avenue, Suite  
2700, Seattle, WA 98104-1046, phone (206) 287-4462, FAX  
(206) 587-5113.

March 3, 1997  
Mr. Mark McLaughlin  
Deputy Executive Director

**WSR 97-06-128**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Filed March 5, 1997, 10:45 a.m.]

Subject of Possible Rule Making: Commercial fishing  
rules - Puget Sound salmon seasons.

Statutes Authorizing the Agency to Adopt Rules on this  
Subject: RCW 75.08.080.

Reasons Why Rules on this Subject may be Needed and  
What They Might Accomplish: Harvestable levels of salmon  
are returning to Puget Sound in 1997, and rules need to be  
amended or adopted to provide for conservation and allow  
harvest of targeted stocks.

Other Federal and State Agencies that Regulate this  
Subject and the Process Coordinating the Rule with These  
Agencies: None.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt  
the new rule and formulation of the proposed rule before  
publication by contacting Bruce Crawford, Assistant Direc-  
tor, Fish Management Program, 600 Capitol Way North,  
Olympia, WA 98501, phone (360) 902-2325.

Expected Proposal Filing: April 23, 1997.

March 5, 1997  
Evan Jacoby  
Legal Counsel

Olympia, WA 98501, phone (360) 902-2325, by April 21, 1997.

Expected Proposal Filing: April 23, 1997.

March 5, 1997  
Evan Jacoby  
Rules Coordinator

**WSR 97-06-129**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
[Filed March 5, 1997, 10:46 a.m.]

Subject of Possible Rule Making: Commercial fishing rules - Coastal harbor salmon seasons.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 75.08.080.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Harvestable numbers of salmon are returning to Grays Harbor and Willapa Bay, and rules need to be adopted or amended to provide for conservation while allowing harvest of targeted stocks.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Bruce Crawford, Assistant Director, Fish Management Program, 600 Capitol Way North, Olympia, WA 98501, phone (360) 902-2325, by April 21, 1997.

Expected Proposal Filing: April 23, 1997.

March 5, 1997  
Evan Jacoby  
Rules Coordinator

**WSR 97-06-130**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
[Filed March 5, 1997, 10:47 a.m.]

Subject of Possible Rule Making: Commercial fishing rules - Coastal shrimp fishery.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 75.08.080.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Conservation measures are needed in the coastal shrimp fishery, particularly the spot prawn fishery. Additionally, rules are needed for an orderly fishery, and to prevent gear conflicts, such as between trawl fishers and shellfish pot fishers.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Bruce Crawford, Assistant Director, Fish Management Program, 600 Capitol Way North,

**WSR 97-06-131**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Public Assistance)  
[Filed March 5, 1997, 11:13 a.m.]

Subject of Possible Rule Making: To amend WAC 388-97-027 Services requiring prior approval, by removing prior authorization requirements for all home health services.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To respond to provider requests that MAA remove the requirement that pharmacies bill only once per month for unit dose services to nursing facilities. This change would remove the once-per-month limit on nursing facility unit dose billings; clarify that MAA may request reports of monthly logs on a monthly, quarterly, or yearly basis; and edit the requirement to destroy unused drugs.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: The department will draft the new rules and circulate copies to any interested party for comments. All comments will be considered before final adoption.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Anne E. DeJarnette, Administrative Regulations Analyst, Medical Assistance Administration, Mailstop 45530, P.O. Box 45530, Olympia, WA 98504-5530, phone (360) 664-2320, FAX (360) 753-7315, TDD 1-800-848-5429, e-mail dejarae@dshs.wa.gov.

March 4, 1997  
Merry A. Kogut, Manager  
Rules and Policies Assistance Unit

**WSR 97-06-132**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)  
(Public Assistance)  
[Filed March 5, 1997, 11:15 a.m.]

Subject of Possible Rule Making: Protective payee services, WAC 388-265-1750 and related sections.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 74.08.280.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Compliance with legal

contracting. To add the provision of payment to contracted persons who are relatives or friends of a client and to add clients sanctioned under JOBS to those required to have protective payees.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: All drafts will be made part of an internal (management) and external (field staff) review process whereby draft material is distributed for review and comment. All comments are taken into consideration before the final rule is issued.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. If you would like to participate in the review, contact Kay Hanvey, Program Manager, AES Section, Division of Assistance Programs, P.O. Box 45400, Olympia, WA 98504-5400, phone (360) 413-3100, FAX (360) 413-3495, e-mail [khanvey@dshs.wa.gov](mailto:khanvey@dshs.wa.gov).

March 5, 1997

Merry A. Kogut, Manager  
Rules and Policies Assistance Unit



**WSR 97-06-003**  
**WITHDRAWAL OF PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**

[Filed February 20, 1997, 2:30 p.m.]

This memo withdraws the Department of Agriculture's proposal regarding tri-county pesticide application rules, filed January 2, 1997, WSR 97-02-094.

John Daly  
 Assistant Director

**WSR 97-06-005**  
**PROPOSED RULES**  
**DEPARTMENT OF TRANSPORTATION**

[Filed February 24, 1997, 9:20 a.m.]

**Original Notice.**

Preproposal statement of inquiry was filed as WSR 96-14-033.

**Title of Rule:** Chapter 468-86 WAC, RTPO planning standards and guidelines.

**Purpose:** To provide a framework for state-wide and regional consistency in the performance and development of the regional transportation planning process.

**Other Identifying Information:** These rules will clarify the implementation of SHB 1928 (chapter 47.80 RCW) and reduce conflict in the planning process within regional transportation planning organizations.

**Statutory Authority for Adoption:** RCW 47.80.070 and SHB 1928, section 5.

**Summary:** The proposed rule outlines basic minimum planning standards, guidelines, and requirements necessary to implement successful transportation planning on a regional and state-wide basis.

**Reasons Supporting Proposal:** The rules will provide a framework within which regional transportation planning can be conducted on a consistent basis across the state.

**Name of Agency Personnel Responsible for Drafting:** Bill Osterhout, Transportation Building, (360) 705-7963; **Implementation:** Todd Carlson, Transportation Building, (360) 705-7967; and **Enforcement:** Charles Howard, Transportation Building, (360) 705-7958.

**Name of Proponent:** Washington State Department of Transportation, governmental.

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

**Explanation of Rule, its Purpose, and Anticipated Effects:** Regional transportation planning organizations (RTPOs) and local government agencies are currently in the process of developing, updating, or implementing their regional and local transportation plans. This rule is intended to provide a consistent framework and minimum standards upon which to develop, implement, and maintain these transportation plans. The rule also clarifies the process whereby an RTPO certifies consistency of local transportation plans and county-wide planning policies, and provides guidance in the development of RTPO transportation improvement programs (TIP).

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule affects only

the methods by which governmental agencies conduct their planning efforts and will not have significant detrimental economic effects to small business.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

**Hearing Location:** Department of Transportation, Transportation Building Room 1D2, Olympia, Washington 98504, on April 15, 1997, at 1:00 p.m.

**Assistance for Persons with Disabilities:** Contact TDD (360) 705-6980, by April 7, 1997.

**Submit Written Comments to:** Mr. Bill Osterhout, Washington State Department of Transportation, P.O. Box 47370, Olympia, WA 98504-7370, FAX (360) 705-6813, by April 7, 1997.

**Date of Intended Adoption:** April 15, 1997.

February 21, 1997

S. A. Moon

Department Secretary  
 for Operations

**Chapter 468-86 WAC**  
**RTPO PLANNING STANDARDS AND GUIDELINES**

**PART ONE**  
**PURPOSE/AUTHORITY**

NEW SECTION

**WAC 468-86-010 Authority.** The regional transportation planning program was authorized by the 1990 legislature as part of the state's Growth Management Act. The program is contained in chapter 47.80 RCW, with funding appropriations made as part of the Department of Transportation Appropriations Act.

NEW SECTION

**WAC 468-86-020 Purpose/intent.** (1) The regional transportation planning program creates a formal mechanism for local governments and the state to coordinate transportation planning for regional transportation facilities. The act authorized the creation of regional transportation planning organizations (RTPO) by local governments to coordinate transportation planning among jurisdictions and develop a regional transportation plan. The regional transportation planning program is available to all counties and cities state-wide (RCW 47.80.020).

(2) The legislature has authorized a grant program to fund this work. The department has the authority to administer this grant program, and to develop in cooperation with the RTPOs:

- (a) Minimum planning standards for the development of a regional transportation plan;
- (b) The RTPO regional transportation improvement program;
- (c) Planning guidelines and principles;
- (d) Certification standards for the transportation portion of local comprehensive plans and county-wide planning policies;
- (e) The adoption of LOS standards on state transportation facilities; and
- (f) RTPO regional transportation strategies.

(3) The purpose of the minimum planning standards is to guide RTPOs in the use of the regional transportation planning grants, and in the development of planning products under the program. Work proposed by each regional transportation planning organization shall be included in a work program that demonstrates adherence to the planning standards within this chapter. The intent of the department is to provide guidance that is sufficient to ensure a minimum level of consistency across the state, while providing flexibility for regions to meet specific mobility needs.

(4) The department will achieve this purpose through the establishment of these rules and through the cooperative development and maintenance of a set of RTPO planning standards and guidelines. Copies of these standards and guidelines will be available through the department's transportation planning office.

## PART TWO GENERAL REQUIREMENTS

### NEW SECTION

**WAC 468-86-030 Definitions.** "Consistency" means that no feature of a plan or regulation is incompatible with any other feature of a plan or regulation. Consistency is indicative of a capacity for orderly integration or operation with other elements in a system.

"Department" means the department of transportation (WSDOT).

"Least cost planning" means a process of comparing direct and indirect costs of demand and supply options to meet transportation goals and/or policies where the intent of the process is to identify the most cost-effective mix of options.

"Level of service" means an established minimum capacity for both transit and regional arterials that must be provided per unit of demand or other appropriate measure of need.

"Organization" means regional transportation planning organization (RTPO).

"Region" means the area that includes the local jurisdictions that comprise the regional transportation planning organization.

"Urbanized area" means those areas designated as such by the U.S. Bureau of the Census.

"Urban growth areas" means those areas designated by a county pursuant to RCW 36.70A.110.

### NEW SECTION

**WAC 468-86-040 Determining the region.** Local governments should decide the geographic extent and composition of their region. The region should reflect common transportation concerns and a willingness among the local governments to work together in a cooperative planning process.

### NEW SECTION

**WAC 468-86-050 Establishing the organization.** (1) A regional transportation planning organization is a voluntary association of local governments within the region. It shall be a formal organization formed through an interlocal

agreement that establishes the organization, defines duties and relationships, and includes a transportation policy board. The establishment of a technical advisory committee (TAC) is recommended. The RTPO must determine its own structure to ensure equitable and acceptable representation by member governments. Regions are encouraged to seek native American tribal involvement.

### NEW SECTION

**WAC 468-86-060 Relationship to MPOs.** The federal government requires a regional transportation planning process in urbanized areas with over fifty thousand population. This process is carried out by metropolitan planning organizations (MPOs) that have been jointly designated by local governments and the state. The intent is that the regional transportation planning program be integrated with the metropolitan planning organization program in these urbanized areas. RCW 47.80.020 requires that RTPOs shall be the same organization as that designated as the MPO. The regional transportation planning program provides the opportunity for transportation planning in rural areas within the RTPO. The department intends to jointly administer these two programs.

### NEW SECTION

**WAC 468-86-070 Designation procedures.** (1) Local governments desiring participation in the regional transportation planning program must submit an RTPO designation package to WSDOT. This information is necessary for WSDOT to verify that the RTPO meets the requirements of RCW 47.80.020. This package shall contain the following items:

- (a) A description of the region;
- (b) A formal designation of the RTPO, in the form of a resolution or other legal declaration;
- (c) A list of all RTPO member local governments;
- (d) A copy of the interlocal agreement that will govern RTPO operations;
- (e) A formal designation by the RTPO of the lead planning agency; and
- (f) A description of the RTPO's transportation policy board.

(2) WSDOT has the responsibility of verifying that RTPOs designated by local governments meet the state requirements. The most recent annual OFM population data will be used to verify population figures. WSDOT will review the RTPO designation package, make a finding of verification, and concur with or deny the local designation. Once verified, the RTPO may proceed in carrying out its duties and may receive regional transportation planning formula grants. If significant changes are made in the structure of the RTPO, WSDOT may request that another designation package be submitted for verification review.

**PART THREE  
REGIONAL TRANSPORTATION PLAN**

**NEW SECTION**

**WAC 468-86-080 Least-cost planning methodology.**

The methodology shall consider direct and indirect costs and benefits for all reasonable options to meet planning goals and objectives. The methodology shall treat demand and supply resources on a consistent and integrated basis. The regional transportation planning organizations shall consult the guidelines set forth by the department for implementing a least-cost planning methodology. Regional transportation plans should incrementally incorporate least-cost planning methodologies as these concepts are developed. The regional transportation plan adopted after July 1, 2000, shall be based on a least-cost planning methodology appropriate to the region.

**NEW SECTION**

**WAC 468-86-090 Regional transportation goals and objectives.** The regional transportation planning program is meant to foster an ongoing transportation planning and decision-making process that actively plans for the improvement of regional transportation systems and coordinates this process among jurisdictions. The goals and objectives should incorporate existing transportation related county-wide planning policies or multicounty transportation related planning policies where adopted and adhere to the following principles:

- (1) The regional transportation plan must build upon applicable portions of the existing local comprehensive plan and process and promote the establishment of a regional perspective into the local comprehensive plan;
- (2) Encouragement of partnerships between federal, state, local and tribal governments, special districts, the private sector, the general public, and other interest groups during conception, technical analysis, policy development, and decision processes in developing, updating, and maintaining the regional transportation plan;
- (3) Ensure early and continuous public involvement from conceptual planning through decision making;
- (4) Shall be ongoing, and incorporate short and long range multimodal planning activities to address major capacity expansion and operational improvements to the regional transportation system;
- (5) Regionally coordinated, valid and consistent technical methods and data should be used in identifying and analyzing needs;
- (6) Environmental impacts related to the development of regional transportation policies and facilities should be considered and;
- (7) The region's policies with regard to coordinating transportation planning among the regional jurisdictions, including the relationship between regional transportation planning, local comprehensive planning and state transportation planning should be addressed.

Within these principles, regions shall develop their own ongoing planning process for the development and refinement of the regional transportation plan, and provide a forum for the discussion of regional transportation planning issues.

**NEW SECTION**

**WAC 468-86-100 Regional transportation strategy.**

Each regional transportation planning organization shall develop a regional transportation strategy. The strategy should identify alternative transportation modes within the region and recommend policies to:

- (1) Address each transportation mode;
- (2) Address intermodal connections between modes; and
- (3) Address transportation demand management where required.

The regional transportation strategy is intended to guide development of the regional transportation plan and any periodic updates.

Adopted multicounty and county-wide planning policies and policies from local comprehensive plans that are regional in scope and regionally consistent should provide the basis for the regional transportation strategy. The regional transportation strategy should be periodically reviewed and updated as necessary to reflect changing priorities or to maintain regional consistency.

**NEW SECTION**

**WAC 468-86-110 Needs, deficiencies, data requirements, and coordinated regional transportation and land use assumptions.** (1) The following components shall be developed and incorporated in the RTP:

- (a) An inventory of existing regional transportation facilities and services, including physical, operational, and usage characteristics of the regional transportation system;
- (b) An evaluation of current facilities and services, comparing current usage, and operational characteristics to level of service standards, and identification of regional transportation needs;
- (c) Forecasts of future travel demand, based on the regional transportation strategy and local comprehensive plans;
- (d) Identification of future regional transportation system deficiencies, comparing future travel needs for movement of people and goods to available facilities and services; and
- (e) Coordinated common regional assumptions (growth, population, employment, mode split, etc..) among local jurisdictions for the development of all transportation models to ensure consistency within the RTPO, and:
  - (i) These common regional assumptions shall recognize the planning requirements of the state's Growth Management Act, and;
  - (ii) Be consistent with population forecasts prepared by the office of financial management.

(2) **Performance monitoring.** An integral part of the regional transportation plan is monitoring the performance of the regional transportation system over time. This information is necessary to determine the success of plan implementation and the effect of the desired improvements on the performance of the regional transportation system. Each RTPO shall describe their performance monitoring system in the regional transportation plan. The performance monitoring measures shall include traffic volumes and vehicle miles of travel (VMT) at a minimum and can include, but are not limited to, travel time, speed, safety standards and other measures. Performance monitoring measures should be

coordinated and measurable on a consistent basis throughout the RTPO.

**(3) Regional development patterns and investments.**

The regional transportation plan shall include a general assessment of regional development patterns and investments. This analysis is intended to provide direction and background information for updates of the regional transportation plan. The RTP updates shall be based upon a general retrospective discussion of current land use and transportation patterns and their relationship to the region's goals and objectives and elsewhere in the regional transportation plan. Current and projected development patterns and the expected magnitudes and time frame in which these developments are expected to occur should be reviewed and evaluated against the regional growth and transportation strategies. If the regional growth and transportation strategies have changed or current and projected development can be shown to be inconsistent, the plan should be updated to reflect these changes, or development policies should be updated to assure consistency and continuity of transportation and land use issues within the region. The region's interrelationships between growth and transportation should be discussed along with strategies such as access control, development of heritage corridors, and other measures designed to maintain current and proposed development patterns consistent with the regional transportation plan and the transportation and land use elements of local comprehensive plans.

**NEW SECTION**

**WAC 468-86-120 Financial component.** The financial component shall include the following:

(1) An analysis of funding capacity including an inventory of revenue sources for regional transportation improvements, and probable funding levels available for regional transportation improvements from each source;

(2) Probable funding comparisons with identified current and future needs, including identified funding shortfalls; and

(3) If funding shortfalls are identified, an analysis of additional funding resources to make up the shortfall, or a reassessment of the regional transportation strategies, at a minimum, to ensure that transportation needs fall within probable funding levels.

**NEW SECTION**

**WAC 468-86-130 Proposed future transportation network.** Based upon the identified needs and probable funding levels within the region, the proposed future transportation network defines specific facility or service improvements, transportation system management strategies, and demand management strategies proposed for implementation on the regional transportation system. The plan shall identify priority levels for these improvements to guide local jurisdictions and the state in implementation and development of the regional transportation improvement program.

**NEW SECTION**

**WAC 468-86-140 High capacity transit and public transportation interrelationships.** Within those RTPOs where there is an existing or proposed high capacity transit system, the regional transportation plan shall discuss the

relationship between the high capacity transit system and conventional public transit system. This could include policies to maintain coordinated arrivals and departures of interconnecting routes, coordination with other multimodal transportation centers, and other strategies targeted at improving these intermodal relationships over time.

**PART FOUR  
CERTIFICATION**

**NEW SECTION**

**WAC 468-86-150 Certification.** (1) By December 31, 1996, each RTPO shall certify, that the transportation element of all comprehensive plans for cities and counties planning under the Growth Management Act:

(a) Reflect the transportation guidelines and principles established in the regional transportation plan;

(b) Are consistent with the adopted regional transportation plan; and

(c) Conform with the requirements of RCW 36.70A.070.

(2) Each RTPO shall also certify that county-wide planning policies adopted under RCW 36.70A.210 and the adopted regional transportation plan are consistent.

(3) Regions shall cooperatively define and establish measures and processes to determine regional consistency with the adopted regional transportation plan.

**PART FIVE  
TRANSPORTATION IMPROVEMENT PROGRAM**

**NEW SECTION**

**WAC 468-86-160 Regional transportation improvement program.** (1) Each RTPO shall compile a regional transportation improvement program (TIP) at least once every two years. The regional TIP shall:

(a) Be developed on a cooperative basis by local government agencies, public transit agencies, and the department of transportation within each region;

(b) Consist of a list of regionally significant transportation projects and programs including projects proposed for construction and transportation demand management measures proposed to be implemented during each year for the next six-year period;

(c) Consist of regionally significant projects included in the local six-year transit development plans and six-year comprehensive transportation programs required by RCW 35.58.2795, 35.77.010, and 36.81.121 for transit agencies, cities, towns, and counties;

(d) Include all proposed WSDOT projects in the region;

(e) Include only projects consistent with the regional transportation plan;

(f) Include a financial section outlining:

(i) Sources of funding reasonably expected to be received for each year of the ensuing three-year period; and

(ii) All assumptions and explanations supporting the expected levels of funding consistent with information included in the financial component of the regional transportation plan.

(2) The six-year regional TIP developed by each RTPO is intended for use as a planning document and shall be available at the lead planning agency office of the RTPO.

WSR 97-06-027  
 PROPOSED RULES  
 DEPARTMENT OF LICENSING  
 [Filed February 26, 1997, 2:29 p.m.]

February 26, 1997  
 Nancy Kelly, Administrator  
 Title and Registration Services

Original Notice.

Preproposal statement of inquiry was filed as WSR 96-22-033.

Title of Rule: Chapter 308-96A WAC, Vehicle licensing.

Purpose: Maintenance and amendments to rules addressing vehicle fleet registrations and terminology used in vehicle licensing.

Statutory Authority for Adoption: RCW 46.01.110.

Statute Being Implemented: Chapter 46.16 RCW.

Summary: Amending terminology to reflect current meanings and deletion of unnecessary terms. Excluding certain trailing units from the number of vehicles required for fleet registration.

Reasons Supporting Proposal: Deleting obsolete terms and/or redefining terms to represent current usage. In the case of fleet vehicle counts, certain trailing units are no longer registered and should not be considered in fleet makeup.

Name of Agency Personnel Responsible for Drafting: Jack L. Lince, 1125 Washington Street S.E., Olympia, WA, (360) 902-3773; Implementation: Evelyn Barker, 1125 Washington Street S.E., Olympia, WA, (360) 902-3811; and Enforcement: Nancy Kelly, 1125 Washington Street S.E., Olympia, WA, (360) 902-3754.

Name of Proponent: Department of Licensing, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: No new rules are being proposed.

Proposal Changes the Following Existing Rules: WAC 308-96A-005, amending terms or phrases currently in use for licensing vehicles; WAC 308-96A-161, excluding permanent registered trailing units from calculation of vehicles for qualification of a regular fleet; and WAC 308-96A-162, excluding permanent registered trailing units from calculation of vehicles for qualification of a permanent fleet.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business impact statement is not required pursuant to RCW 19.85.030. The proposed rule making does not impose more than a minor cost on businesses in an industry.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The contents of the proposed rules are explicitly and specifically dictated by statute.

Hearing Location: Highways-Licenses Building, Conference Room 303, 1125 Washington Street S.E., Olympia, WA, on April 8, 1997, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Jack L. Lince by April 4, 1997, TDD (360) 664-8885.

Submit Written Comments to: Jack L. Lince, Contracts Manager, Title and Registration Services, P.O. Box 2957, Olympia, WA 98507-2957, FAX (360) 664-0831, by April 4, 1997.

Date of Intended Adoption: April 11, 1997.

AMENDATORY SECTION (Amending WSR 94-17-044, filed 8/10/94, effective 9/10/94)

**WAC 308-96A-005 Terminology.** Terms used in chapter 46.16 RCW and this chapter shall have the following meanings except where otherwise defined, and unless where used the context thereof clearly indicate to the contrary:

(1) The terms "license or licensing" and "register or registering" are synonymous ~~((for a transaction in which either the vehicle's registration expiration or the gross weight license or both is updated on the department's records. A registration certificate and current validation tabs are issued to the applicant unless the vehicle has current tabs or a permanent registration certificate and validation tabs, such as permanent fleet, Disabled American Veteran, or government owned vehicles))~~ and mean the act of registration of a vehicle pursuant to chapter 46.16 RCW.

(2) The terms "tonnage," "~~((gross weight license, "license based on))~~ declared gross weight," and "combined gross weight ((fees))" are used interchangeably when referring to license fees ~~((that are collected annually from owners of))~~ for trucks, motor trucks, truck tractors, road tractors, tractors, bus, auto stage, or for hire vehicles with seating capacity of more than six ~~((based upon the declared combined gross weight or declared gross weight)).~~

(3) ~~((("Capacity fee" is used to refer to the load license for stages and for hire vehicles with seating capacity of six or less and for fixed load vehicles including circus and tow-~~

~~((4) The term))~~ "No bill" ~~((refers to))~~ or "special mailer" means the notice to renew a license ~~((which is mailed))~~ provided by the department ~~((to the registered owner))~~ in lieu of a ~~((prebill))~~ renewal notice. The ~~((no bill))~~ special mailer requires additional or corrective information prior to the registration ~~((for the current year license))~~ renewal.

~~((5) A))~~ (4) "Prebill" ~~((is))~~ or "renewal notice" means the notice to renew a vehicle license ~~((which is mailed))~~ provided by the department ~~((to the registered owner)).~~

~~((6) References to))~~ (5) "Current year" means the current registration year unless otherwise stated.

~~((7))~~ (6) "Month of expiration" or "expiration month" ~~((is))~~ means the calendar month during which a registration year ends.

~~((8) A))~~ (7) "Fleet" ~~((is))~~ means a group of vehicles registered in the same owner name and which have been assigned the same fleet identifier code by the department.

~~((a) "Perm or permanent fleet" means a fleet of one hundred or more commercial vehicles licensed to one registered owner where each vehicle is issued nonexpiring tabs and registration.--~~

~~((b) "Regular fleet" means a fleet licensed to one registered owner where each vehicle is issued year and month tabs.~~

~~((9))~~ (8) "License fee" means ~~((and is limited to))~~ the fees required for the act of licensing a vehicle ~~((as set forth in))~~ pursuant to chapter 46.16 RCW. License fee ~~((excludes the))~~ does not include special license plate fees ~~((required for special vehicle license plates authorized by chapter 46.16~~

PROPOSED

RCW)) and fees collected by the department for other jurisdictions.

~~((10))~~ (9) "Day of expiration" ((is) or "expiration day" means the day of the month that ((the) a vehicle registration, gross weight license, ((and) or tabs expire.

**AMENDATORY SECTION** (Amending WSR 92-15-025, filed 7/6/92, effective 8/6/92)

**WAC 308-96A-161 Regular fleet registration.** Any owner of a fleet of fifteen or more vehicles, excluding trailing units issued a permanent license plate pursuant to RCW 46.16.068, may apply for and be issued a regular fleet identifier code by the department. The owner may have any vehicle with a certificate of ~~((title))~~ ownership in the exact same owner name registered using the regular fleet identifier code. Regular vehicle license plate month and year tabs shall be issued. Monthly gross weight license may be purchased for individual vehicles.

Any vehicle with an expired registration will be removed from the regular fleet. Failure of the owner to maintain a minimum of fifteen vehicles with current registrations under the owner's fleet identification code shall automatically cause cancellation of their fleet identification code and removal of all of the owner's vehicles from the regular fleet designation.

**AMENDATORY SECTION** (Amending WSR 92-15-025, filed 7/6/92, effective 8/6/92)

**WAC 308-96A-162 Permanent fleet registration.** (1) Any owner of a fleet of one hundred or more vehicles, excluding trailing units issued a permanent license plate pursuant to RCW 46.16.068, used for commercial purposes may apply for and be issued a permanent fleet identifier code by the department. Permanent fleets that were issued ~~((identifies))~~ identifier codes prior to April 1986 may continue to use the permanent fleet code issued without satisfying the one hundred or more vehicle requirement set forth in this section. The owner may have any vehicle used for commercial purposes, with a certificate of ~~((title))~~ ownership in the exact same owner name registered using the permanent fleet identifier code. ~~((Nonexpiring))~~ Permanent license plate tabs and registration documents shall be issued. Annual gross weight license must be purchased for each applicable vehicle.

(2) Any vehicle with an expired registration will be removed from the fleet. Failure of the owner to maintain a minimum of one hundred vehicles with current registrations under the owner's fleet identifier code, except as provided in subsection (1) of this section shall automatically cause cancellation of their permanent fleet identifier code and removal of all of the owner's vehicles from the permanent fleet designation.

**WSR 97-06-028**  
**PROPOSED RULES**  
**DEPARTMENT OF LICENSING**  
[Filed February 26, 1997, 2:30 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 96-22-087.

Title of Rule: Chapter 308-56A WAC, Certificates of title—Motor vehicles, etc.

Purpose: Periodic maintenance of rules pertaining to odometer disclosure.

Statutory Authority for Adoption: RCW 46.01.110.

Statute Being Implemented: RCW 46.12.124.

Summary: The proposed rule making will update existing rules as needed to reflect the latest amendments to state statutes affecting odometer disclosure statements.

Reasons Supporting Proposal: The rules pertaining to odometer disclosure are amended and/or repealed in whole or in part to reflect changes in statutory requirements and procedures.

Name of Agency Personnel Responsible for Drafting: Jack L. Lince, 1125 Washington Street S.E., Olympia, WA, (360) 902-3773; Implementation: Eric Andersen, 1125 Washington Street S.E., Olympia, WA, (360) 902-4045; and Enforcement: Nancy Kelly, 1125 Washington Street S.E., Olympia, WA, (360) 902-3754.

Name of Proponent: Department of Licensing, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: No new rules are being proposed.

Proposal Changes the Following Existing Rules: WAC 308-56A-610, repealing conditions contained in RCW 46.12.124. Clarification of conditions for use of power of attorney; WAC 308-56A-620, clarification of terms used in this chapter and chapters 46.12 and 46.16 RCW; WAC 308-56A-630, repeal this section. Conditions are contained in RCW 46.12.124; WAC 308-56A-640, administrative clarification; WAC 308-56A-650, repeal conditions contained in RCW 45.12.124; WAC 308-56A-660, expand instruction for providing an odometer disclosure statement when the vehicle is involuntarily transferred; WAC 308-56A-670, administrative clarification; WAC 308-56A-680, add conditions for acceptance of out-of-state odometer disclosure statements; and WAC 308-56A-690, administrative clarifications.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement is not required pursuant to RCW 19.85.030. The proposed rule-making does not impose more than a minor cost on businesses in an industry.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The contents of the proposed rules are explicitly and specifically dictated by statute.

Hearing Location: Highways-Licenses Building, Conference Room 303, 1125 Washington Street S.E., Olympia, WA, on April 8, 1997, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Jack Lince by April 4, 1997, TDD (360) 664-8885.

Submit Written Comments to: Jack L. Lince, Contracts Manager, Title and Registration Services, P.O. Box 2957, Olympia, WA 98507-2957, FAX (360) 664-0831, by April 4, 1997.

Date of Intended Adoption: April 11, 1997.

February 26, 1997

Nancy Kelly, Administrator  
Title and Registration Services

AMENDATORY SECTION (Amending Order TL/RG 49, filed 7/31/89, effective 8/31/89)

**WAC 308-56A-610 Odometer disclosure statement—General procedures/requirements**~~(, when transferring ownership of a vehicle)~~. (1) An odometer disclosure statement must be completed, pursuant to RCW 46.12.124, by the transferor of each vehicle and accompany the application for certificate of ~~(title)~~ ownership.

(2) A power of attorney designated pursuant to chapter 11.94 RCW may be used with an odometer disclosure statement with the following limitations:

(a) The transferor ~~(cannot authorize or)~~ may not give power of attorney to the ~~(purchaser or the dealer)~~ transferee of the same vehicle to complete ~~(the)~~ a separate odometer disclosure~~(. The odometer disclosure statement must contain the following information:~~

(1) The miles shown on the odometer at the time of transfer of ownership;

(2) Date disclosure statement is completed;

(3) One of the following statements:

(a) The mileage reflected is actual to the best of the transferor's knowledge; or

(b) The odometer reading exceeds the mechanical limits of the odometer to the best of the transferor's knowledge; or

(c) The odometer reading is not the actual mileage. If the odometer reading is under 100,000 miles, the only options that can be certified are "actual to the best of the transferor's knowledge" or "not the actual mileage." If the odometer reading exceeds 100,000 miles, the options "actual to the best of the transferor's knowledge" or "not the actual mileage" cannot be used unless the odometer has six digit capability.

(4) A complete description of the vehicle is required on the odometer disclosure statement to include:

(a) Model year

(b) Make

(c) Series and body type

(d) Vehicle identification number

(e) License plate number and state (if available)

(5) The name and address of the transferor must be printed on the disclosure. The transferor must also sign his/her name on the disclosure.

(a) Only one registered owner is required to complete the odometer disclosure statement.

(b) When the registered owner is a business, both the business name and a company representative's name must be reflected on the odometer disclosure statement.

(6) The name and address of the transferee must be printed on the disclosure. The transferee must also sign his/her name on the odometer disclosure statement to acknowledge the transferor's information. If the transferee represents a company, both the company name and the agent name must be reflected on the odometer disclosure statement.

(7) Such notice is required by the Federal Truth in Mileage Act of 1986; and

(8) Failure to complete such odometer disclosure statement or providing false information may result in fines and/or imprisonment);

(b) The transferee of a vehicle may not give a power of attorney to the transferor of the same vehicle to complete a separate odometer disclosure;

(c) The transferee may give a power of attorney to a disinterested third party to complete the separate odometer disclosure; or

(d) The power of attorney may not be used to complete an odometer power of attorney.

(3) An odometer disclosure/title extension statement may be used with a secure certificate of ownership and when the secure certificate of ownership is lost or is being held by a lienholder. The odometer disclosure/title extension statement form allows the transferee to transfer the mileage information to the secure certificate of ownership on behalf of the transferor when the secure certificate of ownership becomes available.

AMENDATORY SECTION (Amending Order TL/RG 49, filed 7/31/89, effective 8/31/89)

**WAC 308-56A-620 Definitions.** ~~((1) Transferee-))~~ Terms used in chapters 46.12 and 46.16 RCW and this chapter shall have the following meanings except where otherwise defined, and unless where used the context thereof clearly indicates to the contrary:

(1) "Transferee" means ~~((any))~~ a person to whom a motor vehicle is transferred, by purchase, gift, or any means other than by creation of a security interest, and any person who, as agent, signs ~~((and {an}))~~ an odometer disclosure statement for the transferee.

(2) ~~((Transferor-))~~ "Transferor" means ~~((any))~~ a person who transfers ~~((his))~~ ownership in a motor vehicle by sale, gift, or any means other than by creation of a security interest and any person who, as agent, signs an odometer disclosure statement for the transferor.

(3) "Involuntary divestiture~~((-))~~" means a change in vehicle ownership without the registered owner's involvement.

AMENDATORY SECTION (Amending Order TL/RG 49, filed 7/31/89, effective 8/31/89)

**WAC 308-56A-640 Odometer disclosure statement—Vehicle dealer transactions.** (1) Vehicle dealers ~~((are required to))~~ must obtain odometer disclosure statements from the ~~((selling owner))~~ transferor of the vehicle. A second odometer disclosure statement must be completed by the vehicle dealer as transferor at the time of wholesale or retail sale ~~((whether at wholesale or retail)).~~

(2) Vehicle dealers ~~((are required to))~~ must maintain records of, and ~~((complete))~~ completed odometer disclosure statements on, dealer to dealer vehicle reassignments. ~~((However))~~

(3) If the certificate of ownership is unsecure, only the ~~((prior owner's))~~ transferor odometer disclosure statement must accompany the application for ~~((title))~~ certificate of ownership at the time of retail sale.

(4) Odometer disclosure statement records ~~((are to))~~ must be kept by the vehicle dealer for five years.

AMENDATORY SECTION (Amending Order TL/RG 49, filed 7/31/89, effective 8/31/89)

**WAC 308-56A-650 Odometer disclosure statement—Leased vehicles.** ~~((Anytime a lessee is reflected on the certificate of ownership,))~~ (1) The lessor of a leased vehicle

must notify the lessee in writing that the lessee is required to provide to the lessor a written odometer disclosure statement (~~(regarding the mileage to the lessor)~~) at the termination of the lease. The (~~lessee~~) notice may be given (~~by the lessor at~~) any time after execution of the lease contract and prior to the (~~final~~) termination of the lease or transfer of ownership.

(2) In addition to the requirements provided in RCW 46.12.124, the odometer disclosure statement must contain the following information:

~~((1))~~ (a) The printed name of the (~~person making the disclosure~~);

~~(2) The current odometer reading;~~

~~(3) The date of the statement;~~

~~(4)) lessee completing the odometer disclosure statement. Only one lessee is required to complete and sign the disclosure statement;~~

~~(b) The lessee's name and current address;~~

~~((5)) (c) The lessor's name and current address; and~~

~~((6) A complete description of the vehicle is required on the odometer disclosure to include:~~

~~(a) Model year~~

~~(b) Make~~

~~(c) Series and body type~~

~~(d) Vehicle identification number~~

~~(e) License plate number and state (if available)~~

~~(7) The date that the lessor notified the lessee of disclosure requirements;~~

~~(8) The date that the completed disclosure statement was received by the lessor;~~

~~(9)) (d) The signature of the lessor(;~~

~~(10) The signature of the lessee;~~

~~(11) One of the following statements:~~

~~(a) The mileage reflected is actual to the best of the lessee's knowledge; or~~

~~(b) The odometer reading exceeds the mechanical limits of the odometer to the best of the lessee's knowledge; or~~

~~(c) The odometer reading is not the actual mileage.~~

~~(12) The notice must include the following:~~

~~(a) Such notice is required by the Federal Truth in Mileage Act of 1986; and~~

~~(b) Failure to complete such notice or providing false information may result in fines and/or imprisonment).~~

(3) The lessor shall retain each odometer disclosure statement for five years following the date they terminate a lease or transfer ownership of the leased vehicle.

AMENDATORY SECTION (Amending Order TL/RG 49, filed 7/31/89, effective 8/31/89)

WAC 308-56A-660 Odometer disclosure statement—Involuntary divestiture. (~~(Where involuntary divestiture occurs an odometer disclosure statement is required.))~~ (1) If the interest of an owner in a vehicle passes to another, other than by voluntary transfer, the transferee must complete and sign an odometer disclosure statement pursuant to RCW 46.12.124 and this chapter as the transferor.

(2) When an abandoned vehicle is sold at an abandoned vehicle auction, only the transferee needs to complete an odometer disclosure statement.

(3) When an abandoned vehicle does not sell at an abandoned vehicle auction, an odometer disclosure is not

required if the vehicle is subsequently sold by the tow truck operator to a hulk hauler, wrecker or scrap processor.

(4) When an abandoned vehicle does not sell at an abandoned vehicle auction, an odometer disclosure statement is required to be completed by the tow truck operator as transferee when the vehicle ownership is transferred to the tow truck operator.

AMENDATORY SECTION (Amending Order TL/RG 49, filed 7/31/89, effective 8/31/89)

WAC 308-56A-670 Odometer disclosure statement—Dealer auction companies. (1) When ((the)) a vehicle is sold by a vehicle dealer, doing business as an auction company to a nondealer, the dealer auction company must complete the odometer disclosure statement as the transferor.

(2) Vehicle dealer auction companies must retain the following odometer records ((for)), in addition to the records required in WAC 308-56A-640, for five years on each vehicle sold:

~~((1))~~ (a) Name of the most recent owner, other than the auction company;

~~((2))~~ (b) Name of the buyer;

~~((3))~~ (c) Vehicle identification number; and

~~((4))~~ (d) Odometer reading of the vehicle for the date on which the auction company took possession of the vehicle.

AMENDATORY SECTION (Amending Order TL/RG 49, filed 7/31/89, effective 8/31/89)

WAC 308-56A-680 Odometer disclosure statement—Out-of-state vehicles. (~~(Any vehicle previously))~~ Vehicles last titled in another ((state)) vehicle licensing jurisdiction must include an odometer disclosure statement when application is made for a ((Washington)) certificate of ((title)) ownership or registration. A foreign jurisdiction odometer disclosure statement must satisfy the provisions of RCW 46.12.124 or the federal Truth in Mileage Act of 1986. Odometer disclosure statements on out-of-state titles are acceptable, provided the form is issued/approved by the foreign jurisdiction and has the appropriate odometer readings required by the Truth in Mileage Act of 1986.

AMENDATORY SECTION (Amending Order TL/RG 49, filed 7/31/89, effective 8/31/89)

WAC 308-56A-690 Odometer disclosure statement—Forms. All odometer disclosure statement forms submitted with applications for certificates of ownership must be approved by the department ((of licensing to ensure they are in)) for compliance with the Federal Truth in Mileage Act of 1986.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

308-56A-630 Odometer disclosure statement—  
Exemptions.



**WSR 97-06-073**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)  
(Public Assistance)  
[Filed February 28, 1997, 2:15 p.m.]

Supplemental Notice to WSR 97-05-072.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule: WAC 388-215-1660 Unmarried minor parents required to live with adult relative or legal guardian.

Purpose: To comply with the federal requirement in Public Law 104-193 that temporary assistance for needy families (TANF) be denied to unmarried minor parents who are not living with an adult relative or in an appropriate adult-supervised setting as determined by the department.

Statutory Authority for Adoption: RCW 74.04.050 and 74.04.055.

Statute Being Implemented: Public Law 104-193, Section 103 (a)(1) (1996).

Summary: Federal rules for the temporary assistance for needy families (TANF) cash assistance program require that TANF benefits be denied to unmarried minor parents who are not living with an adult relative or in an appropriate adult-supervised setting as determined by the department.

Reasons Supporting Proposal: To qualify for federal funding under the TANF program.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Kevin Sullivan, Division of Income Assistance, (360) 413-3093.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is necessary because of federal law, Public Law 104-193, Section 103 (a)(1) (1996).

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 388-215-1660 Unmarried minor parents required to live with adult relative or legal guardian, to comply with the federal requirement in Public Law 104-193 regarding denial of TANF to unmarried minor parents who are not living with an adult relative or in an appropriate adult-supervised setting as determined by the department, in order to qualify for federal TANF funding.

Proposal Changes the Following Existing Rules: Prior to this rule change, unmarried minor parents were not required to live in an adult-supervised setting as a factor of eligibility for assistance.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule change does not impact small businesses. It only affects applicants and recipients of temporary assistance for needy families.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Section 201 (RCW 34.05.328) does not apply to the Department of Social and Health Services.

Hearing Location: Lacey Government Center (behind Tokyo Bento restaurant), 1009 College Street S.E., Room 104-A, Lacey, WA 98503, on April 8, 1997, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Leslie Baldwin by March 25, 1997, (360) 902-7540, TTY (360) 902-8324.

Submit Written Comments to: Leslie Baldwin, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box

45850, Olympia, WA 98504-5850, FAX (360) 902-8292, by April 8, 1997.

Date of Intended Adoption: No sooner than April 9, 1997.

February 28, 1997  
Merry A. Kogut, Manager  
Rules and Policies Assistance Unit

NEW SECTION

**WAC 388-215-1660 Unmarried minor parents required to live with adult relative or legal guardian.** (1) The department shall deny assistance to an unmarried minor parent, by excluding the needs of that individual in determining the need and payment amount of the assistance unit, if that individual and that individual's child do not reside in one of the living situations described in subsection (2) of this section.

(2) An unmarried minor parent and the minor parent's child must live in either:

(a) The home of a parent, legal guardian, or other adult relative of the minor parent; or

(b) A facility or home licensed under RCW 74.15 that provides a supportive and supervised living arrangement requiring residents to learn parenting skills, a maternity home, other appropriate adult-supervised living arrangement, or the client's current or proposed living arrangement if the department determines it is appropriate, if:

(i) The minor parent has no living parent, legal guardian, or other adult relative that can be located, or if the parent, legal guardian, or other adult relative does not meet applicable state criteria to act as the individual's legal guardian or otherwise does not want the minor parent to reside with them; or

(ii) The minor parent or minor parent's child is being or has been subjected to serious physical, emotional or sexual harm, abuse or exploitation in the home of the parent, legal guardian, or other adult relative; or

(iii) Substantial evidence exists of an act or failure to act by the parent, legal guardian, or other adult relative that presents an imminent or serious harm to the minor parent or minor parent's child if they resided there; or

(iv) The department determines that it is in the best interest of the minor child to waive the requirement in subsection (2)(a) of this section.

(3) For the purposes of this section, an unmarried minor parent's living arrangement is not appropriate if, at the time of the minor parent's eligibility determination, the other natural parent of the minor parent's child:

(a) Resides in the home;

(b) Is at least eighteen years of age; and

(c) The minor parent and the adult parent meet the age criteria for the offenses of rape of a child in the first, second or third degree as set forth in RCW 9A.44.073, 9A.44.076 and 9A.44.079.

(4) The income of a minor parent who is denied benefits under this section shall be allocated under WAC 388-218-1640 as if the minor parent were ineligible due to sanction or noncooperation.

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**WSR 97-06-079  
PROPOSED RULES  
OLYMPIC AIR  
POLLUTION CONTROL AUTHORITY**

[Filed March 3, 1997, 8:38 a.m.]

Original Notice.

Title of Rule: Definition of "Potential to Emit" under Regulation 1, Articles 5 and 6.

Purpose: To achieve consistency. Amend the definition of "Potential to Emit" under Articles 5 and 6 so that they are consistent with the definition of "Potential to Emit" under Article 1, the general definitions section.

Statutory Authority for Adoption: RCW 70.94.141.

Statute Being Implemented: Chapter 70.94 RCW.

Summary: Amend definition of "Potential to Emit" under Articles 5 and 6 to achieve consistency with the definition of this term in the general definitions section of Regulation 1.

Reasons Supporting Proposal: Amendments are necessary to achieve consistency in Regulation 1 and for OAPCA to maintain delegation of the state Air Operating Permit Program pursuant to RCW 70.94.161.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mark Goodin, 909 Sleater Kinney Road S.E. #1, 438-8768.

Name of Proponent: [Olympic Air Pollution Control Authority], governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Article 5 establishes and defines Olympic Air Pollution Control Authority's Registration Program. Article 6 establishes and defines requirements for Olympic Air Pollution Control Authority's Air Operating Permit Program. The definition for "Potential to Emit" in these articles is necessary in determining whether a source of air pollution is major or minor. The proposed amendments to the definition clarify that physical and operational limitations on a source's capacity need to be federally enforceable to be considered in determining the sources "Potential to Emit."

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Proposed amendments to the definition for "Potential to Emit" in Articles 5 and 6 simply clarify the definition of this term and make the definition consistent throughout Regulation 1.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This amendment is exempt according to RCW 34.05.328 (5)(b)(iv) as the amendments clarify the language of the rule without changing its effect.

Hearing Location: Lacey City Hall, City of Lacey Council Chambers, 420 College Street, Lacey, on April 9, 1997, at 10:15 a.m.

Assistance for Persons with Disabilities: Contact Mark Goodin by April 7, (360) 438-8768.

Submit Written Comments to: Mark Goodin, FAX (360) 438-8768, by April 9, 1997.

Date of Intended Adoption: May 10, 1997.

February 28, 1997  
Mark Goodin  
Professional Engineer

**ARTICLE 5  
REGISTRATION**

**AMENDED SECTION**

**SECTION 5.00 DEFINITIONS**

For purposes of Article 5, the following definitions apply.

ACTUAL EMISSIONS means the actual rate of emissions of a pollutant from an emission unit, as determined in accordance with (a) and (b) of this subsection.

(a) In general, actual emissions as of a particular date shall equal the average rate, in tons per year, at which the emissions unit actually emitted the pollutant during a one-year period which precedes the particular date and which is representative of normal source operation. Actual emissions shall be calculated using the emissions unit's actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.

(b) The Authority may presume that source-specific allowable emissions for the unit are equivalent to the actual emissions of the emissions unit.

AIR CONTAMINANT means dust, fumes, mist, smoke, other particulate matter, vapor, gas, odorous substance, or any combination thereof. "Air pollutant" means the same as "air contaminant."

AIR CONTAMINANT GENERATING EQUIPMENT means, for purposes of calculating Article 5 fees, any equipment or process capable of generating or emitting air contaminants except for the equipment and processes listed in (a) through (g) below:

(a) Gasoline or other fuel storage tanks located at dispensing facilities as defined in Article 15.

(b) Storage tanks and other equipment located at dry cleaning facilities.

(c) Combustion units with less than 10 million BTUs per hour heat input.

(d) Process equipment with less than 20,000 ACFM flowrate.

(e) Paint spray booths and related paint spraying equipment.

(f) Mobile sources.

(g) Any other equipment or process determined appropriate for this exemption by the Authority.

EMISSIONS means a release of air contaminants into the ambient air.

EMISSIONS UNIT means any part of a source which emits or would have the potential to emit any pollutant subject to regulation.

FACILITY means the same as "source".

POTENTIAL TO EMIT means the maximum capacity of a source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is federally enforceable (~~by the Authority~~).

SOURCE means all of the emissions unit(s) including quantifiable fugitive emissions, that are located on one or more contiguous properties, and are under the control of the

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same person or persons under common control, whose activities are ancillary to the production of a single product or functionally related groups of products. Activities shall be considered ancillary to the production of a single product or functionally related group of products if they belong to the same major group (i.e., which have the same two digit code) as described in the *Standard Industrial Classification Manual, 1972*, as amended by the 1977 Supplement.

STACK means, for purposes of calculating fees pursuant to Article 5, any point in a source designed to emit solids, liquids, or gases into the air, including a pipe or duct, except for the following:

- (a) Emission points associated with gasoline or fuel dispensing stations.
- (b) Emission points associated with dry cleaning facilities.
- (c) Pipes or ducts equal to or less than twelve (12) inches in diameter.
- (d) Any other emission point determined appropriate for this exemption by the Authority.

## ARTICLE 6

### OPERATING PERMIT PROGRAM

#### AMENDED SECTION

#### SECTION 6.00 DEFINITIONS

For purposes of Article 6, the following definitions shall apply:

ACTUAL EMISSIONS means the actual rate of emissions of a pollutant from an emission unit, as determined in accordance with (a) and (b) of this subsection.

(a) In general, actual emissions as of a particular date shall equal the rate, in tons per year, at which the emissions unit actually emitted the pollutant during a one-year period which precedes the particular date and which is representative of normal source operation. Actual emissions shall be calculated using the emissions unit's actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.

(b) The Authority may presume that source-specific allowable emissions for the unit are equivalent to the actual emissions of the emissions unit.

AIR CONTAMINANT means dust, fumes, mist, smoke, other particulate matter, vapor, gas, odorous substance, or any combination thereof. "Air pollutant" means the same as "air contaminant."

AIR CONTAMINANT GENERATING EQUIPMENT means, for purposes of calculating Article 6 fees, any equipment or process capable of generating or emitting air contaminants except for the equipment and processes listed in (a) through (g) below:

- (a) Gasoline or other fuel storage tanks located at dispensing facilities as defined in Article 15.
- (b) Storage tanks and other equipment located at dry cleaning facilities.
- (c) Combustion units with less than 10 million BTUs per hour heat input.
- (d) Process equipment with less than 20,000 ACFM flowrate.
- (e) Paint spray booths and related paint spraying equipment.
- (f) Mobile sources.

(g) Any other equipment or process determined appropriate for this exemption by the Authority.

EMISSIONS means a release of air contaminants into the ambient air.

EMISSIONS UNIT means any part of a source which emits or has the potential to emit any pollutant subject to regulation.

FACILITY means the same as "source".

POTENTIAL TO EMIT means the maximum capacity of a source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is federally enforceable (~~by the Authority~~).

SOURCE means all of the emissions unit(s) including quantifiable fugitive emissions, that are located on one or more contiguous properties, and are under the control of the same person or persons under common control, whose activities are ancillary to the production of a single product or functionally related groups of products. Activities shall be considered ancillary to the production of a single product or functionally related group of products if they belong to the same major group (i.e., which have the same two digit code) as described in the *Standard Industrial Classification Manual, 1972*, as amended by the 1977 Supplement.

STACK means, for purposes of calculating Article 6 fees, any point in a source designed to emit solids, liquids, or gases into the air, including a pipe or duct, except for the following:

- (a) Emission points associated with gasoline or fuel dispensing stations.
- (b) Emission points associated with dry cleaning facilities.
- (c) Pipes or ducts equal to or less than twelve (12) inches in diameter.
- (d) Any other emission point determined appropriate for this exemption by the Authority.

TOXIC AIR POLLUTANT means any Class A or Class B toxic air pollutants listed in WAC 173-460-150 and 173-460-160. The

**Reviser's note:** The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

#### WSR 97-06-084

#### WITHDRAWAL OF PROPOSED RULES DEPARTMENT OF FISH AND WILDLIFE (Wildlife)

[Filed March 3, 1997, 10:11 a.m.]

The Washington State Department of Fish and Wildlife withdraws the following proposed rules: Proposed amendments to WAC 232-28-024 [232-12-024], filed October 23, 1996, in WSR 96-21-155; and proposed amendments to WAC 232-28-02280, filed October 23, 1996, in WSR 96-21-167.

Evan S. Jacoby  
Rules Coordinator

**WSR 97-06-086**  
**PROPOSED RULES**  
**PUBLIC DISCLOSURE COMMISSION**

[Filed March 3, 1997, 1:19 p.m.]

**Original Notice.**

Preproposal statement of inquiry was filed as WSR 96-23-052; and proposal is exempt under RCW 34.05.310(4).

Title of Rule: Amend WAC 390-16-313 Independent expenditure—Definition and application.

Purpose: To delete the provision that precludes political parties and caucus political committees from making independent expenditures. To further clarify when an expenditure will be considered an independent expenditure.

Statutory Authority for Adoption: RCW 42.17.370(1).

Statute Being Implemented: RCW 42.17.020(24), [42.17].180, [42.17].510, [42.17].550, [42.17].640.

Summary: WAC 390-16-313 would be amended to delete the provisions precluding political parties and caucus political committees from making independent expenditures.

Reasons Supporting Proposal: The United States Supreme Court ruled earlier this year that political parties cannot constitutionally be precluded from making independent expenditures. Therefore, subsection (2) of WAC 390-16-313 should be repealed since it does, in effect, preclude political parties from making independent expenditures, and constitutionally cannot be applied. Similarly, subsection (3) should also be repealed since the Supreme Court has thrown doubt upon the ability of the states to impose any absolute restriction on noncandidates making independent expenditures.

Name of Agency Personnel Responsible for Drafting and Implementation: Melissa Warheit and Vicki Rippie, 711 Capitol Way, Room 403, Olympia, WA 98504, (360) 753-1111; and Enforcement: Melissa Warheit and Susan Harris, 711 Capitol Way, Room 403, Olympia, WA 98504, (360) 753-1111.

Name of Proponent: Public Disclosure Commission, governmental.

Rule is necessary because of federal court decision, *Colorado Republican Federal Campaign Committee v. FEC*, 64 U.S.L.W. 4663 (6/26/96).

Explanation of Rule, its Purpose, and Anticipated Effects: Initiative 134 imposes limits on contributions to candidates for state-wide and legislative office, including contributions made by political parties and caucus political committees to those candidates. The law distinguishes between contributions given to candidates and independent expenditures. Independent expenditures are made to support or oppose a candidate, but are not made directly to a candidate's campaign. While the law may limit contributions, independent expenditures may not constitutionally be limited by law. An expenditure made in cooperation or consultation with a candidate is considered a contribution and not an independent expenditure.

In order to fully implement contribution limits, the Public Disclosure Commission promulgated rules further explaining what expenditures are considered to be contribu-

tions and what are considered to be independent expenditures not subject to limit.

WAC 390-16-313 describes application of the definition of independent expenditure. Subsection (2) of WAC 390-16-313 provides that expenditures by political parties supporting or opposing candidates are considered to be contributions, the idea being that political parties are too closely aligned with their candidates to make independent expenditures. Similarly, subsection (3) provides that expenditures supporting or opposing legislative candidates by caucus political committees are contributions.

The United States Supreme Court ruled last year that political parties cannot constitutionally be precluded from making independent expenditures. Therefore, subsection (2) of WAC 390-16-313 should be repealed since it does, in effect, preclude parties from making independent expenditures. Similarly, subsection (3) should also be repealed since the Supreme Court has thrown doubt upon the ability of the state to impose any absolute restriction on noncandidates making independent expenditures.

Proposal Changes the Following Existing Rules: The amendment to WAC 390-16-313 deletes subsections (2) and (3) providing that expenditures by political parties and caucus political committees supporting or opposing candidates are contributions subject to the applicable limits. The amendment also further clarifies the definition of independent expenditures.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposal would affect PACs, political parties, and caucus political committees. It would not affect businesses in an industry.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The Public Disclosure Commission is not an agency listed in subsection (5)(a)(i) of section 201. Further, the Public Disclosure Commission does not voluntarily make section 201 applicable to this rule adoption pursuant to subsection (5)(a)(ii) of section 201, and to date, the Joint Administrative Rules Review Committee has not made section 201 applicable to this rule adoption.

Hearing Location: Evergreen Plaza Building, 711 Capitol Way, 2nd Floor Conference Room, Olympia, WA 98504, on April 22, 1997, at 9:00 a.m.

Submit Written Comments to: Melissa Warheit, Executive Director, or Vicki Rippie, Assistant Director, Public Disclosure Commission, P.O. Box 40908, Olympia, WA 98504-0908, FAX (360) 753-1112, by April 14, 1997.

Date of Intended Adoption: April 22, 1997.

March 5, 1997

Melissa Warheit  
Executive Director

**AMENDATORY SECTION** (Amending WSR 96-09-016 filed 4/8/96)

**WAC 390-16-313 Independent expenditure—Definition and application.** (1) "Independent expenditure," as that term is used in chapter 42.17 RCW, except RCW 42.17.100, means an "expenditure" as defined in RCW 42.17.020 that has each of the following elements:

a) It is made in support of or in opposition to a candidate for public office, except federal elective office or precinct committee officer, by a person who is not

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- (i) a candidate for that office,
  - (ii) an authorized committee of that candidate for that office,
  - (iii) a person who has received the candidate's encouragement or approval to make the expenditure, if the expenditure pays in whole or in part for any political advertising supporting that candidate or promoting the defeat of any other candidate or candidates for that office, or
  - (iv) a person with whom the candidate has collaborated for the purpose of making the expenditure, if the expenditure pays in whole or in part for any political advertising supporting that candidate or promoting the defeat of any other candidate or candidates for that office;
- (b) The expenditure pays in whole or in part for any political advertising that either specifically names the candidate supported or opposed, or clearly and beyond any doubt identifies the candidate without using the candidate's name; ~~((and))~~

(c) The expenditure, alone or in conjunction with another expenditure or other expenditures of the same person in support of or opposition to that candidate, has a value equal to or greater than the ~~((amount specified))~~ threshold for an independent expenditure found in WAC 390-05-400. A series of expenditures, each of which is under the ~~((applicable amount))~~ threshold for an independent expenditure found in WAC 390-05-400, constitutes one independent expenditure if their cumulative value is equal to or greater than the ~~((amount specified))~~ threshold for an independent expenditure found in WAC 390-05-400; and

(d) The expenditure is not a contribution as defined in RCW 42.17.020 and clarified by WAC 390-05-210.

~~(2) **Political Parties.** An expenditure in support of a candidate or in opposition to one or more of that candidate's opponents is a contribution to that candidate and is subject to the applicable limits found in RCW 42.17.105(8) and RCW 42.17.640 if it is made by, through or in cooperation, consultation, concert or collaboration with one or more of the following persons or their agents: a bona fide political party, a national committee or federal committee of a political party organization, or a political committee financed, controlled or operated by one or more officers, employees or agents of a bona fide political party.~~

~~(3) **Caucus and Legislator Operated Committees.** An expenditure in support of a state legislative office candidate or in opposition to one or more of that candidate's opponents is a contribution to that candidate and is subject to the applicable limits found in RCW 42.17.105(8) and RCW 42.17.640 if it is made by, through or in cooperation, consultation, concert or collaboration with one or more of the following persons or their agent: a caucus political committee or another political committee financed, controlled or operated by one or more state legislators, one or more employees or agents of a caucus political committee, or a combination thereof.~~

~~(4)) **Exempt Activities.** The following activities are not considered independent expenditures for purposes of RCW 42.17.100, .180, .510 or .550:~~

- (a) Ordinary home hospitality;
- (b) A news item, feature, commentary, or editorial in a regularly scheduled news medium that is of primary interest to the general public, that is in a news medium controlled by

a person whose business is that news medium, and that is not controlled by a candidate or a political committee;

(c) An internal political communication primarily limited to

(i) the members of or contributors to a political party organization or political committee,

(ii) the officers, management staff or stockholders of a corporation or similar enterprise, or

(iii) the members of a labor organization or other membership organization;

(d) Messages in the form of reader boards, banners, or yard or window signs displayed on a person's own property or the property occupied by a person. However, a facility used for such political advertising for which a rental charge is normally made shall be reported as an in-kind contribution at its fair market value and counts towards any applicable contribution limit of the person providing the facility; or

(e) The rendering of personal services of the sort commonly performed by volunteer campaign workers or incidental expenses personally incurred by volunteer campaign workers not in excess of fifty dollars personally paid by the worker.

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

**WSR 97-06-092**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**FINANCIAL INSTITUTIONS**

[Filed March 3, 1997, 4:36 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 96-09-095.

Title of Rule: Fees charged by the Department of Financial Institutions to check cashers and check sellers.

Purpose: To establish fees as allowed by RCW 31.45.050.

Statutory Authority for Adoption: RCW 43.320.040 and 31.45.200.

Statute Being Implemented: RCW 31.45.050.

Summary: Lowers the hourly fee for application review, investigation and examination from \$90 per hour to \$65 per hour, and establishes an annual assessment fee for licensees.

Reasons Supporting Proposal: In chapter 13, Laws of 1996, the legislature required that the fees charged in the check casher program, including an investigation fee and an annual assessment, cover the costs of operating the program.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Ed Burgert, Program Manager, 300 General Administration Building, Olympia, (360) 902-8727.

Name of Proponent: Department of Financial Institutions, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: In chapter 13, Laws of 1996, the legislature required that the fees charged in the check casher program cover the cost of operating the program. The bill required that the director of the Department of Financial Institutions establish an investigation fee and an annual assessment fee. The rule establishes the annual assessment at \$500. The threshold for the application of the annual assessment fee is \$1,000,000, so it only applies to large licensees. It also lowers the current investigation fee from \$90 per hour to \$65 per hour, reflecting the actual cost.

The anticipated effect is that smaller licensees will experience lower examination fees. The implementation of the annual assessment fee allows the program to be self-supporting.

Proposal Changes the Following Existing Rules: (1) Lowers examination fee; and (2) establishes annual assessment fee.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

#### Small Business Economic Impact Statement

Proposed amendments and new sections to chapter 208-630 WAC, the regulations governing check cashers and check sellers.

**Background:** In 1996, by chapter 13, Laws of 1996, the legislature amended RCW 31.45.050 to require the Department of Financial Institutions' check casher and check seller program to be self-supporting. It states that licensees shall pay an investigation fee and an annual assessment, as set by rule of the director of the Department of Financial Institutions.

The department has involved both regulated entities and their advocates during the process of developing these proposed amendments. A meeting was held prior to the enactment of chapter 13, Laws of 1996, and another informal meeting was held in January 1997, with licensees and their advocates to discuss drafts of the proposed rule changes. As a result, changes were made in this final proposed amendment that mitigate the effect of the fees on small licensees.

The department sent out a questionnaire to all licensees (forty-one companies), asking them to quantify any additional costs resulting from the amendments to the rules or the new rules. We received seven responses. The responses from large licensees showed that they would incur additional costs for the annual assessment fee. Responses from large and small licensees showed a decrease in the cost of examinations.

**Summary of Amendments:** There are two significant changes: The reduction of the examination fee and the addition of an annual assessment fee.

New WAC 208-630-022 establishes an annual fee of \$500 for each license or endorsement (check casher, check seller or small loan endorsement) if the volume of applicable transactions at all licensed locations is in excess of \$1,000,000.

New WAC 208-630-023 establishes the fee for examinations at \$65 per hour. The rate previously established in WAC 208-630-020 was \$90.

**Additional Professional Services Needed:** These rules will not require any additional professional services.

**Costs of Compliance:** The new and amended rules do not impose any additional reporting requirements on the licensee. The rules do not require that licensees keep any records other than those they would keep in the normal course of business.

**Comparison of Cost - Small versus Large Employers:** The majority of the companies licensed are small businesses. The department has worked to ensure that there will be no disproportionate costs on small businesses. The rules should decrease the cost of regulation for smaller licensees since the hourly charge for examinations is decreasing by \$25 per hour. The annual assessments only apply to large licensees with transaction volumes over \$1,000,000. The addition of the annual assessment will provide predictability to the licensees and a continued, predictable source of funding for the program.

**Hearing Location:** The public hearing will commence at 10:00 a.m. on Tuesday, April 8, 1997, in Room 300, General Administration Building, 210 11th Avenue S.W., Olympia, WA.

**Submit Written Comments to:** Written comments may be submitted on or before April 7, 1997, to Ed Burgert, Program Manager, P.O. Box 41200, Olympia, WA 98504-1200.

**Date of Intended Adoption:** April 8, 1997 [1997].

A copy of the statement may be obtained by writing to Ed Burgert, Program Manager, Department of Financial Institutions, Consumer Services Division, Mailstop 1200, Olympia, WA 98504-1200, phone (360) 902-8727, or FAX (360) 664-2258.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. In accordance with section 201(5), not applicable.

**Hearing Location:** 300 General Administration Building, Olympia, WA, on April 8, 1997, at 10:00 a.m.

**Assistance for Persons with Disabilities:** Contact Victoria W. Sheldon by April 4, 1997, TDD (360) 664-8126.

**Submit Written Comments to:** Ed Burgert, FAX (360) 586-5068, by April 7, 1997.

**Date of Intended Adoption:** April 8, 1997.

March 3, 1997

Mark Thomson, Assistant Director

Division of Administrative and Consumer Services

**AMENDATORY SECTION** (Amending WSR 96-03-059, filed 1/12/96, effective 2/12/96)

**WAC 208-630-020 Schedule of fees paid by licensees and applicants.** (1) The director shall collect the following fees:

(a) ~~((A fee of ninety dollars per employee hour expended for services plus actual expenses for review of application and investigation for:~~

~~(i) New license application.~~

~~(ii) Additional locations.~~

~~(iii) Change of control.~~

~~(iv) Relocation of office.~~

~~(v) Voluntary or involuntary liquidation of licensee.~~

~~(vi) Small loan endorsement application.~~

(b) ~~The director may require a lump sum payment in advance to cover the anticipated cost of review and investigation of the activities described in (a) of this subsection. If~~

~~the lump sum payment required under this section exceeds the actual amounts derived in (a) of this subsection, the amount in excess shall be refunded.~~

~~(2) The fee for examinations described in WAC 50-30-010 (2) and (3) shall be ninety dollars per employee hour expended.) Charges for costs incurred by the division for review and investigation of applications;~~

~~(b) An annual assessment charge; and~~

~~(c) Charges for examinations described in WAC 208-630-015.~~

~~(2) Fees must be paid promptly when due but no later than thirty days after receipt of any billing from the division.~~

#### NEW SECTION

**WAC 208-630-021 Application review and investigation fee.** (1) The director shall collect a fee of sixty-five dollars per employee hour expended for services, plus actual expenses, for review of application and investigation of:

- (a) New license applications;
- (b) Additional locations;
- (c) Change of control;
- (d) Relocation of office;
- (e) Voluntary or involuntary liquidation of licensee; and
- (f) Small loan endorsement applications.

(2) The director may require a lump sum payment in advance to cover the anticipated cost of review and investigation of the activities described in this section. If the lump sum payment required exceeds the actual amount derived in subsection (1) of this section, the amount in excess shall be refunded.

#### NEW SECTION

**WAC 208-630-022 Annual assessment charge.** (1) The director will charge each licensee an annual assessment at the rate set forth in subsection (2) of this section. Assessments for a calendar year will be computed on total volume of transactions as of December 31 of the previous calendar year. For licensees with a fiscal year of January through December, annual assessments are due on or before April 15. For licensees with a fiscal year other than that stated above, annual assessments are due one hundred five days after the close of the licensee's fiscal year. For the calendar year 1997, annual assessments for all licensees are due on or before June 30, 1997.

(2) The annual assessment rate is:

(a) For check cashers:

(i) If the volume of checks cashed is one million dollars or less, there is no annual assessment;

(ii) If the volume of checks cashed is over one million dollars, the annual assessment is five hundred dollars per licensed location.

(b) For check sellers:

(i) If the volume of checks sold is one million dollars or less, there is no annual assessment;

(ii) If the volume of checks sold is over one million dollars, the annual assessment is five hundred dollars per licensed location.

(c) For licensees with small loan endorsements, in addition to (a) and/or (b) of this subsection:

(i) If the volume of small loans made is one million dollars or less, there is no annual assessment;

(ii) If the volume of small loans made is over one million dollars, the annual assessment is five hundred dollars per licensed location.

(3) For purposes of this section, "volume" includes all transactions made under this chapter and chapter 31.45 RCW by a Washington licensed check casher or check seller at all licensed locations.

#### NEW SECTION

**WAC 208-630-023 Examination fees.** The fee for examinations described in WAC 208-630-015 shall be sixty-five dollars per employee hour expended.

**WSR 97-06-097**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)  
(Public Assistance)  
[Filed March 4, 1997, 2:00 p.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule: WAC 388-49-190 Household concept.

Purpose: Include as ineligible household members persons who have a felony conviction with an element of possession, use, or distribution of a controlled substance occurring after August 22, 1996.

Statutory Authority for Adoption: RCW 74.04.510.

Statute Being Implemented: Public Law 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, Section 115 (1996).

Summary: Includes as ineligible household members persons who have a felony conviction with an element of possession, use, or distribution of a controlled substance occurring after August 22, 1996.

Reasons Supporting Proposal: Public Law 104-193, PRWORA of 1996, Section 115.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Wendy Forslin, Division of Income Assistance, (360) 413-3083.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is necessary because of federal law, Section 115 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

Explanation of Rule, its Purpose, and Anticipated Effects: Includes as ineligible household members persons who have a felony conviction with an element of possession, use, or distribution of a controlled substance occurring after August 22, 1996.

Persons convicted of this type of felony will no longer be eligible for food stamps, however, that person's income and resources are considered available to the food stamp household.

Proposal Changes the Following Existing Rules: WAC 388-49-190 (4)(g), includes as an ineligible household member persons who have a felony conviction with an

element of possession, use, or distribution of a controlled substance occurring after August 22, 1996.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This change impacts the food stamp program and does not affect small businesses.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. RCW 34.05.328 does not apply to the Department of Social and Health Services.

Hearing Location: Lacey Government Center (behind Tokyo Bento restaurant), 1009 College Street S.E., Lacey, WA, on April 8, 1997, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Leslie Baldwin by March 25, 1997, e-mail lbaldwin@dshs.wa.gov, phone (360) 902-7540, TTY (360) 902-8324.

Submit Written Comments to: Leslie Baldwin, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, FAX (360) 902-8292, by April 8, 1997.

Date of Intended Adoption: No sooner than April 9, 1997.

March 4, 1997

Merry A. Kogut, Manager  
Rules and Policies Assistance Unit

**AMENDATORY SECTION** (Amending WSR 96-22-103, filed 11/6/96, effective 12/7/96)

**WAC 388-49-190 Household concept.** (1) The department shall consider the following as households:

- (a) A person living alone;
- (b) Persons living together and purchasing or preparing meals together; or
- (c) A permanently disabled and elderly person unable to prepare meals provided the:
  - (i) Person's spouse shall be included in the household; and
  - (ii) Income of other individuals, except the person's spouse, living with the person does not exceed one hundred sixty-five percent of the poverty level.

(2) The department shall consider the following as households regardless of the purchase and prepare arrangements:

- (a) Parents and their natural, adoptive, or stepchildren twenty-one years of age or younger.
  - (b) Person seventeen years of age or younger under parental control of an adult other than their parent, and the adult who is maintaining the control; or
  - (c) Spouses who live together.
- (3) The department shall consider the following persons living with the household as nonhousehold members who, if otherwise eligible, may qualify as a separate household:
- (a) Roomers;
  - (b) Live-in attendants; or
  - (c) Persons sharing living quarters with the household who purchase food and prepare meals separately from the household.

(4) The department shall consider the following persons living with the household as ineligible household members:

- (a) Persons disqualified for intentional program violation;

(b) Persons disqualified because of noncompliance with work requirements as described under WAC 388-49-360;

(c) Persons who are ineligible aliens;

(d) Persons disqualified for failure to apply for or provide a Social Security number;

(e) Persons who fail to sign the application attesting to their citizenship or alien status; ((e))

(f) Fleeing felons; or

(g) Persons convicted of a felony with an element of possession, use, or distribution of a controlled substance occurring after August 22, 1996.

**WSR 97-06-098**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)  
(Public Assistance)  
[Filed March 4, 1997, 2:02 p.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule: WAC 388-49-160 Certification periods.

Purpose: No longer mandates that a certification period can only be up to six months for households consisting of a parent and a minor child that was granted separate household status.

Statutory Authority for Adoption: RCW 74.04.510.

Statute Being Implemented: 7 CFR 273.10 (f)(2).

Summary: Deletes the mandate that the certification period can be up to six months for households consisting of a parent and a minor which are granted separate household status.

Reasons Supporting Proposal: Final regulations of the Mickey Leland Childhood Hunger Prevention Act of 1994 and 7 CFR 273.10 (f)(2).

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Wendy Forslin, Division of Income Assistance, (360) 413-3083.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is necessary because of federal law, 7 CFR 273.10 (f)(2).

Explanation of Rule, its Purpose, and Anticipated Effects: No longer mandates that the certification period be up to six months for households consisting of a parent and minor child that was granted separate household status.

A child under twenty-two living with a parent can no longer be a separate food stamp household from that parent. Therefore, this mandate is a moot point.

Proposal Changes the Following Existing Rules: WAC 388-49-160(8) deletes the mandate that the certification period be up to six months for households consisting of a parent and minor child that was granted separate household status.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This change impacts the food stamp program and does not affect small businesses.



Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. RCW 34.05.328 does not apply to the Department of Social and Health Services.

Hearing Location: Lacey Government Center (behind Tokyo Bento restaurant), 1009 College Street S.E., Room 104-A, Lacey, WA, on April 8, 1997, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Leslie Baldwin, by March 25, 1997, e-mail lbaldwin@dshs.wa.gov, (360) 902-7540, TTY (360) 902-8324.

Submit Written Comments to: Leslie Baldwin, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, FAX (360) 902-8292, by April 8, 1997.

Date of Intended Adoption: No sooner than April 9, 1997.

March 3, 1997  
Merry A. Kogut, Manager  
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending Order 3987, filed 6/28/96, effective 8/1/96)

**WAC 388-49-160 Certification periods.** The department shall certify households:

- (1) Receiving assistance to coincide with the assistance review or to the end of the assistance period, whichever is earlier;
- (2) Consisting of migrants up to three months;
- (3) Without earned income in which all members are disabled or all members are disabled or elderly for up to twelve months;
- (4) Without earned income in which all members are elderly for up to twenty-four months;
- (5) With little likelihood of change for six months;
- (6) Reporting monthly with earned income for up to twelve months;
- (7) Reporting monthly with recent work history for up to six months(-); and
- (8) ~~((Consisting of an individual with a minor child living with the individual's parent or sibling and purchasing and preparing food separately per WAC 388-49-190 (1)(e) up to six months)); and~~
- (9)) All other households for up to three months.

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 97-06-103**  
**PROPOSED RULES**  
**BOARD OF**  
**PILOTAGE COMMISSIONERS**  
[Filed March 5, 1997, 8:27 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 96-21-123.

Title of Rule: Exempt vessels.

Purpose: To establish application and renewal fees and procedures for a specified class of small passenger vessels or yachts which the board exempts from certain state pilotage requirements.

Other Identifying Information: WAC 296-116-360.

Statutory Authority for Adoption: RCW 88.16.070.

Statute Being Implemented: RCW 88.16.070.

Summary: The state legislature provided for the board to adopt application and renewal fees and procedures for vessels exempted by the board.

Reasons Supporting Proposal: To enact the statutory provisions.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Pilotage Commission, 1008 Western Avenue, Seattle, WA, 515-3904.

Name of Proponent: Board of Pilotage Commissioners, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Adoption of this rule is pursuant to chapter 174, Laws of 1995 of the Washington state legislature.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed amendments are intended to incorporate changes passed by the legislature pursuant to chapter 174, Laws of 1995. Certain small passenger vessels and yachts may qualify for exemption from pilotage requirements. Provisions are proposed that would modify and simplify the vessel exemption procedure.

Application and renewal fees are established in order for the board to offset administrative costs and must not exceed \$1500. per exemption.

Proposal Changes the Following Existing Rules: The rule establishes a schedule of application and renewal fees for those vessels that qualify for exemption from pilotage requirements.

Application procedures to obtain an exemption are clarified.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The rule is established for purposes of implementing the requirements of chapter 174, Laws of 1995, and will not impact businesses.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: Marine Exchange Conference Center, 2701 1st Avenue, Suite 110, Seattle, WA 98121, on April 10, 1997, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Peggy Larson by April 7, 1997, (206) 515-3904.

Submit Written Comments to: Mr. Larry Vognild, Chairman, FAX (206) 515-3969, by April 3, 1997.

Date of Intended Adoption: April 10, 1997.

February 14, 1997  
Peggy Larson  
Administrator

AMENDATORY SECTION (Amending WSR 93-07-077, filed 3/18/93)

**WAC 296-116-360 Exempt vessels.** (1) Under the authority of RCW 88.16.070, application may be made to the board of pilotage commissioners to seek exemption from the pilotage requirements for the operation of a limited class of small passenger vessels or yachts, which are not more than five hundred gross tons (international), do not exceed two

hundred feet in length, and are operated exclusively in the waters of the Puget Sound pilotage district and lower British Columbia. For purposes of this section, any vessel carrying passengers for a fee, including yachts under charter where both the vessel and crew are provided for a fee, shall be considered a passenger vessel.

The owners or operators of ~~((such))~~ the vessel ~~((or vessels))~~ for which exemption is sought must:

~~((1))~~a ~~((Seek))~~ Complete and file with the board a petition requesting an exemption at least sixty days prior to planned vessel operations in the Puget Sound pilotage district where possible. Petitions filed with less than sixty days notice may be considered by the chair at the chair's discretion.

~~((2))~~b ~~((Submit the))~~ The petition requesting exemption ~~((to the chairperson, Washington state board of pilotage commissioners, with details concerning))~~ shall be on a board-approved form which shall include a description of the vessel, the contemplated use of vessel, the proposed area of operation, the names and addresses of the vessel's owner and operator, ~~((and))~~ the dates of planned operations, and such other information as the board shall require on its petition form. ~~((The board shall hold a hearing at a regularly scheduled board meeting to consider such exemption request.))~~

(c) Pay the appropriate initial application or renewal fee with the submittal of the petition, which is listed in subsection (5).

(2) All petitions for exemption filed with the board shall be reviewed by the chair, who shall make a recommendation to the board to be considered at its next regularly or specially scheduled meeting. Consistent with the public interest, the chair may grant an interim exemption to a petitioner subject to final approval at the next board meeting, where special time or other conditions exist. ((The board, when granting such an)) Any grant of an interim exemption((;)) may ~~((establish))~~ contain such conditions ~~((they))~~ as the chair deems necessary ~~((so that such an exemption shall not be detrimental))~~ to protect the public interest ~~((in regard to safe operation preventing))~~ in order to prevent the loss of human ~~((lives, loss of))~~ life and property~~((;))~~ and ~~((protecting))~~ to protect the marine environment of the state of Washington.

~~((One such))~~ Such conditions ~~((shall be))~~ may include a requirement that the vessel employ the services of a pilot on its initial voyage into Puget Sound waters or that the master of the vessel~~((, shall))~~ at all times~~((;))~~ hold as a minimum, a United States government license as a master of ocean or near coastal steam or motor vessels of not more than sixteen hundred gross tons or as a master of inland steam or motor vessels of not more than five hundred gross tons, such license to include a current radar endorsement.

(3) The recommendation of the chair shall be considered at the next regular or specially scheduled meeting of the board. Interested parties shall receive notice and opportunity for hearing at that time, provided that the party notifies the board at least five days in advance of the meeting of its desire for hearing.

(4) The board shall annually, or at any other time when in the public interest, review any exemptions granted to the specified class of small vessels to ensure that each exempted vessel remains in compliance with the original exemption and any conditions to the exemption. The board shall have

the authority to revoke such exemption when there is not continued compliance with the requirements for exemption.

(5) Fee Schedule for Petitioners for Exemption

	<u>3 Months or Less</u>	<u>1 Year or Less</u>	<u>Annual Review</u>
<u>A. Yachts</u>			
<u>Up to 100 feet LOA</u>	<u>\$300</u>	<u>\$500</u>	<u>\$200</u>
<u>Up to 200 feet LOA</u>	<u>500</u>	<u>750</u>	<u>300</u>
<u>B. Passenger Vessels</u>			
<u>Up to 100 feet LOA</u>	<u>750</u>	<u>1000</u>	<u>400</u>
<u>Up to 200 feet LOA</u>	<u>1250</u>	<u>1500</u>	<u>500</u>

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 97-06-110**  
**PROPOSED RULES**  
**STATE BOARD OF HEALTH**  
[Filed March 5, 1997, 9:46 a.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule: (1) Notification of spouses of exposure to HIV and (2) HIV testing for substantial exposure.

Purpose: (1) Amend certain sections of chapter 246-100 WAC to assure a "good faith" and "reasonable" effort is made to notify current and/or former spouses of persons with HIV infection of the possible exposure to HIV and of the need for HIV testing.

(2) WAC 246-100-206 (10)(a) allows public safety workers and health care workers to seek an order from a health officer when the worker sustains a substantial exposure during the course of carrying out professional duties. Funeral directors and embalmers are added to the employment categories that may request the health officer to order HIV testing.

Both actions are necessary to comply with 1996 Ryan White CARE Act amendments.

Statutory Authority for Adoption: RCW 70.24.022 and [70.24].340.

Statute Being Implemented: RCW 70.24.022 and [70.24].340.

Summary: Procedures for the notification of spouses possibly exposed to HIV. Funeral directors and embalmers are added to the employment categories that may request the health officer to order HIV testing.

Reasons Supporting Proposal: Comply with the Ryan White CARE Act amendments of 1996.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: John F. Peppert, Building 9, Airdustrial Park, Tumwater, Washington, (360) 586-0427.

Name of Proponent: Department of Health, governmental.

Rule is necessary because of federal law, Public Law 104-106, Section 8.

PROPOSED

Explanation of Rule, its Purpose, and Anticipated Effects: (1) This rule change specifically requires that a good faith and reasonable effort be undertaken to notify current and former spouses of a person with HIV infection of the possible exposure to HIV.

(2) This rule change permits funeral directors and embalmers to request the health officer to order HIV testing of another person, if a substantial exposure has occurred. The purpose of the rule is to comply with federal requirements to assure notification of funeral directors and embalmers of exposure to bloodborne pathogens. The effect of this change may be a small increase in the number of requests for follow-up of substantial exposure by public health officers.

Proposal Changes the Following Existing Rules: (1) Specifies that spouses of persons with HIV infection be notified of exposure, that efforts be made to confirm such notification and defines the term "spouse."

(2) Adds "funeral directors and embalmers" to the list of employment categories under WAC 246-100-206(10).

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule amendment is exempt as stipulated in RCW 34.05.310.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The rule change makes administrative code consistent with federal law.

Hearing Location: Holiday Inn - Renton/Seattle, 800 Rainier Avenue South, Renton, WA 98055, on April 9, 1997, at 9:30 a.m.

Assistance for Persons with Disabilities: Contact John Peppert by April 2, 1997, TDD 1-800-833-6388, or (206) 226-7700.

Submit Written Comments to: John Peppert, Department of Health, Thurston Airdustrial Center, Building 9, Olympia, Washington 98054-7844 [98504-7844], FAX (360) 586-5525, by April 7, 1997.

Date of Intended Adoption: April 9, 1997.

February 28, 1997

Sylvia I. Beck

Executive Director

**AMENDATORY SECTION** (Amending Order 354B, filed 4/1/93, effective 5/2/93)

**WAC 246-100-011 Definitions.** The following definitions shall apply in the interpretation and enforcement of chapter 246-100 WAC:

(1) "Acquired immunodeficiency syndrome (AIDS)" means illness, disease, or conditions defined and described by the Centers for Disease Control, U.S. Public Health Service, Morbidity and Mortality Weekly Report (MMWR), December 18, 1992, Volume 41, Number RR-17.

(2) "AIDS counseling" means counseling directed toward:

(a) Increasing the individual's understanding of acquired immunodeficiency syndrome; and

(b) Assessing the individual's risk of HIV acquisition and transmission; and

(c) Affecting the individual's behavior in ways to reduce the risk of acquiring and transmitting HIV infection.

(3) "Board" means the Washington state board of health.

(4) "Carrier" means a person harboring a specific infectious agent and serving as a potential source of infection to others, but who may or may not have signs and/or symptoms of the disease.

(5) "Case" means a person, alive or dead, having been diagnosed to have a particular disease or condition by a health care provider with diagnosis based on clinical or laboratory criteria or both.

(6) "Category A disease or condition" means a reportable disease or condition of urgent public health importance, a case or suspected case of which must be reported to the local or state health officer immediately at the time of diagnosis or suspected diagnosis.

(7) "Category B disease or condition" means a reportable disease or condition of public health importance, a case of which must be reported to the local health officer no later than the next working day following date of diagnosis.

(8) "Category C disease or condition" means a reportable disease or condition of public health importance, a case of which must be reported to the local health officer within seven days of diagnosis.

(9) "Child day care facility" means an agency regularly providing care for a group of children for less than twenty-four hours a day and subject to licensing under chapter 74.15 RCW.

(10) "Communicable disease" means an illness caused by an infectious agent which can be transmitted from one person, animal, or object to another person by direct or indirect means including transmission via an intermediate host or vector, food, water, or air.

(11) "Contact" means a person exposed to an infected person, animal, or contaminated environment which might provide an opportunity to acquire the infection.

(12) "Department" means the Washington state department of social and health services.

(13) "Detention" or "detainment" means physical restriction of activities of an individual by confinement, consistent with WAC 246-100-206(8), for the purpose of monitoring and eliminating behaviors presenting imminent danger to public health and may include physical plant, facilities, equipment, and/or personnel to physically restrict activities of the individual to accomplish such purposes.

(14) "Food handler" means any person preparing, processing, handling, or serving food or beverages for people other than members of his or her household.

(15) "Food service establishment" means any establishment where food or beverages are prepared for sale or service on the premises or elsewhere, and any other establishment or operation where food is served or provided for the public with or without charge.

(16) "Health care facility" means:

(a) Any facility or institution licensed under chapter 18.20 RCW, boarding home, chapter 18.46 RCW, maternity homes, chapter 18.51 RCW, nursing homes, chapter 70.41 RCW, hospitals, or chapter 71.12 RCW, private establishments, clinics, or other settings where one or more health care providers practice; and

(b) In reference to a sexually transmitted disease, other settings as defined in chapter 70.24 RCW.

(17) "Health care provider" means any person having direct or supervisory responsibility for the delivery of health care or medical care who is:

(a) Licensed or certified in this state under Title 18 RCW; or

(b) Is military personnel providing health care within the state regardless of licensure.

(18) "HIV testing" means conducting a laboratory test or sequence of tests to detect the human immunodeficiency virus (HIV) or antibodies to HIV performed in accordance with requirements to WAC 246-100-207. To assure that the protection, including but not limited to, pre- and post-test counseling, consent, and confidentiality afforded to HIV testing as described in chapter 246-100 WAC also applies to the enumeration of CD4+ (T4) lymphocyte counts (CD4+ counts) and CD4+ (T4) percents of total lymphocytes (CD4+ counts) when used to diagnose HIV infection, CD4+ counts and CD4+ percents will be presumed HIV testing except when shown by clear and convincing evidence to be for use in the following circumstances:

(a) Monitoring previously diagnosed infection with HIV;

(b) Monitoring organ or bone marrow transplants;

(c) Monitoring chemotherapy;

(d) Medical research; or

(e) Diagnosis or monitoring of congenital immunodeficiency states or autoimmune states not related to HIV.

The burden of proving the existence of one or more of the circumstances identified in (a) through (e) of this subsection shall be on the person asserting such existence.

(19) "Infection control measures" means the management of infected persons, persons suspected to be infected, and others in such a manner as to prevent transmission of the infectious agent.

(20) "Isolation" means the separation or restriction of activities of infected persons, or of persons suspected to be infected, from other persons to prevent transmission of the infectious agent.

(21) "Laboratory director" means the director or manager, by whatever title known, having the administrative responsibility in any medical laboratory.

(22) "Local health department" means the city, town, county, or district agency providing public health services to persons within the area, as provided in chapter 70.05 RCW and chapter 70.08 RCW.

(23) "Local health officer" means the individual having been appointed under chapter 70.05 RCW as the health officer for the local health department, or having been appointed under chapter 70.08 RCW as the director of public health of a combined city-county health department.

(24) "Medical laboratory" means any facility analyzing specimens of original material from the human body for purposes of patient care.

(25) "Nosocomial infection" means an infection acquired in a hospital or other health care facility.

(26) "Outbreak" means the occurrence of cases of a disease or condition in any area over a given period of time in excess of the expected number of cases.

(27) "Post-test counseling" means counseling after the HIV test when results are provided and directed toward:

(a) Increasing the individual's understanding of human immunodeficiency virus (HIV) infection;

(b) Affecting the individual's behavior in ways to reduce the risk of acquiring and transmitting HIV infection;

(c) Encouraging the individual testing positive to notify persons with whom there has been contact capable of spreading HIV;

(d) Assessing emotional impact of HIV test results; and

(e) Appropriate referral for other community support services.

(28) "Pretest counseling" means counseling provided prior to HIV testing and aimed at:

(a) Helping an individual to understand:

(i) Ways to reduce the risk of human immunodeficiency virus (HIV) transmission;

(ii) The nature, purpose, and potential ramifications of HIV testing;

(iii) The significance of the results of HIV testing; and

(iv) The dangers of HIV infection; and

(b) Assessing the individual's ability to cope with the results of HIV testing.

(29) "Principal health care provider" means the attending physician or other health care provider recognized as primarily responsible for diagnosis and treatment of a patient or, in the absence of such, the health care provider initiating diagnostic testing or therapy for a patient.

(30) "Quarantine" means the separation or restriction on activities of a person having been exposed to or infected with an infectious agent, to prevent disease transmission.

(31) "Reportable disease or condition" means a disease or condition of public health importance, a case of which, and for certain diseases, a suspected case of which, must be brought to the attention of the local health officer.

(32) "School" means a facility for programs of education as defined in RCW 28A.210.070 (preschool and kindergarten through grade twelve).

(33) "Sexually transmitted disease (STD)" means a bacterial, viral, fungal, or parasitic disease or condition which is usually transmitted through sexual contact, including:

(a) Acute pelvic inflammatory disease;

(b) Chancroid;

(c) Chlamydia trachomatis infection;

(d) Genital and neonatal herpes simplex;

(e) Genital human papilloma virus infection;

(f) Gonorrhea;

(g) Granuloma inguinale;

(h) Hepatitis B infection;

(i) Human immunodeficiency virus infection (HIV) and acquired immunodeficiency syndrome (AIDS);

(j) Lymphogranuloma venereum;

(k) Nongonococcal urethritis (NGU); and

(l) Syphilis.

(34) "Spouse" means any individual who is the marriage partner of an HIV-infected individual, or who has been the marriage partner of the HIV-infected individual within the ten-year period prior to the diagnosis of HIV-infection, and evidence exists of possible exposure to HIV.

(35) "State health officer" means the person designated by the secretary of the department to serve as statewide health officer, or, in the absence of such designation, the person having primary responsibility for public health matters in the state.

~~((35))~~ (36) "Suspected case" means a person whose diagnosis is thought likely to be a particular disease or

condition with suspected diagnosis based on signs and symptoms, laboratory evidence, or both.

~~((36))~~ (37) "Unusual communicable disease" means a communicable disease which is not commonly seen in the state of Washington but which is of general public health concern including, but not limited to, Lassa fever, smallpox, typhus, and yellow fever.

~~((37))~~ (38) "Veterinarian" means an individual licensed under provisions of chapter 18.92 RCW, veterinary medicine, surgery, and dentistry and practicing animal health care.

**AMENDATORY SECTION** (Amending Order 225B, filed 12/23/91, effective 1/23/92)

**WAC 246-100-036 Responsibilities and duties—Local health officers.** (1) The local health officer shall review and determine appropriate action for:

- (a) Each reported case or suspected case of a reportable disease or condition;
- (b) Any disease or condition considered a threat to public health;
- (c) Each reported outbreak or suspected outbreak of disease, requesting assistance from the department in carrying out investigations when necessary; and
- (d) Instituting disease prevention and infection control, isolation, detention, and quarantine measures necessary to prevent the spread of communicable disease, invoking the power of the courts to enforce these measures when necessary.

(2) Local health officers shall:

- (a) Submit reports to the state health officer as required in chapter 246-100 WAC;
- (b) Establish a system at the local health department for maintaining confidentiality of written records and written and telephoned disease case reports consistent with WAC 246-100-016;
- (c) Notify health care providers within the health district regarding requirements in this chapter;
- (d) Distribute appropriate report forms to persons responsible for reporting;
- (e) Notify the principal health care provider, if possible, prior to initiating a case investigation by the local health department;
- (f) Make HIV testing, AIDS counseling, and pretest and post-test counseling, as defined in this chapter, available for voluntary, mandatory, and anonymous testing and counseling as required by RCW 70.24.400;
- (g) Make information on anonymous HIV testing, AIDS counseling, and pretest and post-test counseling, as described under WAC 246-100-208 and 246-100-209, available;
- (h) Use identifying information on HIV-infected individuals provided according to WAC 246-100-072 only:
  - (i) For purposes of contacting the HIV-positive individual to provide test results and post-test counseling; or
  - (ii) To contact sex and injection equipment-sharing partners, including spouses; and
- (i) Destroy documentation of referral information established in WAC 246-100-072 and this subsection containing identities and identifying information on HIV-infected individuals and at-risk partners of those individuals

immediately after notifying partners or within three months, whichever occurs first.

(3) Each local health officer has the authority to:

- (a) Carry out additional steps determined to be necessary to verify a diagnosis reported by a health care provider;
- (b) Require any person suspected of having a reportable disease or condition to submit to examinations required to determine the presence of the disease or condition; and
- (c) Investigate any case or suspected case of a reportable disease or condition or other illness, communicable or otherwise, if deemed necessary.

(4) Local health officers shall conduct investigations and institute control measures consistent with those indicated in the fifteenth edition 1990 of *Control of Communicable Diseases in Man*, edited by Abram S. Benenson, published by the American public health association, except:

- (a) When superseded by more up-to-date measures, or
- (b) When other measures are more specifically related to Washington state.

**AMENDATORY SECTION** (Amending Order 225B, filed 12/23/91, effective 1/23/92)

**WAC 246-100-072 Rules for notification of partners at-risk of HIV infection.** (1) A health care provider may consult with the local health officer or an authorized representative about an HIV-infected individual without identifying the individual.

(2) Only under the specific circumstances listed below, a principal health care provider shall report the identity of sex or injection equipment-sharing partners, including spouses, of an HIV-infected individual to the local health officer or an authorized representative:

- (a) After being informed of the necessity to notify sex and injection-equipment sharing partners, including spouses, and confirm notification to the health care provider, the HIV-infected individual either refuses or is unable to notify partners that partners:
  - (i) May have been exposed to and infected with HIV; and
  - (ii) Should seek HIV-pretest counseling and consider HIV testing; and
- (b) The HIV-infected individual neither accepts assistance nor agrees to referral to the local health officer or an authorized representative for assistance in notifying partners.

(3) Only in the specific circumstances listed below, a principal health care provider shall report the identity of an individual with a positive HIV test result to the local health officer or an authorized representative:

- (a) The principal health care provider provided pretest counseling as described in WAC 246-100-209(1) before the individual was tested; and
- (b) The principal health care provider made efforts, but was unable to meet face-to-face with the individual to notify the individual of the HIV-test result and to provide post-test counseling as required in WAC 246-100-209 in order to assure partner notification.

(4) A health care provider shall not disclose the identity of an HIV-infected individual or the identity of sex and injection equipment-sharing partners, including spouses, at risk of HIV infection, except as authorized in RCW 70.24.105, WAC 246-100-072, or 246-100-076.

(5) Local health officers and authorized representatives shall:

(a) Confirm conditions in subsections (2) and (3) of this section were met prior to initiating partner notification or receiving referral of identity of an HIV-infected individual; and

(b) Use identifying information, provided according to this section, on HIV-infected individuals only for contacting the HIV-infected individual to provide post-test counseling or to contact sex and injection equipment-sharing partners, including spouses; and

(c) Destroy documentation of referral information established under this subsection, containing identities and identifying information on the HIV-infected individual and at-risk partners of that individual, immediately after notifying partners or within three months of the date information was received, whichever occurs first.

**AMENDATORY SECTION** (Amending Order 225B, filed 12/23/91, effective 1/23/92)

**WAC 246-100-206 Special diseases—Sexually transmitted diseases.** (1) Definitions.

(a) "Behaviors presenting imminent danger to public health (BPID)" means the following activities, under conditions specified below, performed by an individual with a laboratory confirmed HIV infection:

(i) Anal or vaginal intercourse without a latex condom; or

(ii) Shared use of blood-contaminated injection equipment;

(iii) Donating or selling HIV-infected blood, blood products, or semen; and

(iv) Under the following specified conditions:

(A) The infected individual received post-test counseling as described in WAC 246-100-209 prior to repeating activities in subsection (1)(a)(i) and (ii) of this section; and

(B) The infected individual did not inform the persons, with whom activities described in subsection (1)(a)(i) and (ii) of this section occurred, of his or her infectious status.

(b) "Behaviors presenting possible risk" means:

(i) Actual actions resulting in "exposure presenting a possible risk" limited to:

(A) Anal, oral, or vaginal intercourse excluding conjugal visits; or

(B) Physical assault; or

(C) Sharing of injection equipment or sharp implements; or

(D) Throwing or smearing of blood, semen, or vaginal fluids; or

(ii) Threatened action if:

(A) The threatening individual states he or she is infected with HIV; and

(B) The threatened behavior is listed in subsection (1)(b)(i)(A), (B), (C), and (D) of this section; and

(C) The threatened behavior could result in "exposure presenting a possible risk."

(c) "Conduct endangering public health" means:

(i) Anal, oral, or vaginal intercourse for all sexually transmitted diseases;

(ii) For HIV and Hepatitis B:

(A) Anal, oral, or vaginal intercourse; and/or

(B) Sharing of injection equipment; and/or

(C) Donating or selling blood, blood products, body tissues, or semen; and

(iii) Activities described in subsection (1)(d)(i) and (ii) of this section resulting in introduction of blood, semen, and/or vaginal fluids to:

(A) Mucous membranes;

(B) Eyes;

(C) Open cuts, wounds, lesions; or

(D) Interruption of epidermis.

(d) "Exposure presenting possible risk" means one or more of the following:

(i) Introduction of blood, semen, or vaginal fluids into:

(A) A body orifice or a mucous membrane;

(B) The eye; or

(C) An open cut, wound, lesion, or other interruption of the epidermis.

(ii) A needle puncture or penetrating wound resulting in exposure to blood, semen, and/or vaginal fluids.

(e) "Reasonably believed" or "reason to believe," in reference to a sexually transmitted disease, means a health officer's belief which:

(i) For the purpose of investigating the source and spread of disease, is based upon a credible report from an identifiable individual indicating another person is likely to have a sexually transmitted disease (STD) or to have been exposed to a STD; and

(ii) For the purpose of issuing a written order for an individual to submit to examination, counseling, or treatment is based upon:

(A) Laboratory test results confirming or suggestive of a STD; or

(B) A health care provider's direct observation of clinical signs confirming an individual has or is likely to have a STD; or

(C) Obtaining information directly from an individual infected with a STD about the identity of his or her sexual or needle-sharing contacts when:

(I) Contact with the infected individual occurred during a period when the disease may have been infectious; and

(II) The contact was sufficient to transmit the disease; and

(III) The infected individual is, in the health officer's judgment, credible and believable.

(f) "Substantial exposure" means physical contact resulting in exposure presenting possible risk, limited to:

(i) A physical assault upon the exposed person involving blood or semen;

(ii) Intentional, unauthorized, nonconsensual use of needles or sharp implements to inject or mutilate the exposed person;

(iii) An accidental parenteral or mucous membrane or nonintact skin exposure to blood, semen, or vaginal fluids.

(2) Health care providers shall:

(a) Report each case of sexually transmitted disease as required in chapter 246-100 WAC, and

(b) Instruct each patient regarding:

(i) Communicability of the disease, and

(ii) Requirements to refrain from acts that may transmit the disease to another.

(c) Ensure completion of a prenatal serologic test for syphilis in each pregnant woman pursuant to RCW 70.24.090 including:

(i) Submission of a blood sample for syphilis to a laboratory approved to perform prenatal serologic tests for syphilis, as required in RCW 70.24.090, at the time of the first prenatal visit, and

(ii) Decide whether or not to omit the serologic test for syphilis if the test was performed elsewhere during the current pregnancy.

(3) Laboratories, health care providers, and other persons shall deny issuance of a certificate or statement implying an individual is free from sexually transmitted disease.

(4) Local health officers, health care providers, and others, in addition to requirements in chapter 246-100 WAC, shall comply with the provisions in chapter 70.24 RCW.

(5) Prevention of ophthalmia neonatorum.

(a) Health care providers diagnosing or caring for a patient with gonococcal or chlamydial ophthalmia neonatorum shall report the case to the local health officer or local health department in accordance with the provisions of this chapter.

(b) The principal health care provider attending or assisting in the birth of any infant or caring for an infant after birth, shall ensure instillation of a department-approved prophylactic ophthalmic agent into the conjunctival sacs of the infant within the time frame established by the department in policy statement of ophthalmia agents approved for the prevention of ophthalmia neonatorum in the newborn, issued June 19, 1981.

(6) State and local health officers or their authorized representatives shall:

(a) Have authority to conduct or cause to be conducted an interview and investigation of persons infected or reasonably believed to be infected with a sexually transmitted disease; and

(b) Use procedures and measures described in WAC 246-100-036(4) in conducting investigations.

(7) State and local health officers and their authorized representatives shall have authority to:

(a) Issue written orders for medical examination, testing, and/or counseling under chapter 70.24 RCW, only after:

(i) All other efforts to protect public health have failed, including reasonable efforts to obtain the voluntary cooperation of the person to be affected by the order; and

(ii) Having sufficient evidence to "reasonably believe" the individual to be affected by the order:

(A) Has a sexually transmitted disease; and

(B) Is engaging in "conduct endangering public health"; and

(iii) Investigating and confirming the existence of "conduct endangering public health" by:

(A) Interviewing sources to assess their credibility and accuracy; and

(B) Interviewing the person to be affected by the order; and

(iv) Including in a written order all information required in RCW 70.24.024.

(b) Issue written orders for treatment under RCW 70.24.022 only after laboratory test results, or direct observation of clinical signs or assessment of clinical data by a

physician, confirm the individual has, or is likely to have, a sexually transmitted disease;

(c) Issue written orders to cease and desist from specified activities, under RCW 70.24.024 only after:

(i) Determining the person to be affected by the order is engaging in "conduct endangering public health"; and

(ii) Laboratory test results, or direct observation of clinical signs or assessment of clinical data by a physician, confirm the individual has, or is likely to have, a sexually transmitted disease; and

(iii) Exhausting procedures described in subsection (7)(a) of this section; and

(iv) Enlisting, if appropriate, court enforcement of the orders described in subsections (7)(a) and (b) of this section; and

(d) Seek court orders for detainment under RCW 70.24.034, only for persons infected with HIV and only after:

(i) Exhausting procedures described in subsection (7)(a), (b), and (c) of this section; and

(ii) Enlisting, if appropriate, court enforcement of orders to cease and desist; and

(iii) Having sufficient evidence to "reasonably believe" the person is engaging in "behaviors presenting an imminent danger to public health."

(8) Conditions for detainment of individuals infected with sexually transmitted disease.

(a) A local health officer may notify the state health officer if he or she determines:

(i) The criteria for "behaviors presenting imminent danger to public health (BPID)" are met by an individual; and

(ii) Such individual fails to comply with a cease and desist order affirmed or issued by a court.

(b) A local or state health officer may request the prosecuting attorney to file an action in superior court to detain an individual specified in subsection (8)(a) of this section.

(c) The requesting local or state health officer or authorized representative shall:

(i) Notify the department prior to recommending the detainment setting where the individualized counseling and education plan may be carried out consistent with subsections (8)(d), (e), and (f) of this section;

(ii) Make a recommendation to the court for placement of such individual consistent with subsections (8)(d) and (f) of this section; and

(iii) Provide to the court an individualized plan for education and counseling consistent with subsection (8)(e) of this section.

(d) State board of health requirements for detainment of individuals demonstrating BPID:

(i) Sufficient number of staff, caregivers, and/or family members to:

(A) Provide round-the-clock supervision, safety of detainee, and security; and

(B) Limit and restrict activities to prevent BPID; and

(C) Make available any medical, psychological, or nursing care when needed; and

(D) Provide access to AIDS education and counseling; and

(E) Immediately notify the local or state health officer of unauthorized absence or elopement; and

(ii) Sufficient equipment and facilities to provide:

(A) Meals and nourishment to meet nutritional needs; and

(B) A sanitary toilet and lavatory; and

(C) A bathing facility; and

(D) Bed and clean bedding appropriate to size of detainee; and

(E) A safe detention setting appropriate to chronological and developmental age of detainee; and

(F) A private sleeping room; and

(G) Prevention of sexual exploitation.

(iii) Sufficient access to services and programs directed toward cessation of BPID and providing:

(A) Linguistically, socially, culturally, and developmentally appropriate ongoing AIDS education and counseling; and

(B) Psychological and psychiatric evaluation and counseling; and

(C) Implementation of court-ordered plan for individualized counseling and education consistent with subsection (8)(e) of this section.

(iv) If required, provide access to isolation and/or restraint in accordance with restraint and seclusion rules in WAC 275-55-263 (2)(c);

(v) Maintain a safe, secure environment free from harassment, physical danger, and sexual exploitation.

(e) Washington state board of health standards for an individualized counseling and education plan for a detainee include:

(i) Consideration of detainee's personal and environmental characteristics, culture, social group, developmental age, and language;

(ii) Identification of habitual and addictive behavior and relapse pattern;

(iii) Identification of unique risk factors and possible cross-addiction leading to behavior presenting imminent danger to public health;

(iv) Identification of obstacles to behavior change and determination of specific objectives for desired behavior;

(v) Provision of information about acquisition and transmission of HIV infection;

(vi) Teaching and training of individual coping skills to prevent relapse to BPID;

(vii) Specific counseling for chemical dependency, if required;

(viii) Identification of and assistance with access to community resources, including social services and self-help groups appropriate to provide ongoing support and maintenance of behavior change; and

(ix) Designation of a person primarily responsible for counseling and/or education who:

(A) Completed pretest and post-test counselor training approved by the office on AIDS; and

(B) Received training, as approved by the office on AIDS, focused on facilitating behavior change related to preventing BPID; and

(C) Has a post-graduate degree in social work, psychology, counseling, psychosocial nursing, or other allied profession; and

(D) Completed at least one year clinical experience after post-graduate education with a primary focus on individualized behavior change; and

(E) Is a certified counselor under chapter 18.19 RCW.

(x) Designation and provision of a qualified counselor under WAC 275-19-145 when the detainee is assessed to have a drug or alcohol problem.

(f) The state board of health designates the following settings appropriate for detention provided a setting meets requirements in subsection (8)(d)(i), (ii), (iii), (iv), and (v) of this section:

(i) Homes, care facilities, or treatment institutions operated or contracted by the department;

(ii) Private homes, as recommended by the local or state health officer;

(iii) Boarding homes licensed under chapter 18.20 RCW;

(iv) Nursing homes licensed under chapter 18.51 RCW;

(v) Facilities licensed under chapter 71.12 RCW, including:

(A) Psychiatric hospitals, per chapter 246-322 WAC;

(B) Alcoholism treatment centers if certified for substance use under chapter 275-19 WAC;

(C) Adult residential rehabilitation centers, per chapter 246-325 WAC;

(D) Private adult treatment homes, per chapter 246-325 WAC;

(E) Residential treatment facilities for psychiatrically impaired children and youth, per chapter 246-323 WAC;

(vi) A hospital licensed under chapter 70.41 RCW.

(9) Jail administrators may order pretest counseling, post-test counseling, and HIV testing of persons detained in jail according to RCW 70.24.360 only under the following conditions:

(a) The jail administrator documents and reports to the local health officer, within seven days after the incident, any incident perceived to be actual or threatened "behaviors presenting possible risk"; and

(b) The local health officer:

(i) Determines the documented behavior or behaviors meet the criteria established in the definition of "behaviors presenting a possible risk"; and

(ii) Interviews the detained individual to evaluate the factual basis for alleged actual or threatened behavior; and

(iii) Makes a fact determination, based upon the documented behavior, the interview with the detained individual, and/or independent investigation, that sufficient factual evidence exists to support the allegation of actual or threatened "behaviors presenting possible risk"; and

(iv) Arranges for testing of the individual who is the source of the behavior to occur within seven days of the request from the jail administrator; and

(v) Reviews with the detained individual who is the source of the behavior the documentation of the actual or threatened behavior to try to assure understanding of the basis for HIV testing; and

(vi) Provides written approval of the jail administrator's order prior to HIV testing in accordance with subsection (7)(a)(i) of this section.

(c) The jail administrator maintains HIV test results and identity of the tested individual as a confidential, nondisclosable record, as provided in RCW 70.24.105.



(10) When an individual experiences a substantial exposure to another individual's body fluids and requests HIV testing of that other individual, the state and local health officers have authority to order pretest counseling, HIV testing, and post-test counseling of that other individual providing:

(a) The alleged exposure occurred when the individual was employed or acting as an authorized volunteer in one of the following employment categories:

- (i) Law enforcement officer;
- (ii) Firefighter;
- (iii) Health care provider;
- (iv) Staff of health care facilities;
- (v) Funeral director;
- (vi) Embalmer; and

(b) The alleged substantial exposure occurred on the job; and

(c) The request to the health officer for testing and counseling of the individual was made within seven days of the occurrence of the alleged exposure; and

(d) The local health officer:

(i) Determines that the alleged exposure meets the criteria established in the definition of "substantial exposure"; and

(ii) Ensures that pretest counseling of the individual to be tested, or a legal representative, occurs; and

(iii) Arranges for testing of the individual who is the source of the exposure to occur within seven days of the request from the person exposed; and

(e) The exposed individual agrees to be tested for HIV if such testing is determined appropriate by the health officer; and

(f) Records on HIV testing ordered by a health officer are maintained only by the ordering health officer.

(11) For the purpose of RCW 49.60.172 concerning the absence of HIV infection as a bona fide occupational qualification only, "significant risk" means a job qualification which requires person-to-person contact likely to result in direct introduction of blood into the eye, an open cut or wound, or other interruption of the epidermis, when:

(a) No adequate barrier protection is practical; and

(b) Determined only on case-by-case basis consistent with RCW 49.60.180.

**AMENDATORY SECTION** (Amending Order 225B, filed 12/23/91, effective 1/23/92)

**WAC 246-100-209 Counseling standards—Human immunodeficiency virus (HIV) pretest counseling—HIV post-test counseling.** (1) Health care providers and other persons providing pretest counseling shall:

(a) Assess the individual's risk of acquiring and transmitting HIV by evaluating information about the individual's possible risk-behaviors;

(b) Provide at least one individual counseling session prior to HIV testing;

(c) Inform any individual planning to be tested for HIV that:

(i) If the test result is positive, the tested individual needs to notify sex and injection equipment-sharing partners that partners, including spouses:

(A) May have been exposed to and infected with HIV; and

(B) Should seek HIV pretest counseling and consider HIV testing; and

(ii) Unless HIV testing is anonymous, the principal health care provider is required to refer identities of at-risk partners to the local health officer or authorized representative if:

(A) The HIV-infected individual either refuses or is unable to notify partners of exposure, possible infection, and need for pretest counseling and HIV testing; or

(B) The HIV-infected individual neither accepts assistance nor agrees to referral to the local health officer or an authorized representative for assistance in notifying partners; and

(iii) Unless HIV testing is anonymous, the principal health care provider is required to refer the identify of the individual testing positive to the local health officer or an authorized representative if the principal health (~~care~~) care provider made efforts, but was unable to meet face-to-face with the individual to:

(A) Notify the individual of the HIV test result; and

(B) Provide post-test counseling, as required in this section, to assure partner notification.

(2) When an individual is assessed by a counselor or health care provider as "virtually no risk of HIV infection," as defined in WAC 246-100-208 (3)(e)(v) a counselor or the health care provider shall, in addition to subsection (1)(a) of this section:

(a) Maintain a nonjudgmental environment during counseling which:

(i) Considers the individual's particular circumstances; and

(ii) Is culturally, socially, linguistically, and developmentally appropriate to the individual being counseled.

(b) Explain the nature, purpose, value, and reason for the HIV tests;

(c) Explain the possible effect of HIV testing and a positive HIV test result related to employment, insurance, housing, and other potential legal, social, and personal consequences;

(d) Develop and maintain a system of referral and make referrals that:

(i) Are accessible and confidential for those counseled;

(ii) Are acceptable to and supportive of those counseled;

(iii) Provide assistance to those counseled in maintaining risk reduction behaviors.

(e) Provide at least one individual counseling session at the time HIV test results are disclosed to individuals testing positive; and

(f) Maintain disclosure and confidentiality requirements in WAC 246-100-016.

(3) If the individual is assessed by a health care provider to be other than "virtually no risk of HIV infection," as defined in WAC 246-100-208 (3)(e)(v), the person providing pretest counseling shall maintain requirements in subsection (1) and (2) of this section and:

(a) Focus counseling on behaviors increasing the risk of HIV acquisition and transmission;

(b) Provide personalized risk reduction education to individuals who:

(i) Are men engaging in unprotected intercourse with other men at any time since 1977;

(ii) Used intravenous substances at any time since 1977, especially those sharing injection equipment;

(iii) Engaged in sex for money or drugs at any time since 1977;

(iv) Have had sexual and/or injection equipment-sharing contacts at any time since 1977 with persons listed in subsection (3)(b)(i), (ii), and (iii) of this section;

(v) Have been exposed to or diagnosed with a sexually transmitted disease;

(vi) Are at increased risk of HIV infection by definition of United States Public Health Services, Centers for Disease Control;

(vii) Are required by RCW 70.24.095 and 70.24.340 to receive HIV counseling and testing.

(c) Inform any individual planning to be tested for HIV of the need to notify sexual and injection equipment-sharing partners, including spouses, if test results are positive;

(d) Advise individuals listed in subsection (3)(b)(i), (ii), and (iii) of this section not to donate or sell blood, blood products, semen, organs, or other body tissues; and

(e) Emphasize or reemphasize the following counseling messages:

(i) The following will eliminate or decrease the risk of HIV infection:

(A) Sexual abstinence;

(B) A mutually monogamous relationship between uninfected people; and

(C) Following safer sex guidelines.

(ii) Do not share intravenous drugs and injection equipment;

(iii) Do not engage in behaviors in which blood, vaginal fluid, or semen is exchanged;

(iv) Condoms, even if used properly, do not supply absolute protection from HIV infection;

(v) Condoms may reduce risk of HIV infection if the condom is:

(A) Latex and used with a water-based lubricant rather than an oil-based lubricant, if a lubricant is used;

(B) Used in conjunction with spermicide during vaginal or anal intercourse; and

(C) Worn from start to finish of vaginal, oral, and anal intercourse.

(vi) Dental dams may reduce risk of HIV infection if the dental dam is:

(A) Latex; and

(B) Used from start to finish of oral intercourse.

(vii) The sexual behaviors having highest risk for HIV infection are those involving the exchange of blood or semen, especially receptive anal and vaginal intercourse;

(viii) Anal intercourse may increase the risk of condom failure and HIV infection;

(ix) Infected women should postpone pregnancy until more is known about how to prevent prenatal and perinatal transmission of HIV infection;

(x) Sexual negotiation skills can be learned to enhance risk reduction; and

(xi) Other sexually transmitted diseases, especially those causing genital ulcers, may increase the risk of acquiring or transmitting HIV infection.

(f) Make those counseled aware HIV retesting at a later date may be necessary or recommended.

(4) Persons providing post-test counseling shall:

(a) Follow requirements in subsection (1) of this section;

(b) Provide at least one individual counseling session at the time HIV test results are disclosed for individuals:

(i) Testing positive for HIV; or

(ii), and (iii) of this section.

(c) If the individual being counseled tested positive for HIV infection:

(i) Provide assistance to persons in notifying partners, including spouses, and confirm those partners including spouses have been notified; and/or

(ii) Offer to refer individuals to the local health officer as necessary for assistance in notifying partners; and/or

(iii) Offer to refer partners for counseling and testing; and

(iv) Develop or adopt a system to avoid documenting the names of referred partners in the permanent record of the individual being counseled; and

(v) Offer referral for alcohol and drug and mental health counseling, including suicide prevention, if appropriate; and

(vi) Refer for tuberculosis screening.

#### WSR 97-06-115

#### PROPOSED RULES

#### DEPARTMENT OF FISH AND WILDLIFE (Wildlife)

[Filed March 5, 1997, 10:24 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-01-111.

Title of Rule: To amend WAC 232-12-011 Protected species.

Purpose: Protect all bats, the Washington ground squirrel, and the California mountain kingsnake from killing, harming, or possessing.

Statutory Authority for Adoption: RCW 77.12.020, 77.12.030, 77.12.040, or 77.32.220.

Statute Being Implemented: RCW 77.12.020, 77.12.030, 77.12.040, or 77.32.220.

Summary: This proposal would classify all bats, the Washington ground squirrel, and the California mountain kingsnake as protected wildlife, subcategory "other."

Reasons Supporting Proposal: These species are vulnerable, rare, or declining, and are afforded little protection under current codes. Bats, especially in maternity and hibernating colonies, are highly vulnerable and at risk of killing and harassment. A scientific collecting permit is required to collect them, but it is not illegal to kill or harm them. Killing, harassment, and collection of these species has or could contribute to population declines.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Assistant Director, Wildlife Management Program, Olympia, (360) 902-2504; and Enforcement: Ron Swatfigure, Acting Assistant Director, Enforcement Program, Olympia, (360) 902-2927.

Name of Proponent: Washington Fish and Wildlife Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Classifying these vulnerable species as protected wildlife would make it illegal to kill or harm them.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules do not affect small business.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: Longview Elks Lodge, 1265 12th Avenue, Longview, WA 98632, on April 18-19, 1997, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by April 1, 1997, TDD (360) 902-2207, or (360) 902-2267.

Submit Written Comments to: Washington Department of Fish and Wildlife, Evan Jacoby, 600 Capitol Way North, Olympia, WA 98501-1091, FAX (360) 902-2930, by April 4, 1997.

Date of Intended Adoption: April 19, 1997.

March 5, 1997  
Evan Jacoby  
Legal Counsel

**AMENDATORY SECTION** [(Amending Order 615, filed 10/14/93)]

**WAC 232-12-011 Wildlife classified as protected shall not be hunted or fished.** Protected wildlife are designated into three subcategories: Threatened, sensitive, and other.

(1) Threatened species are any wildlife species native to the state of Washington that are likely to become endangered within the foreseeable future throughout a significant portion of their range within the state without cooperative management or removal of threats. Protected wildlife designated as threatened include:

Common Name	Scientific Name
western gray squirrel	<i>Sciurus griseus</i>
Steller (northern) sea lion	<i>Eumetopias jubatus</i>
North American lynx	<i>Lynx canadensis</i>
bald eagle	<i>Haliaeetus leucocephalus</i>
ferruginous hawk	<i>Buteo regalis</i>
marbled murrelet	<i>Brachyramphus marmoratus</i>
green sea turtle	<i>Chelonia mydas</i>
loggerhead sea turtle	<i>Caretta caretta</i>

(2) Sensitive species are any wildlife species native to the state of Washington that are vulnerable or declining and are likely to become endangered or threatened in a significant portion of their range within the state without cooperative management or removal of threats. Protected wildlife designated as sensitive include:

Common Name	Scientific Name
Larch Mountain salamander	<i>Plethodon larselli</i>
(3) Other protected wildlife include:	
Common Name	Scientific Name
cony or pika	<i>Ochotona princeps</i>
least chipmunk	<i>Tamias minimus</i>
yellow-pine chipmunk	<i>Tamias amoenus</i>
Townsend's chipmunk	<i>Tamias townsendii</i>
red-tailed chipmunk	<i>Tamias ruficaudus</i>
hoary marmot	<i>Marmota caligata</i>
Olympic marmot	<i>Marmota olympus</i>
Cascade golden-mantled ground squirrel	<i>Spermophilus saturatus</i>
golden-mantled ground squirrel	<i>Spermophilus lateralis</i>
<u>Washington ground squirrel</u>	<i>Spermophilus washingtoni</i>
red squirrel	<i>Tamiasciurus hudsonicus</i>
Douglas squirrel	<i>Tamiasciurus douglasii</i>
northern flying squirrel	<i>Glaucomys sabrinus</i>
fisher	<i>Martes pennanti</i>
wolverine	<i>Gulo gulo</i>
painted turtle	<i>Chrysemys picta(+)</i>
<u>California mountain kingsnake</u>	<i>Lampropeltis zonata</i>

All birds not classified as game birds, predatory birds or endangered species, or designated as threatened species or sensitive species; all bats; mammals of the order *Cetacea*, including whales, ~~((and))~~ porpoises, and mammals of the order *Pinnipedia* not otherwise classified as endangered species, or designated as threatened species or sensitive species. This section shall not apply to hair seals and sea lions which are threatening to damage or are damaging commercial fishing gear being utilized in a lawful manner or when said mammals are damaging or threatening to damage commercial fish being lawfully taken with commercial gear.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**WSR 97-06-116  
PROPOSED RULES  
DEPARTMENT OF  
FISH AND WILDLIFE  
(Wildlife)**

[Filed March 5, 1997, 10:27 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-01-111.

Title of Rule: To amend WAC 232-28-240 1997-98, 1998-99, 1999-2000 Deer and bear hunting seasons and regulations.

PROPOSED

PROPOSED

**Purpose:** To amend the deer seasons in northeast Washington to prevent an overlap between modern firearm deer and elk seasons.

**Statutory Authority for Adoption:** RCW 77.12.020, 77.12.030, 77.12.040, or 77.32.220.

**Statute Being Implemented:** RCW 77.12.020, 77.12.030, 77.12.040, or 77.32.220.

**Summary:** This issue was brought to commission attention before the pamphlet was printed. The correction was made in the pamphlet, but now the edit must be made in the WAC.

**Reasons Supporting Proposal:** To correct oversight in previous adoption.

**Name of Agency Personnel Responsible for Drafting and Implementation:** Dave Brittell, Assistant Director, Wildlife Management Program, Olympia, (360) 902-2504; and **Enforcement:** Ron Swatfigure, Acting Assistant Director, Enforcement Program, Olympia, (360) 902-2927.

**Name of Proponent:** Washington Fish and Wildlife Commission, governmental.

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

**Explanation of Rule, its Purpose, and Anticipated Effects:** The proposed rule will prevent an overlap of modern firearm deer and elk seasons.

**Proposal Changes the Following Existing Rules:** See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules do not affect small business.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

**Hearing Location:** Longview Elks Lodge, 1265 12th Avenue, Longview, WA 98632, on April 18-19, 1997, at 8:00 a.m.

**Assistance for Persons with Disabilities:** Contact Debbie Nelson by April 1, 1997, TDD (360) 902-2207, or (360) 902-2267.

**Submit Written Comments to:** Washington Department of Fish and Wildlife, Evan Jacoby, 600 Capitol Way North, Olympia, WA 98501-1091, FAX (360) 902-2930, by April 4, 1997.

**Date of Intended Adoption:** April 19, 1997.

March 5, 1997  
Evan Jacoby  
Legal Counsel

AMENDATORY SECTION [(Amending Order 97-30, filed 2/27/97)]

**WAC 232-28-240 1997-98, 1998-99, 1999-2000 Deer and bear hunting seasons and regulations.**

DEER

**Bag Limit:** One (1) deer per hunter during an annual (July 1-March 31) hunting season. The Fish and Wildlife Commission may authorize two doe permits for damage areas. Any multiple doe permits will be identified by special permit.

**Hunting Method:** Hunters must select one of the hunting methods (modern firearm, archery, muzzleloader).

**Buck Deer Seasons:** Open only to the taking of male deer with visible antlers (buck fawns illegal).

**Definition:** Visible antler is a horn-like growth projecting above the hairline.

**Branched Antler Restriction GMUs:** APPLIES TO ALL HUNTERS DURING ANY OPEN SEASON! Buck deer taken in these GMUs must meet minimum antler point requirements. Minimum antler point requirements are antler points on one side only. Antler points include eye guards but all antler points must be at least one inch long. The following GMUs have 2 or 3 point minimum requirements on buck deer taken.

**2 Point GMUs:** 437, 478, 558, 574, 578, 582, 588, 636, 681; and GMU 485 (by permit only).

**3 Point GMUs:** Mule Deer and Blacktail Deer in all 100, 200, 300 units and GMU 450; Whitetail Deer in GMUs 127, 130, 133, 136, 139, 142, 145, 149, 154, 162, 163, 166, 169, 172, 175, 178, 181, 186, 203, and 231.

Modern Firearm Deer Seasons

**Tag Required:** Deer hunter must have a current, valid, unaltered, unnotched modern firearm deer tag on his/her person.

**Hunting Method:** Modern firearm deer tag hunters may use rifle, handgun, shotgun, bow or muzzleloader, but only during modern firearm seasons.

High Buck Hunt

**Tag Required:** Deer hunter must have a current, valid, unaltered, unnotched modern firearm deer tag on his/her person.

GMUs	1997 Dates	1998 Dates	1999 Dates	Legal Deer
203, 301, 302, 450	Sept. 15-25	Sept. 15-25	Sept. 15-25	3 pt. min.
Deer Areas 010, 040, 060	Sept. 15-25	Sept. 15-25	Sept. 15-25	3 pt. min.

General Modern Firearm Deer Seasons

**Tag Required:** Deer hunter must have a current, valid, unaltered, unnotched modern firearm deer tag on his/her person.

GMUs	1997 Dates	1998 Dates	1999 Dates	Legal Deer
<b>Eastern</b>				
All of eastern Washington except closed in GMUs 157, 242, 290, 329, 330, 342, and 371.	Oct. 11-19	Oct. 17-25	Oct. 16-24	Mule Deer and Blacktail Deer 3 Pt. Min. in all open units in GMUs 100, 200, 300; 3 Pt. Min. or Antlerless in GMU 281.
GMUs 101-142	Oct. 11- <del>((28))</del> (24)	Oct. 17- <del>((28))</del> (30)	Oct.16- <del>((28))</del> (29)	Whitetail buck only* except 3 pt. min. in GMUs 127-142.
<b>Western</b>				
407-684. Closed in GMU 522. Permit only in GMU 485.	Oct.11-31	Oct. 17-31	Oct. 16-31	Buck only except either sex in GMUs 410, and 564; and 2 pt. min. in GMUs 437, 478, 558, 574, 578, 582, 588, 636, and 681; and 3 pt. min. in GMU 450.

\*Hunters meeting the requirements of disabled, senior or youth may hunt antlerless whitetail during the general buck season in GMUs 105-142.

Late Buck Season

Tag Required: Deer hunter must have a current, valid, unaltered, unnotched modern firearm deer tag on his/her person.

GMUs	1997 Dates	1998 Dates	1999 Dates	Legal Deer
105-124	Nov. <del>((7))</del> 3-23	Nov. <del>((7))</del> 9-22	Nov. <del>((7))</del> 8-21	Whitetail buck only
127-142	Nov. <del>((7))</del> 3-23	Nov. <del>((7))</del> 9-22	Nov. <del>((7))</del> 8-21	Whitetail buck only, 3 pt. min.
All 400, 500, & 600 Except closed in: GMUs 418, 426, 437, 448, 450, 485, 522, 574 578, 582, and 588.	Nov. 20-23	Nov. 19-22	Nov. 18-21	Buck only except 2 pt. min. in GMUs 478, 558, 636, and 681 and either sex in GMUs 410 and 564

Archery Deer Seasons

Tag Required: Deer hunter must have a current valid, unaltered, unnotched archery deer tag on his/her person.

Special Notes: Archery tag holders can only hunt with archery equipment during archery seasons.

Early Archery

GMUs	1997 Dates	1998 Dates	1999 Dates	Legal Deer
All 100, 200, 300 GMUs except closed in GMUs 157, 203, 301, 302 and permit only in GMUs 242, 290, 329, 330, 342, and 371	Sept. 1-5	Sept. 1-7	Sept. 1-6	Mule Deer and Blacktail Deer-3 pt. min. in all open units; Whitetail Deer-buck only except 3 pt. min. in GMUs 127-186, and 231.

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All 100, 200, 300 GMUs except closed in GMUs 157, 203, 301, 302 and permit only in GMUs 242, 290, 329, 330, 342, and 371	Sept. 6-15	Sept. 8-15	Sept. 7-15	Mule Deer and Blacktail Deer-3 pt. min. or antlerless in all open 100, 200, and 300 units; Whitetail Deer-either sex except 3 pt. min. or antlerless GMUs 127-186, and 231.
All 100, 200, 300 GMUs except closed in GMU 157 and permit only in GMUs 242, 290, 329, 330, 342, and 371	Sept. 16-30	Sept. 16-30	Sept. 16-30	Whitetail only, either sex except 3 pt. min. or antlerless in GMUs 127, 130, 133, 136, 139, 142, 145, 149, 154, 162, 163, 166, 169, 172, 175, 178, 181, 186, and 231.
All 400, 500, 600* GMUs except closed in GMUs 450, 485, and 522	Sept. 1-30	Sept. 1-30	Sept. 1-30	Either sex, except 2 pt. min. or antlerless in GMUs 437, 478, 558, 574, 578, 582, 588, 636, and 681.
GMUs 203, 301, 302, 450, and Deer Areas 010, 040, 060	Sept. 15-30	Sept. 15-30	Sept. 15-30	3 pt. min. or antlerless
Bow Area 802	Sept. 2-30	Sept. 1-30	Sept. 1-30	Either sex

\* Bangor Submarine Base within GMU 627 is open for archers with disabilities by permit from the Navy. For information on this hunt, call Tom Jones at (360) 396-5097. Special Restrictions: Must be U.S. citizen, and hunting is open on weekends only.

Late Archery

GMUs	1997 Dates	1998 Dates	1999 Dates	Legal Deer
101	Nov. 10-Dec. 15	Nov. 10-Dec. 15	Nov. 10-Dec. 15	Whitetail only, either sex
105, 117, 121, 124	Nov. 26-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Whitetail only, either sex
127, 145, 178	Nov. 26-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	3 pt. min. or antlerless
209, 215, 233, 272, 300, 316, 346, 352, 364	Nov. 26-Dec. 8	Nov. 25-Dec. 8	Nov. 24-Dec. 8	Mule Deer and Blacktail Deer-3 pt. min. or antlerless; Whitetail Deer-either sex
558, 582, 588, 636, 681	Nov. 26-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	2 pt. min or antlerless

460, 466, 510, 513, 516, 520, 524, 530, 556, 560, 572, 601, 607, 612, 615, 618, 638, 648, 673	Nov. 26-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Either sex
450	Nov. 26-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	3 pt. min
<b>Bow Areas</b>	<b>1997 Dates</b>	<b>1998 Dates</b>	<b>1999 Dates</b>	<b>Legal Deer</b>
802	Nov. 26-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Either sex
806, 807	Nov. 26-Dec. 8	Nov. 25-Dec. 8	Nov. 24-Dec. 8	Mule deer and Blacktail deer - 3 pt. min. or antlerless
<b>Extended Late Archery GMUs</b>	<b>1997 Dates</b>	<b>1998 Dates</b>	<b>1999 Dates</b>	<b>Legal Deer</b>
407, 410, 454, 484, 505, 506, 564, 568, 603, 624, 627, 642, 660, 663, 666, 667, 672	Nov. 26-Dec. 31	Nov. 25-Dec. 31	Nov. 24-Dec. 31	Either sex
437	Nov. 26-Dec. 31	Nov. 25-Dec. 31	Nov. 24-Dec. 31	2 pt. min. or antlerless

Muzzleloader Deer Seasons

Tag Required: Deer hunter must have a current, valid, unaltered, unnotched muzzleloader deer tag on his/her person.

Hunting Method: Muzzleloader only.

Special Notes: Muzzleloader tag holders can only hunt during muzzleloader seasons and must hunt with muzzleloader equipment. Muzzleloader deer tag holders may apply for all either sex, antlerless only, and branched antler deer special hunting permits except on Private Lands Wildlife Management Area 201.

<b>High Buck Hunt GMUs</b>	<b>1997 Dates</b>	<b>1998 Dates</b>	<b>1999 Dates</b>	<b>Legal Deer</b>
203, 301, 302, 450	Sept. 15-25	Sept. 15-25	Sept. 15-25	3 pt. min.
Deer Areas 010, 040, 060	Sept. 15-25	Sept. 15-25	Sept. 15-25	3 pt. min.
<b>Early Muzzleloader GMUs</b>	<b>1997 Dates</b>	<b>1998 Dates</b>	<b>1999 Dates</b>	<b>Legal Deer</b>
109, 117, 209, 300, 304, 316, 336, 352, 360, 407, 410, 520, 530, 564, 568, 603, 612, 624, 672	Oct. 4-10	Oct. 10-16	Oct. 9-15	Mule Deer and Blacktail Deer- 3 pt. min.; Whitetail Deer- any buck
407, 410, 520, 530, 564, 568, 603, 612, 624, 672	<u>Oct. 4-10</u>	<u>Oct. 10-16</u>	<u>Oct. 9-15</u>	<u>Buck only</u>
454, 484 and 666	Oct. 4-10	Oct. 10-16	Oct. 9-15	Either sex
<b>Late Muzzleloader GMUs</b>	<b>1997 Dates</b>	<b>1998 Dates</b>	<b>1999 Dates</b>	<b>Legal Deer</b>
113	Nov. 26-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Whitetail, buck only

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<del>((136,))</del> 139, 172, 181	Nov. 26-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Whitetail, 3 pt. min.
<u>130, 136</u>	<u>Nov. 26-Dec. 15</u>	<u>Nov. 25-Dec. 15</u>	<u>Nov. 24-Dec. 15</u>	<u>3 pt. min. or Antlerless</u>
410, 501, 504, 564, 651, 666, 684	Nov. 26-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Either sex
478	Nov. 26-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	2 pt. min.
550, 582, 602, 633	Nov. 26-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Buck only
578	Nov. 26-Dec. 8	Nov. 25-Dec. 8	Nov. 24-Dec. 8	2 pt. min.
<u>Muzzleloader Area</u>				
925	Dec. 1-31	Dec. 1-31	Dec. 1-31	Antlerless only
926	Nov. 26-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 8	Either sex

Firearm Restricted Deer Hunts Open To All Deer Hunters

Tag Required: Deer hunter must have a current, valid, unaltered, unnotched modern firearm, archery or muzzleloader deer tag on his/her person.

Hunting Method: Must use weapon in compliance with tag. Firearm restrictions apply in some GMUs.

GMUs	Weapon Permitted	1997 Dates	1998 Dates	1999 Dates	Legal Deer
410	Archery, Shotgun, Muzzleloader	Oct. 11-31	Oct. 17-31	Oct. 16-31	Either sex
564	Archery, Shotgun, Muzzleloader	Nov. 26-Dec. 31	Nov. 25-Dec. 31	Nov. 24-Dec. 31	Either sex
627*	Archery, Shotgun, Muzzleloader	Oct. 11-31	Oct. 17-31	Oct. 16-31	Either sex
Deer Area					
062**	Archery, Shotgun, Muzzleloader	Sept. 1-Dec. 31	Sept. 1-Dec. 31	Sept. 1-Dec. 31	Either sex

\*Only that portion of GMU 627 (Kitsap) on Vashon and Maury Islands.

\*\*Restricted Access: Indian Island.

**Private Lands Wildlife Management Opportunities**

Champion (PLWMA 401) Kapowsin Tree Farm

Hunting Method	1997 Dates	1998 Dates	1999 Dates	Special Restrictions
Archery	Sept. 1-12 Sept. 28-Oct. 9	Sept. 1-11 Sept. 28-Oct. 9	Sept. 1-10 Sept. 28-Oct. 9	either sex either sex
Modern Firearm General	Oct. 11-26	Oct. 10-25	Oct. 9-24	2 pt. min.
Muzzleloader	Nov. 26-Dec. 7	Nov. 25-Dec. 6	Nov. 24-Dec. 5	Antlerless only

Merrill and Ring (PLWMA 600) Pysht Tree Farm

Hunting Method	1997 Dates	1998 Dates	1999 Dates	Special Restrictions
Archery	Sept. 15-30	Sept. 15-30	Sept. 15-30	Antlerless only: North Unit 600A - Either sex: South Unit 600B



PROPOSED

	Nov. 26-Dec. 31	Nov. 25-Dec. 31	Nov. 24-Dec. 31	Antlerless only: North Unit 600A - Either sex: South Unit 600B
Modern Firearm	Oct. 11-31	Oct. 17-31	Oct. 16-31	Buck only; South Unit 600B
	Nov. 20-23	Nov. 19-22	Nov. 18-21	Buck only; South Unit 600B
Muzzleloader	Oct. 1-9	Oct. 1-9	Oct. 1-9	Antlerless only: North Unit 600A - Buck only: South Unit 600B

**BLACK BEAR**

**Bag Limit:** One (1) black bear. Except if a damage bear tag is purchased and a damage season is hunted, then two (2) black bear may be taken.

**License and Tag Requirements:** A valid hunting license and unaltered, unnotched bear tag(s) are required to hunt black bear.

**Bear Tag Information:** A hunter may purchase one (1) damage bear tag and one (1) general bear tag. A damage bear tag allows a hunter to take one (1) bear during the damage season in a damage area, but is not valid during the general season. A general bear tag may be used in a damage season and during the general season to take one (1) bear.

**Tag Sale Deadline:** Damage bear tags must be purchased, and are only valid prior to August 1, 1997. General bear tags must be purchased by midnight of the day preceding modern firearm deer season opener. Actual dates are: Oct. 10, 1997; Oct. 16, 1998; Oct. 15, 1999.

**Use of Bait and Hounds:** The use of bait and hounds for hunting black bear is prohibited state-wide.

**BLACK BEAR SEASONS**

**Damage:**  
July 15-31, 1997; July 15-31, 1998; July 15-31, 1999 in PLWMA's 401 and 600, and in GMUs 454, 484, 501, 505, 506, 520, 530, 564, 568, 601, 603, 615, 627, 642, 648, and 667. Also in GMUs 558 and 572 except closed on the Gifford Pinchot National Forest and on Washington Department of Natural Resource lands.

**General:**  
Eastern Washington  
Aug. 1-Nov. 6, 1997; Aug. 1-Nov. 6, 1998; Aug. 1-Nov. 6, 1999.

Western Washington  
Aug. 1-Nov. 13, 1997; Aug. 1-Nov. 12, 1998; Aug. 1-Nov. 11, 1999, EXCEPT Sept. 2-Nov. 13, 1997; Sept. 8-Nov. 12, 1998; and Sept. 7-Nov. 11, 1999 in Bow Area 802. CLOSED in GMUs 485 and 522.

**TOOTH SUBMITTAL**

**Bear:** Each hunter who takes a bear must submit the small premolar tooth behind the canine tooth of upper or lower jaw for age determination. Tooth envelopes are available from Department of Fish and Wildlife regional offices.

**REPORT CARDS**

Each successful hunter must fill out and return a Game Harvest Report Card to the Department of Fish and Wildlife within ten days after taking a deer or bear.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

**Reviser's note:** The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 97-06-117  
PROPOSED RULES  
DEPARTMENT OF  
FISH AND WILDLIFE  
(Wildlife)**

[Filed March 5, 1997, 10:29 a.m.]

**Original Notice.**

Preproposal statement of inquiry was filed as WSR 97-01-111.

**Title of Rule:** To amend WAC 232-28-242 1997-98, 1998-99, 1999-2000 Elk hunting seasons and regulations.

**Purpose:** To amend the WAC and add a game management unit that was inadvertently omitted from modern firearm and early archery seasons.

**Statutory Authority for Adoption:** RCW 77.12.020, 77.12.030, 77.12.040, or 77.32.220.

**Statute Being Implemented:** RCW 77.12.020, 77.12.030, 77.12.040, or 77.32.220.

**Summary:** GMU 618 (Matheny) is included in the modern firearm general elk season and the early archery elk season. These hunts were inadvertently omitted from the WAC.

Reasons Supporting Proposal: To correct an oversight in previous adoption.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Assistant Director, Wildlife Management Program, Olympia, (360) 902-2504; and Enforcement: Ron Swatfigure, Acting Assistant Director, Enforcement Program, Olympia, (360) 902-2927.

Name of Proponent: Washington Fish and Wildlife Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The amended rule will provide modern firearm and archery hunting opportunity in Game Management Unit 618 (Matheny).

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules do not affect small business.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: Longview Elks Lodge, 1265 12th Avenue, Longview, WA 98632, on April 18-19, 1997, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by April 1, 1997, TDD (360) 902-2207, or (360) 902-2267.

Submit Written Comments to: Washington Department of Fish and Wildlife, Evan Jacoby, 600 Capitol Way North, Olympia, WA 98501-1091, FAX (360) 902-2930, by April 4, 1997.

Date of Intended Adoption: April 19, 1997.

March 5, 1997  
Evan Jacoby  
Legal Counsel

AMENDATORY SECTION [(Amending Order 97-31, filed 2/27/97)]

**WAC 232-28-242 1997-98, 1998-99, 1999-2000 Elk hunting seasons and regulations.**

ELK SEASONS

Bag Limit: One (1) elk per hunter during the annual (July 1-March 31) hunting season.

Hunting Method: Elk hunters must select one of the hunting methods (modern firearm, archery, muzzleloader).

Tag Required: During the 1997-1998 season: Elk hunters must choose one of the four elk hunting areas (Blue Mountains, Yakima, Colockum or Western Washington) to hunt in and buy the appropriate tag for that area. During the 1998-1999 and 1999-2000 seasons, elk hunters must choose one of the five elk hunting areas (Blue Mountains, Northeastern Washington, Yakima, Colockum, or Western Washington) to hunt in and buy the appropriate tag for that area.

Bull Elk Seasons: Open only to the taking of male elk with visible antlers (bull calves are illegal). Spike bull only or 3-point minimum restrictions apply in most game management units.

Definition: Visible Antler is defined as a horn-like growth projecting above the hairline.

Spike Bull Restriction GMUs: Bull elk taken in these GMUs must have at least one antler that is a spike above the ears (does not branch above ears). An animal with branched antlers on both sides is illegal but an animal with a spike on one side is legal in spike only units.

Spike Only GMUs: 145-154, 160-186, 302, 314-329, 335-371, 407, 410, 426-454, 484, 504, 505, 510, 516, 520, 550, 560, 658, 660, 663, 666, 667, 672, 673, and 684.

Branched Antler Restriction GMUs: Bull elk taken in these GMUs must meet minimum antler point requirements. Minimum antler point requirements are antler points on one side only. Antler points may include eye guards but antler points on the lower half of either main beam must be at least four (4) inches long, measured from tip to nearest edge of beam. All other antler points must be at least one inch long. Antler restrictions apply to all hunters during any open season.

3 Point GMUs: 460, 466, 478, 490, 506, 513, 530, 558, 572, 601, 603, 607, 612, 615, 624, 627, 633, 638, 642, 648, 651, 681; and GMUs 157, 472, 485, 524, 556, 602 and 621 by permit only.

Special Permits: Only hunters with elk tags identified in the Special Elk Permits tables may apply for special bull or antlerless permits. Please see permit table for tag eligibility. Hunters drawn for a special permit may hunt only with a weapon in compliance with their tag and during the dates listed for the hunt.

Elk Tag Areas

Blue Mountains: 100 series GMUs, GMUs 127 and 130 are permit only for modern firearm hunters; and GMU 157 limited by permit to all hunters.

BA - Blue Mountains Archery Tag

BG - Blue Mountains Modern General Bull Tag

BP - Blue Mountains Modern Permit Applicant Tag

BM - Blue Mountains Muzzleloader Tag

For 1998 and beyond, GMUs 101-142 will be designated Northeastern Elk Tag Area.

NA - Northeastern Archery Tag

NG - Northeastern Modern General Bull Tag

NP - Northeastern Modern Permit Applicant Tag

NM - Northeastern Muzzleloader Tag

Colockum: Chelan County portion of GMU 302, and GMUs 300, 301, 304, 306, 308, 314, 316, 328, 329, 330 (permit only in GMU 330), and the portion of GMU 334 north of I-90 (modern firearm restrictions in GMU 334).

CA - Colockum Archery Tag

CG - Colockum Modern General Bull Tag

CP - Colockum Modern Permit Applicant Tag

CM - Colockum Muzzleloader Tag

Yakima: Kittitas County portion of GMU 302, and the portion of GMU 334 south of I-90 (Modern Firearm restrictions in GMU 334), and GMUs 335, 336, 340, 342, 346, 352, 356, 360, 364, 368, 371, and 372.

YA - Yakima Archery Tag

YG - Yakima Modern General Bull Tag

YP - Yakima Modern Permit Applicant Tag  
 YM - Yakima Muzzleloader Tag

Western Washington: All 400, 500, and 600 GMUs except closed in GMU 418, 522, 636 and modern firearm restrictions in portion of GMU 660. GMUs 418 (Nooksack) and 636 (Skokomish) are closed to all elk hunting as Conservation Closures. Elk Area 064 in GMU 638 (Quinault) is open to AHE hunters only. The Cathlamet Big Game Closure in GMU 506 (Willapa Hills) is open to archery AHE permit hunters only. Permit only in GMUs 472, 485, 524, 554, 556, 602, 621 and PLWMA 600 (Pysht).

WA - Western Washington Archery Tag  
 WG - Western Washington Modern General Bull Tag

WP - Western Washington Modern Permit Applicant Tag

WM - Western Washington Muzzleloader Tag

Modern Firearm Elk Information

Modern firearm elk hunters have early and late hunts in all elk areas. Those who buy the General tag have the first opportunity to hunt bulls. Only those who buy the Permit tag are able to apply for special elk permits.

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched modern firearm elk tag as listed below on his/her person.

Hunting Method: May use rifle, bow and arrow, or muzzleloader, but only during modern firearm seasons.

**Modern Firearm Elk Seasons**

GMUs	Elk Tag	1997 Dates	1998 Dates	1999 Dates	Legal Elk
	97 98 99				
101-142	BG NG NG BP NP NP	Oct. 25-Nov. 2 Oct. 27-Nov. 2	Oct. 31-Nov. 8 Nov. 2-8	Oct. 30-Nov. 7 Nov. 1-7	Any Bull Any Bull
145-154, 162-186	BG BG BG BP BP BP	Oct. 25-Nov. 2 Oct. 27-Nov. 2	Oct. 31-Nov.8 Nov. 2-8	Oct. 30-Nov. 7 Nov. 1-7	Spike Bull Only Spike Bull Only
300, 301, 304, 306, 308	CG CG CG CP CP CP	Oct. 25-Nov. 2 Oct. 27-Nov. 2	Oct. 31-Nov. 8 Nov. 2-8	Oct. 30-Nov. 7 Nov. 1-7	Any Bull Any Bull
314-329 and Chelan County portion of GMU 302	CG CG CG CP CP CP	Oct. 25-Nov. 2 Oct. 27-Nov. 2	Oct. 31-Nov. 8 Nov. 2-8	Oct. 30-Nov. 7 Nov. 1-7	Spike Bull Only Spike Bull Only
335-371 and Kittitas County portion of GMU 302	YG YG YG YP YP YP	Oct. 25-Nov. 2 Oct. 27-Nov. 2	Oct. 31-Nov. 8 Nov. 2-8	Oct. 30-Nov. 7 Nov. 1-7	Spike Bull Only Spike Bull Only
372	YG YG YG YP YP YP	Oct. 25-Nov. 2 Oct. 27-Nov. 2	Oct. 31-Nov. 8 Nov. 2-8	Oct. 30-Nov. 7 Nov. 1-7	Any Bull Any Bull
407, 410, 426-454, 484	WG WG WG WP WP WP	Nov. 8-16 Nov. 10-16	Nov. 7-15 Nov. 9-15	Nov. 6-14 Nov. 8-14	Spike Bull Only Spike Bull Only
460, 466, 478, 490	WG WG WG WP WP WP	Nov. 8-16 Nov. 10-16	Nov. 7-15 Nov. 9-15	Nov. 6-14 Nov. 8-14	3-Pt. Min. 3-Pt. Min.
504, 505, 510, 516, 520, 550, 560	WG WG WG WP WP WP	Nov. 8-16 Nov. 10-16	Nov. 7-15 Nov. 9-15	Nov. 6-14 Nov. 8-14	Spike Bull Only Spike Bull Only
501, 564, 568, 574, 578, 582, 588	WG WG WG WP WP WP	Nov. 8-16 Nov. 10-16	Nov. 7-15 Nov. 9-15	Nov. 6-14 Nov. 8-14	Either Sex Either Sex
506, 513, 530, 558, 572	WG WG WG WP WP WP	Nov. 8-16 Nov. 10-16	Nov. 7-15 Nov. 9-15	Nov. 6-14 Nov. 8-14	3-Pt. Min. 3-Pt. Min.
658, 660, 663, 666, 667, 672, 673, 684	WG WG WG WP WP WP	Nov. 8-16 Nov. 10-16	Nov. 7-15 Nov. 9-15	Nov. 6-14 Nov. 8-14	Spike Bull Only Spike Bull Only
601, 603, 607, 612, 615, 618, 624, 627, 633, 638, 642, 648, 651, 681	WG WG WG WP WP WP	Nov. 8-16 Nov. 10-16	Nov. 7-15 Nov. 9-15	Nov. 6-14 Nov. 8-14	3-Pt. Min. except AHE hunters only in Elk Area 064 in GMU 638 3-Pt. Min. except AHE hunters only in Elk Area 064 in GMU 638

PROPOSED

Archery Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched archery elk tag as listed below on his/her person.

Hunting Method: Bow and arrow only.

Special Notes: Archery tag holders can hunt only during archery seasons. Archery elk hunters may apply for special bull permits. Please see permit table for tag eligibility for all elk permits.

Early Archery Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched archery elk tag as listed below on his/her person for the area hunted: Blue Mountains (BA), Northeastern (NA), Colockum (CA), Yakima (YA), or Western Washington (WA).

PROPOSED

GMUs	Elk Tag			1997 Dates	1998 Dates	1999 Dates	Legal Elk
	97	98	99				
101-142	BA	NA	NA	Sept. 1-14	Sept. 1-14	Sept. 1-14	Either sex
145-154, 162-169, 175, 178, 181, 186	BA	BA	BA	Sept. 1-14	Sept. 1-14	Sept. 1-14	Spike bull only
300, 306, 308, 334 (North of I-90)	CA	CA	CA	Sept. 1-14	Sept. 1-14	Sept. 1-14	Either sex
328, 329	CA	CA	CA	Sept. 1-14	Sept. 1-14	Sept. 1-14	Spike bull or antlerless
334 (South of I-90), 372	YA	YA	YA	Sept. 1-14	Sept. 1-14	Sept. 1-14	Either sex
335, 336, 340, 352, 356, 364, 371	YA	YA	YA	Sept. 1-14	Sept. 1-14	Sept. 1-14	Spike bull or antlerless
407, 410, 426, 448, 450, 504, 505, 510, 516, 520, 550, 554, 560, 658, 660, 663, 667, 672, 673, 684	WA	WA	WA	Sept. 1-14	Sept. 1-14	Sept. 1-14	Spike bull or antlerless
437, 454, 484, 501, 564, 568, 574, 578, 582, 588	WA	WA	WA	Sept. 1-14	Sept. 1-14	Sept. 1-14	Either sex
460, 466, 478, 490, 506, 513, 530, 558, 572, 681	WA	WA	WA	Sept. 1-14	Sept. 1-14	Sept. 1-14	3 pt. min. or antlerless except permit only in Cathlamet Firearm Restriction Area in GMU 506
601, 603, 612, 615, 618, 624, 627, 633, 638, 642, 648, 651	WA	WA	WA	Sept. 1-14	Sept. 1-14	Sept. 1-14	3 pt. min. and permit only on Pysht PLWMA 600 in GMU 603; AHE hunters only in Elk Area 064 in GMU 638
Bow Area 802	WA			Sept. 2-14	Sept. 1-14	Sept. 1-14	Spike bull or antlerless

Late Archery Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched archery as listed below elk tag on his/her person for the area hunted.

GMUs	Elk Tag			1997 Dates	1998 Dates	1999 Dates	Legal Elk
	97	98	99				
101, 105, 117, 121, 124, 127	BA	NA	NA	Nov. 26-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Either sex
Private lands within GMU 162 east of the North Touchet Road. GMU 178 on private lands only	BA	BA	BA	Nov. 26-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Spike bull or antlerless
328	CA	CA	CA	Nov. 26-Dec. 8	Nov. 25-Dec. 8	Nov. 24-Dec. 8	Spike bull or antlerless
336, 346, 352	YA	YA	YA	Nov. 26-Dec. 8	Nov. 25-Dec. 8	Nov. 24-Dec. 8	Spike bull or antlerless
407, 437, 454, 484, 505, 520, 672	WA	WA	WA	Nov. 26-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Spike bull or antlerless
564, 588	WA	WA	WA	Nov. 26-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Either sex
603, 612, 615, 638, 648	WA	WA	WA	Nov. 26-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	3 pt. min. except CLOSED on Pysht PLWMA 600; AHE hunters only in Elk Area 064 in GMU 638
506, 530, 681*	WA	WA	WA	Nov. 26-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15 antlerless and	3 pt. min. or permit only in Cathlamet Firearm Restriction Area in Wahkiakum County
<b>Bow Areas</b>							
802	WA	WA	WA	Nov. 26-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Spike bull or antlerless
806, 807	YA	YA	YA	Nov. 26-Dec. 8	Nov. 25-Dec. 8	Nov. 24-Dec. 8	Spike bull or antlerless
841	WA	WA	WA	Nov. 26-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Spike bull or antlerless

\* Except closed between U.S. Highway 101 and the Columbia River from Astoria-Megler toll bridge to the Wallicut River.

Muzzleloader Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched muzzleloader elk tag as listed below on his/her person.

Hunting Method: Muzzleloader only.

Special Notes: Muzzleloader tag holders can only hunt during the muzzleloader seasons and must hunt with muzzleloader equipment. Only hunters with tags identified in the Special Elk Permits tables may apply for special elk permits.

Early Muzzleloader Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched muzzleloader elk tag as designated below on his/her person.

PROPOSED

PROPOSED

GMUs	Elk Tag			1997 Dates	1998 Dates	1999 Dates	Legal Elk
	97	98	99				
109	BM	NM	NM	Oct. 4-10	Oct. 10-16	Oct. 9-15	Any Bull
172	BM	BM	BM	Oct. 4-10	Oct. 10-16	Oct. 9-15	Spike bull only
178, 181	BM	BM	BM	Oct. 4-10	Oct. 10-16	Oct. 9-15	Spike bull or antlerless
314*, 316	CM,	CM	CM	Oct. 4-10	Oct. 10-16	Oct. 9-15	Spike bull only
304	CM	CM	CM	Oct. 4-10	Oct. 10-16	Oct. 9-15	Any Bull
342, 356, 368	YM	YM	YM	Oct. 4-10	Oct. 10-16	Oct. 9-15	Spike bull only
501, 564	WM	WM	WM	Oct. 4-10	Oct. 10-16	Oct. 9-15	Either sex
660	WM	WM	WM	Oct. 4-10	Oct. 10-16	Oct. 9-15	Spike Bull only
460, 478, 513, 530, 603, 607	WM	WM	WM	Oct. 4-10	Oct. 10-16	Oct. 9-15	3 pt. min.
437, 454, 484, 684	WM	WM	WM	Oct. 4-10	Oct. 10-16	Oct. 9-15	Spike bull or antlerless
Muzzleloader Area 910	YM	YM	YM	Sept. 1-14	Sept. 1-14	Sept. 1-14	Spike bull or antlerless

\* The portion of GMU 314 bordered by the Colockum Pass Road (Road 10), Naneum Ridge Road (Road 9), and Ingersol Road (Road 1) is closed. See Naneum Green Dot Map.

Late Muzzleloader Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched muzzleloader elk tag as designated below on his/her person.

GMUs	Elk Tag			1997 Dates	1998 Dates	1999 Dates	Legal Elk
	97	98	99				
130, 133, 136, 139	BM	NM	NM	Nov. 26-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Either sex
346	YM	YM	YM	Nov. 26-Dec. 8	Nov. 25-Dec. 8	Nov. 24-Dec. 8	Spike bull only
454, 484, 505	WM	WM	WM	Nov. 26-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Spike bull or antlerless
437, 504, 550	WM	WM	WM	Nov. 26-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Spike bull only
501, 564, 568, 578	WM	WM	WM	Nov. 26-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Either sex
601	WM	WM	WM	Nov. 26-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	3 pt. bull min.
684	WM	WM	WM	Nov. 26-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Spike bull or antlerless
Muzzleloader Areas							
910	YM	YM	YM	Nov. 26-Dec. 8	Nov. 25-Dec. 8	Nov. 24-Dec. 8	Antlerless only
944	YM	YM	YM	Nov. 26-Dec. 8	Nov. 25-Dec. 8	Nov. 24-Dec. 8	Spike bull or antlerless

Special Elk Hunts Open to Specified Tag Holders

Tag Required: Proper elk tags are listed with each GMU below.

Hunting Method: Hunters must use method listed on their tag, except in Firearm Restriction Areas, where some types of weapons are banned from use. See elk tag required, dates, and legal elk in table below.

Damage Elk Hunts

GMUs	Elk Tag			1997 Dates	1998 Dates	1999 Dates	Legal Elk
	97	98	99				
101 105, 121, 124, west of SR 395, 133, 136, 139	BG, BP	NG, NP	NG, NP	Oct. 25-Nov. 2	Oct. 31-Nov. 8	Oct. 30-Nov. 7	Either sex
127*, 130*	BA, BG BP, BM	NA, NG NP, NM	NA, NG NP, NM	Oct. 20-Nov. 20	Oct. 20-Nov. 20	Oct. 20-Nov. 20	Either sex
372	Any Elk Tag	Any Elk Tag	Any Elk Tag	Nov. 1-15	Nov. 1-15	Nov. 1-15	Either sex
564**	WA, WM, WG, WP	WA, WM, WG, WP	WA, WM, WG, WP	Nov. 8-16	Nov. 7-15	Nov. 6-14	Either sex
501, 568, 574, 578, 588	WG, WP	WG, WP	WG, WP	Nov. 8-16	Nov. 7-15	Nov. 6-14	Either sex
300, 301, 304, 306, 308	CG, CP, CM	CG, CP, CM	CG, CP, CM	Dec. 8-21	Dec. 7-20	Dec. 6-19	Either sex
Elk Area 001	Any Elk Tag	Any Elk Tag	Any Elk Tag	Nov. 1-15	Nov. 1-15	Nov. 1-15	Either sex

\* Advanced Hunter Education hunters only.

\*\* Archery or Muzzleloader Equipment Only. Modern Firearm elk tag holders may hunt but must use primitive weapons.

Private Lands Wildlife Management Opportunities

Champion (PLWMA 401) Kapowsin Tree Farm

Hunting Method	Elk Tag	1997 Dates	1998 Dates	1999 Dates	Special Restrictions
Archery	WA	Sept. 1-12	Sept. 1-11	Sept. 1-10	Antlerless only PLWMA 401 North PLWMA 401 Central PLWMA 401 South
Muzzleloader	WM	Nov. 24-Dec. 4	CLOSED	CLOSED	Spike only PLWMA 401 North
Modern Firearm	WG, WP	Nov. 1-7	CLOSED	CLOSED	Spike only PLWMA 401 North

Report Cards

Each successful hunter must fill out and return a Game Harvest Report Card to the Department of Fish and Wildlife within 10 days after taking an elk.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

Reviser's note: The spelling error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 97-06-118  
PROPOSED RULES  
DEPARTMENT OF  
FISH AND WILDLIFE  
(Wildlife)**

[Filed March 5, 1997, 10:30 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-01-111.

Title of Rule: To amend WAC 232-28-252 1997 Moose permit quotas.

Purpose: To adopt moose permit quotas for the 1997 hunting seasons.

PROPOSED

PROPOSED

Statutory Authority for Adoption: RCW 77.12.020, 77.12.030, 77.12.040, or 77.32.220.

Statute Being Implemented: RCW 77.12.020, 77.12.030, 77.12.040, or 77.32.220.

Summary: Special moose units were identified in the 1997 Big Game Hunting Seasons and Rules pamphlet. The permit quota for these hunts must be adopted so hunters know how many permits are available for each game management unit.

Reasons Supporting Proposal: Permit quotas will be based on conservation of the moose resource and damage potential.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Britnell, Assistant Director, Wildlife Management Program, Olympia, (360) 902-2504; and Enforcement: Ron Swatfigure, Acting Assistant Director, Enforcement Program, Olympia, (360) 902-2927.

Name of Proponent: Washington Fish and Wildlife Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed permit quotas will protect the moose

resource, help prevent overpopulation, limit damage potential, and result in recreational opportunity.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules do not affect small business.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: Longview Elks Lodge, 1265 12th Avenue, Longview, WA 98632, on April 18-19, 1997, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by April 1, 1997, TDD (360) 902-2207, or (360) 902-2267.

Submit Written Comments to: Washington Department of Fish and Wildlife, Evan Jacoby, 600 Capitol Way North, Olympia, WA 98501-1091, FAX (360) 902-2930, by April 4, 1997.

Date of Intended Adoption: April 19, 1997.

March 5, 1997  
Evan Jacoby  
Legal Counsel

AMENDATORY SECTION [(Amending WSR 96-12-049, filed 5/31/96)]

WAC 232-28-252 ((1996)) 1997 Moose permit quotas

Hunt Choice Number	Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	((1996)) 1997 Permits
<del>((8001</del>	<del>Selkirk Mtns.</del>	<del>Oct. 1-Nov. 30</del>	<del>GMU 113</del>	<del>Any Legal Weapon</del>	<del>12</del>
<del>8002</del>	<del>Mt. Spokane</del>	<del>Oct. 1-Nov. 30</del>	<del>GMU 124</del>	<del>Any Legal Weapon</del>	<del>8</del>
<del>8003</del>	<del>Chewelah</del>	<del>Oct. 1-Nov. 30</del>	<del>GMU 118</del>	<del>Any Legal Weapon</del>	<del>5</del>
<del>8004</del>	<del>Boyer</del>	<del>Oct. 1-Nov. 30</del>	<del>GMU 119</del>	<del>Any Legal Weapon</del>	<del>4</del>
<del>8005</del>	<del>Aladdin</del>	<del>Oct. 1-Nov. 30</del>	<del>GMU 111</del>	<del>Any Legal Weapon</del>	<del>2))</del>
<u>8001</u>	<u>Selkirk Mtns.</u>	<u>Oct. 1-Nov. 30</u>	<u>GMU 113</u>	<u>Any Legal Weapon</u>	<u>10</u>
<u>8002</u>	<u>Mt. Spokane</u>	<u>Oct. 1-Nov. 30</u>	<u>GMU 124</u>	<u>Any Legal Weapon</u>	<u>10</u>
<u>8003</u>	<u>49 Degrees North</u>	<u>Oct. 1-Nov. 30</u>	<u>GMU 117</u>	<u>Any Legal Weapon</u>	<u>8</u>
<u>8005</u>	<u>Threeforks</u>	<u>Oct. 1-Nov. 30</u>	<u>GMU 109</u>	<u>Any Legal Weapon</u>	<u>3</u>
<u>8006</u>	<u>Hangman</u>	<u>Oct. 1-Nov. 30</u>	<u>GMU 127, 130</u>	<u>Any Legal Weapon</u>	<u>1</u>

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

Title of Rule: To amend WAC 232-28-253 1997 Mountain sheep permit quotas.

Purpose: To adopt bighorn sheep permit quotas for the 1997 hunting seasons.

Statutory Authority for Adoption: RCW 77.12.020, 77.12.030, 77.12.040, or 77.32.220.

Statute Being Implemented: RCW 77.12.020, 77.12.030, 77.12.040, or 77.32.220.

Summary: Special bighorn permit hunts were identified in the 1997 Big Game Hunting Seasons and Rules pamphlet. The permit quota for these hunts must be adopted so hunters know how many permits are available for each game management unit.

Reasons Supporting Proposal: Permit quotas will be based on the guidelines of the bighorn sheep management plan.

**WSR 97-06-119**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
(Wildlife)

[Filed March 5, 1997, 10:31 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-01-111.



Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Assistant Director, Wildlife Management Program, Olympia, (360) 902-2504; and Enforcement: Ron Swatfigure, Acting Assistant Director, Enforcement Program, Olympia, (360) 902-2927.

Name of Proponent: Washington Fish and Wildlife Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed permit quotas will protect the bighorn resource and provide recreational opportunity.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules do not affect small business.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: Longview Elks Lodge, 1265 12th Avenue, Longview, WA 98632, on April 18-19, 1997, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by April 1, 1997, TDD (360) 902-2207, or (360) 902-2267.

Submit Written Comments to: Washington Department of Fish and Wildlife, Evan Jacoby, 600 Capitol Way North, Olympia, WA 98501-1091, FAX (360) 902-2930, by April 4, 1997.

Date of Intended Adoption: April 19, 1997.

March 5, 1997  
Evan Jacoby  
Legal Counsel

PROPOSED

AMENDATORY SECTION [(Amending WSR 96-12-050, filed 5/31/96)]

**WAC 232-28-253 ((1996)) 1997 Mountain sheep (bighorn) permit quotas**

Hunt Choice Number	Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	((1996)) 1997 Permits
<del>5002</del>	<del>Vulcan Mountain</del>	<del>Sept. 15-Oct. 11</del>	<del>Sheep Unit 2</del>	<del>Any Legal Weapon</del>	<del>2</del>
<del>5003</del>	<del>Tucannon River</del>	<del>Sept. 15-Oct. 11</del>	<del>Sheep Unit 3</del>	<del>Any Legal Weapon</del>	<del>1</del>
<del>5005</del>	<del>Umtanum</del>	<del>Sept. 15-Oct. 11</del>	<del>Sheep Unit 5</del>	<del>Any Legal Weapon</del>	<del>3</del>
<del>5007</del>	<del>Clemon Mountain</del>	<del>Sept. 15-Oct. 11</del>	<del>Sheep Unit 7</del>	<del>Any Legal Weapon</del>	<del>1</del>
<del>5008</del>	<del>Mountainview</del>	<del>Sept. 15-Oct. 11</del>	<del>Sheep Unit 8</del>	<del>Any Legal Weapon</del>	<del>1</del>
<del>5009</del>	<del>Blackbutte</del>	<del>Sept. 15-Oct. 11</del>	<del>Sheep Unit 9</del>	<del>Any Legal Weapon</del>	<del>0</del>
<del>5010</del>	<del>Mt. Hull</del>	<del>Sept. 15-Oct. 11</del>	<del>Sheep Unit 10</del>	<del>Any Legal Weapon</del>	<del>1</del>
<del>5011</del>	<del>Wenaha Wilderness</del>	<del>Sept. 15-Oct. 11</del>	<del>Sheep Unit 11</del>	<del>Any Legal Weapon</del>	<del>1))</del>
<u>5002</u>	<u>Vulcan Mountain</u>	<u>Sept. 15-Oct. 10</u>	<u>Sheep Unit 2</u>	<u>Any Legal Weapon</u>	<u>1</u>
<u>5003</u>	<u>Tucannon River</u>	<u>Sept. 15-Oct. 10</u>	<u>Sheep Unit 3</u>	<u>Any Legal Weapon</u>	<u>1</u>
<u>5004</u>	<u>Selah Butte</u>	<u>Sept. 15-Oct. 10</u>	<u>Sheep Unit 4</u>	<u>Any Legal Weapon</u>	<u>1</u>
<u>5005</u>	<u>Umtanum</u>	<u>Sept. 15-Oct. 10</u>	<u>Sheep Unit 5</u>	<u>Any Legal Weapon</u>	<u>1</u>
<u>5007</u>	<u>Clemon Mountain</u>	<u>Sept. 15-Oct. 10</u>	<u>Sheep Unit 7</u>	<u>Any Legal Weapon</u>	<u>1</u>
<u>5010</u>	<u>Mt. Hull</u>	<u>Sept. 15-Oct. 10</u>	<u>Sheep Unit 10</u>	<u>Any Legal Weapon</u>	<u>1</u>
<u>5012</u>	<u>Lincoln Cliffs</u>	<u>Sept. 15-Oct. 10</u>	<u>Sheep Unit 12</u>	<u>Any Legal Weapon</u>	<u>1</u>

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

**WSR 97-06-120**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
(Wildlife)

[Filed March 5, 1997, 10:33 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-01-111.

Title of Rule: To amend WAC 232-28-254 1997 Mountain goat permit quotas.

Purpose: To adopt mountain goat permit quotas for the 1997 hunting seasons.

Statutory Authority for Adoption: RCW 77.12.020, 77.12.030, 77.12.040, or 77.32.220.

Statute Being Implemented: RCW 77.12.020, 77.12.030, 77.12.040, or 77.32.220.

Summary: Special mountain goat hunts were identified in the 1997 *Big Game Hunting Seasons and Rules* pamphlet. The quota for these hunts must be adopted so hunters know how many [many] permits are available for each game management unit.

Reasons Supporting Proposal: Permit quotas will be based on harvest at the four percent rate. In other words, no more than four percent of the goats will be harvested each year.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Assistant Director, Wildlife Management Program, Olympia, (360) 902-2504; and Enforcement: Ron Swatfigure, Acting Assistant Director, Enforcement Program, Olympia, (360) 902-2927.

Name of Proponent: Washington Fish and Wildlife Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed permit quotas will protect the mountain goat resource and provide recreation opportunity.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules do not affect small business.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: Longview Elks Lodge, 1265 12th Avenue, Longview, WA 98632, on April 18-19, 1997, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by April 1, 1997, TDD (360) 902-2207, or (360) 902-2267.

Submit Written Comments to: Washington Department of Fish and Wildlife, Evan Jacoby, 600 Capitol Way North, Olympia, WA 98501-1091, FAX (360) 902-2930, by April 4, 1997.

Date of Intended Adoption: April 19, 1997.

March 5, 1997  
Evan Jacoby  
Legal Counsel

AMENDATORY SECTION [(Amending WSR 96-12-051, filed 5/31/96)]

WAC 232-28-254 ((1996)) 1997 Mountain goat permit quotas

Hunt Choice Number	Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	((1996)) 1997 Permits
<del>6201</del>	<del>Mount Chopaka</del>	<del>Sept. 14 Oct. 31</del>	<del>Goat Unit 2-1</del>	<del>Any Legal Weapon</del>	<del>1</del>
<del>6202</del>	<del>Methow</del>	<del>Sept. 14 Oct. 31</del>	<del>Goat Unit 2-2</del>	<del>Any Legal Weapon</del>	<del>8</del>
<del>6306</del>	<del>Naches Pass</del>	<del>Sept. 14 Oct. 31</del>	<del>Goat Unit 3-6</del>	<del>Any Legal Weapon</del>	<del>10</del>
<del>6307</del>	<del>Bumping River</del>	<del>Sept. 14 Oct. 31</del>	<del>Goat Unit 3-7</del>	<del>Any Legal Weapon</del>	<del>3</del>
<del>6308</del>	<del>Bumping River</del>	<del>Sept. 14 Oct. 31</del>	<del>Goat Unit 3-8</del>	<del>Muzzleloader Only</del>	<del>3</del>
<del>6309</del>	<del>Tieton River</del>	<del>Sept. 14 Oct. 31</del>	<del>Goat Unit 3-9</del>	<del>Any Legal Weapon</del>	<del>5</del>
<del>6310</del>	<del>Blazed Ridge</del>	<del>Sept. 14 Oct. 31</del>	<del>Goat Unit 3-10</del>	<del>Any Legal Weapon</del>	<del>3</del>
<del>6311</del>	<del>Kachess Ridge</del>	<del>Sept. 14 Oct. 31</del>	<del>Goat Unit 3-11</del>	<del>Any Legal Weapon</del>	<del>1</del>
<del>6408</del>	<del>East Ross Lake</del>	<del>Sept. 14 Oct. 31</del>	<del>Goat Unit 4-8</del>	<del>Any Legal Weapon</del>	<del>10</del>
<del>6409</del>	<del>Jack Mountain</del>	<del>Sept. 14 Oct. 31</del>	<del>Goat Unit 4-9</del>	<del>Any Legal Weapon</del>	<del>2</del>
<del>6432</del>	<del>Foss River</del>	<del>Sept. 14 Oct. 31</del>	<del>Goat Unit 4-32</del>	<del>Any Legal Weapon</del>	<del>10</del>
<del>6434</del>	<del>Pratt River</del>	<del>Sept. 14 Oct. 31</del>	<del>Goat Unit 4-34</del>	<del>Any Legal Weapon</del>	<del>10</del>
<del>6438</del>	<del>Corral Pass</del>	<del>Sept. 14 Oct. 31</del>	<del>Goat Unit 4-38</del>	<del>Archery Only</del>	<del>4</del>
<del>6502</del>	<del>Tatoosh</del>	<del>Sept. 14 Oct. 31</del>	<del>Goat Unit 5-2</del>	<del>Any Legal Weapon</del>	<del>5</del>
<del>6503</del>	<del>Smith Creek</del>	<del>Sept. 14 Oct. 31</del>	<del>Goat Unit 5-3</del>	<del>Archery Only</del>	<del>5</del>
<del>6504</del>	<del>Goat Rocks</del>	<del>Sept. 14 Oct. 31</del>	<del>Goat Unit 5-4</del>	<del>Any Legal Weapon</del>	<del>10</del>
<del>6603</del>	<del>Quileene River</del>	<del>Sept. 14 Oct. 31</del>	<del>Goat Unit 6-2</del>	<del>Archery Only</del>	<del>0</del>
<del>6604</del>	<del>Hamma Hamma River))</del>	<del>Sept. 14 Oct. 31</del>	<del>Goat Unit 6-3</del>	<del>Archery Only</del>	<del>5</del>
<u>6201</u>	<u>Mount Chopaka</u>	<u>Sept. 13-Oct. 31</u>	<u>Goat Unit 2-1</u>	<u>Any Legal Weapon</u>	<u>1</u>
<u>6202</u>	<u>Methow</u>	<u>Sept. 13-Oct. 31</u>	<u>Goat Unit 2-2</u>	<u>Any Legal Weapon</u>	<u>5</u>
<u>6306</u>	<u>Naches Pass</u>	<u>Sept. 13-Oct. 31</u>	<u>Goat Unit 3-6</u>	<u>Any Legal Weapon</u>	<u>1</u>
<u>6307</u>	<u>Bumping River</u>	<u>Sept. 13-Oct. 31</u>	<u>Goat Unit 3-7</u>	<u>Any Legal Weapon</u>	<u>1</u>
<u>6309</u>	<u>Tieton River</u>	<u>Sept. 13-Oct. 31</u>	<u>Goat Unit 3-9</u>	<u>Any Legal Weapon</u>	<u>1</u>
<u>6310</u>	<u>Blazed Ridge</u>	<u>Sept. 13-Oct. 31</u>	<u>Goat Unit 3-10</u>	<u>Any Legal Weapon</u>	<u>1</u>
<u>6311</u>	<u>Kachess Ridge</u>	<u>Sept. 13-Oct. 31</u>	<u>Goat Unit 3-11</u>	<u>Any Legal Weapon</u>	<u>1</u>
<u>6408</u>	<u>East Ross Lake</u>	<u>Sept. 13-Oct. 31</u>	<u>Goat Unit 4-8</u>	<u>Any Legal Weapon</u>	<u>4</u>
<u>6409</u>	<u>Jack Mountain</u>	<u>Sept. 13-Oct. 31</u>	<u>Goat Unit 4-9</u>	<u>Any Legal Weapon</u>	<u>2</u>
<u>6432</u>	<u>Foss River</u>	<u>Sept. 13-Oct. 31</u>	<u>Goat Unit 4-32</u>	<u>Any Legal Weapon</u>	<u>5</u>
<u>6434</u>	<u>Pratt River</u>	<u>Sept. 13-Oct. 31</u>	<u>Goat Unit 4-34</u>	<u>Any Legal Weapon</u>	<u>5</u>
<u>6438</u>	<u>Corral Pass</u>	<u>Sept. 13-Oct. 31</u>	<u>Goat Unit 4-38</u>	<u>Any Legal Weapon</u>	<u>4</u>
<u>6502</u>	<u>Tatoosh</u>	<u>Sept. 13-Oct. 31</u>	<u>Goat Unit 5-2</u>	<u>Any Legal Weapon</u>	<u>5</u>
<u>6503</u>	<u>Smith Creek</u>	<u>Sept. 13-Oct. 31</u>	<u>Goat Unit 5-3</u>	<u>Any Legal Weapon</u>	<u>3</u>
<u>6504</u>	<u>Goat Rocks</u>	<u>Sept. 13-Oct. 31</u>	<u>Goat Unit 5-4</u>	<u>Any Legal Weapon</u>	<u>10</u>
<u>6603</u>	<u>Hamma Hamma River</u>	<u>Sept. 13-Oct. 31</u>	<u>Goat Unit 6-3</u>	<u>Any Legal Weapon</u>	<u>2</u>

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

PROPOSED

**WSR 97-06-121**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
 (Wildlife)

[Filed March 5, 1997, 10:35 a.m.]

**Original Notice.**

Preproposal statement of inquiry was filed as WSR 97-01-111.

Title of Rule: To amend WAC 232-28-260 Special hunting seasons.

Purpose: To amend the WAC to allow deer and elk PLWMA raffle permit hunts to be an additional opportunity for the permit hunter; and to determine if sheep and moose opportunity should be limited to one transport tag annually.

Statutory Authority for Adoption: RCW 77.12.020, 77.12.030, 77.12.040, or 77.32.220.

Statute Being Implemented: RCW 77.12.020, 77.12.030, 77.12.040, or 77.32.220.

Summary: The amended WAC allows PLWMA deer and elk hunts to be an additional opportunity, but limits sheep and moose opportunity to one animal annually.

Reasons Supporting Proposal: The proposed amendment will make the rules for the PLWMA raffle hunts consistent with WDFW raffle hunts.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Assistant Director, Wildlife Management Program, Olympia, (360) 902-2504; and Enforcement: Ron Swatfigure, Acting Assistant Director, Enforcement Program, Olympia, (360) 902-2927.

Name of Proponent: Washington Fish and Wildlife Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rule will eliminate some confusion about eligibility for special raffle hunts.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules do not affect small business.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: Longview Elks Lodge, 1265 12th Avenue, Longview, WA 98632, on April 18-19, 1997, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by April 1, 1997, TDD (360) 902-2207, or (360) 902-2267.

Submit Written Comments to: Washington Department of Fish and Wildlife, Evan Jacoby, 600 Capitol Way North, Olympia, WA 98501-1091, FAX (360) 902-2930, by April 4, 1997.

Date of Intended Adoption: April 19, 1997.

March 5, 1997  
 Evan Jacoby  
 Legal Counsel

AMENDATORY SECTION [(Amending Order 97-25, filed 2/27/97)]

**WAC 232-28-260 Special hunting seasons** (1) The Commission may establish special hunting seasons limited to species and/or weapon type.

(2) The Commission establishes the following types of special hunting seasons, called permit hunts, for purposes of taking specified wildlife:

- (a) General Permit Hunts;
- (b) Persons of Disability Permit Hunts;
- (c) Youth Permit Hunts;
- (d) Senior Citizen Permit Hunts;
- (e) Advanced Hunter Education Permit Hunts.

(3) In addition to the requirements for general permit hunts, the following are hunt requirements for:

(a) Persons of Disability Permit Hunts: Only applicants with a Washington disabled hunter permit are eligible to apply for any persons of disability permit hunts.

(b) Youth Permit Hunts: Only applicants sixteen years old or younger on opening day of the permit hunt will be eligible to apply for the youth permit hunts.

(c) Senior Citizen Permit Hunts: Only applicants sixty-five years of age or older on opening day of the permit hunt will be eligible to apply for senior citizen permit hunts.

(d) Advanced Hunter Education Permit Hunts: Only applicants who have successfully completed the Washington department of fish and wildlife advanced hunter education (AHE) course will be eligible to apply for AHE permit hunts.

(4) Deer and elk special hunting seasons permit hunt application:

(a) To apply for permit hunts for deer, applicants must have a valid Washington hunting license and a valid deer transport tag. Each applicant must have the proper transport tag as identified in the current deer hunting permit tables.

(b) To apply for permit hunts for elk, applicants must have a valid Washington hunting license and a valid elk transport tag. Each applicant must have the proper transport tag as identified in the current elk hunting permit tables.

(c) No refunds or exchanges for deer or elk transport tags will be made for persons applying for permit hunts.

(d) Holders of deer or elk permit hunts may hunt only with a weapon in compliance with their transport tag during the permit hunts.

(5) Mountain goat, moose, mountain sheep, and cougar permit hunts applications:

(a) To apply for permit hunts for mountain goat, moose, mountain sheep, or cougar applicants must have a valid Washington hunting license. Those who have previously drawn a Washington mountain sheep or moose permit are ineligible to apply for that species. This restriction on eligibility does not apply to permits awarded pursuant to a raffle or auction hunt.

(b) No refunds or exchanges for mountain goat, moose, mountain sheep, or cougar transport tags will be made for persons drawing for permit hunts.

(c) Permit hunting report: A hunter report will be sent to each mountain goat, moose, mountain sheep, and cougar permit (~~hunts~~) holder and must be returned to the department of fish and wildlife within ten days after the close of the permit hunt(~~s~~).

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## (6) General permit hunts application:

(a) Partnership applications will be accepted for any species. A partnership consists of two hunters. If a partnership application is drawn, both hunters will receive a permit and both hunters can take an animal.

(b) Application deadline: To qualify for the drawing all applications must be postmarked no later than the first Friday of May or received at a department of fish and wildlife office no later than 5:00 p.m. on the first Friday of May of the year of the drawing.

(c) An applicant's name may appear on only one single special permit hunt application or one partnership application for each species. If an applicant's name appears on more than one application for a species, the application will be made ineligible for the drawing and no points will be accrued for that year for that species.

(d) For partnership applications that are ineligible because one of the partners has his/her name on more than one application for that species, both applicants will be made ineligible for the drawing and no points will be accrued for that year for that species.

(e) Permits will be drawn by computer selection using a weighted point selection system.

## (f) Incomplete Applications:

(i) To be eligible for the deer or elk permit hunts drawing, each application must include a valid hunt number, complete name, correct mailing address, date of birth, a marked species check box, a valid Washington hunting license number, and a valid deer or elk transport tag number for each applicant.

(ii) To be eligible for the special mountain goat, moose, mountain sheep, or cougar permit hunts drawing, each application must include a valid hunt number, complete name, correct mailing address, date of birth, a marked species check box, and a valid Washington hunting license number for each applicant.

(iii) To be eligible to accrue points, each application must include either a valid social security number, driver's license number, or a state-issued identification number for each applicant. Applicants choosing not to submit one of the above-listed numbers will be eligible for the drawing, but will not accrue points. The same identification number must be used each year to accrue points. If a different number is used (i.e., driver's license number instead of social security number), point accrual will begin anew for the applicant while maintaining the point accrual under the former identification number.

## (g) Inaccurate Applications:

(i) If an applicant makes a mistake, applies for the wrong hunt, and is drawn, the permit can be returned to the department of fish and wildlife Olympia headquarters before the opening day of the hunt or the opening day of the general season, whichever comes first. The applicant's points will be restored to the condition they were in prior to the drawing.

(ii) If an applicant inaccurately submits his/her identification number on an application, no points will be accrued for that year for that species under the correct identification number.

(7) The Commission establishes auction and raffle Private Lands Wildlife Management Areas (PLWMA) hunts:

(a) The Commission may authorize, by agreement with PLWMA, the sale, auction, or raffle of hunts on PLWMAs.

(b) PLWMA auction/raffle hunts are awarded to hunt big game or wild turkey. The PLWMA manager will conduct the raffle drawing. Raffle tickets will be sold for not more than \$25.00 each.

(c) Any person may purchase PLWMA raffle tickets in addition to WDFW raffle and participate in general permit hunt application drawing.

(d) An additional big game transport tag may be purchased for a deer or elk PLWMA raffle permit hunt.

~~((e))~~ (e) The PLWMA manager conducting an authorized big game auction or raffle will provide an annual report to the department of fish and wildlife prior to December 31. The report will include information on how the event was administered, where and when it occurred, who the winners are, the cost of tickets and numbers sold.

(8) The commission establishes raffle hunts:

(a) The commission may establish big game and wild turkey raffle permit hunts. The director may conduct the raffle or may contract to a non-profit wildlife conservation organization (registered 5013c) for marketing. The organization may retain the vendor fee for each raffle ticket sold to cover expenses incurred.

(b) There is no limit on the number of tickets a person may purchase. Raffle tickets cost no more than \$25.00 each with a 50 cent vendor fee included in the price. All raffle permits are void on January 1 following the date of issuance.

(c) The organization interested in conducting a raffle for an authorized permit hunt shall submit a proposal outlining its experience and plans to conduct a raffle. The department of fish and wildlife shall solicit bids consistent with established state competitive bid rules. The proposal shall include:

(i) Name of the organization, articles of incorporation, and contact person.

(ii) The date, time and place of the proposed raffle drawing.

(iii) The approximate number of people expected to attend the function.

(iv) Past experience in conducting raffles and special functions.

(v) Other marketing strategies to be used.

(vi) Portion of funds to be retained by the organization.

(d) The director will select an organization to conduct a raffle.

(i) Revenue potential to the department will be a key criterion in applicant selection.

(ii) The department shall enter into a contract with the raffling organization identifying specific terms of the contract.

(iii) The director may authorize a nonprofit wildlife conservation organization to sell raffle tickets for the department and retain a vending fee of 50 cents for each ticket sold.

(e) The department or organization conducting a raffle shall notify the public about the raffle hunt opportunity and offer raffle tickets for sale.

(i) The department or organization shall inform the public of date, time and place of the raffle and hold the drawing as specified.

(ii) Raffle tickets sales conducted through agency license vendors or the director authorized nonprofit wildlife conservation organization vendor must be received at the department's Olympia office headquarters on or before the last business day prior to the public drawing. Contracting organizations conducting hunting raffles must account for raffle tickets and funds received. A representative of the department will monitor the drawing.

(iii) Additional tickets may be purchased at the raffle site prior to the drawing.

(iv) One winner and two alternates shall be drawn at the drawing.

(v) The raffling organization shall notify the department of the name, address and phone number of the raffle permit winner and two alternates immediately (but no later than ten business days) after the drawing. The department will notify the winner and two alternates by mail. The winner must claim the raffle permit during the regular business hours within 30 days of the drawing or he/she shall be disqualified and the department will offer the raffle permit to the first alternate. The first alternate must claim the raffle permit within 10 business days of notification or he/she shall be disqualified and the department will notify the second alternate. The second alternate must claim the permit within 10 business days of notification or he/she shall be disqualified and the department will not offer the raffle permit.

(vi) The department's share of the raffle revenue shall be returned to the department within 30 days of the drawing.

(f) Residents and nonresidents shall be eligible to purchase WDFW raffle tickets(-), in addition to PLWMA raffle tickets and participate in the general permit hunt application drawing.

(g) There shall be no refunds for any raffle ticket purchases.

(h) The raffle winners must purchase a valid hunting license and species transport tag prior to issuance of the raffle permit. An additional big game transport tag may be purchased for a deer or elk raffle permit hunt. Only one big game transport tag may be purchased for sheep or moose annually.

(i) The department will issue the permit to the person whose name appears on the winning ticket. Raffle tickets may not be resold or reassigned.

(j) All revenue to the department from a species permit raffle shall be used for the management and benefit of that species.

(9) Citizen reward for reporting violations - bonus points:

A person who provides information which contributes substantially to the arrest of another person for illegally killing big game or an endangered species as defined by Title 77 RCW is eligible to receive ten bonus points toward the department drawing for deer and elk special permits.

(a) Ten bonus points may only be awarded to only one person providing information for each person charged regardless of the number of violations involved.

(b) Selection of bonus points is in lieu of application for a cash award which may be authorized by RCW 77.21.080.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

**WSR 97-06-122**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
(Wildlife)

[Filed March 5, 1997, 10:36 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-01-111.

Title of Rule: To amend WAC 232-28-265 1997-98 Deer and elk permit hunting seasons.

Purpose: To make the deer permit quotas consistent with the private lands wildlife management areas plans and correct an error in the hunting pamphlet.

Statutory Authority for Adoption: RCW 77.12.020, 77.12.030, 77.12.040, or 77.32.220.

Statute Being Implemented: RCW 77.12.020, 77.12.030, 77.12.040, or 77.32.220.

Summary: Deer permit levels are amended to reflect the private lands wildlife management areas plans. The elk tag required for the Shushuskin elk tag was inadvertently listed as Colocum and should have been Yakima tag area.

Reasons Supporting Proposal: To make the WAC consistent with the private lands wildlife management areas plans.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Assistant Director, Wildlife Management Program, Olympia, (360) 902-2504; and Enforcement: Ron Swatfigure, Acting Assistant Director, Enforcement Program, Olympia, (360) 902-2927.

Name of Proponent: Washington Fish and Wildlife Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule will amend the deer permit quota for Kapowsin Tree Farm and Wilson Creek. We will allow hunters with CG, CM, YG or YM elk tags to apply for the Shushuskin permit hunt.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules do not affect small business.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: Longview Elks Lodge, 1265 12th Avenue, Longview, WA 98632, on April 18-19, 1997, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by April 1, 1997, TDD (360) 902-2207, or (360) 902-2267.

Submit Written Comments to: Washington Department of Fish and Wildlife, Evan Jacoby, 600 Capitol Way North,

PROPOSED

Olympia, WA 98501-1091, FAX (360) 902-2930, by April 4, 1997.

Date of Intended Adoption: April 19, 1997.

March 5, 1997  
Evan Jacoby  
Legal Counsel

(Open to Permit Holders Only)

Hunters must purchase a hunting license and deer tag prior to purchase of a permit application. Only modern firearm deer tag holders and muzzleloader deer tag holders may apply for the following permit hunts.

PERMIT QUOTAS

1997 Permit quotas are unknown at this time. Permit quotas may be greater or less than permits authorized in 1996 depending on winter survival. Please do not call Department offices for permit quotas. Quotas will be established at the April 1997, Fish and Wildlife Commission meeting.

AMENDATORY SECTION [(Amending Order 97-29, filed 2/27/97)]

**WAC 232-28-265 1997-98 Deer and elk permit hunting seasons.**

SPECIAL DEER PERMIT HUNTING SEASONS

MODERN FIREARM PERMIT HUNTS (Muzzleloaders may apply.)  
Use the FOUR DIGIT HUNT NUMBER on your application.

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description
1027	Sherman	Oct. 13-28	Whitetail, Antlerless Only	GMU 101
1028	Kelly Hill	Oct. 13-28	Whitetail, Antlerless Only	GMU 105
1029	Threeforks	Oct. 13-28	Whitetail, Antlerless Only	GMU 109
1030	Selkirk	Oct. 13-28	Whitetail, Antlerless Only	GMU 113
1031	49 Degrees North	Oct. 13-28	Whitetail, Antlerless Only	GMU 117
1032	Huckleberry	Oct. 13-28	Whitetail, Antlerless Only	GMU 121
1033	Mt. Spokane	Oct. 13-28	Whitetail, Antlerless Only	GMU 124
1034	Mica Peak	Oct. 13-28	Whitetail, Antlerless Only	GMU 127
1035	Cheney	Oct. 13-28	Antlerless Only	GMU 130
1036	Roosevelt	Oct. 13-28	Antlerless Only	GMU 133
1037	Harrington	Nov. 8-16	Antlerless Only	GMU 136
1038	Steptoe	Nov. 8-16	Antlerless Only	GMU 139
1039	Almota	Nov. 8-16	Antlerless Only	GMU 142
1040	Mayview	Nov. 8-16	Antlerless Only	GMU 145
1041	Prescott A	Nov. 8-16	Antlerless Only	GMU 149
1042	Blue Creek	Nov. 8-16	Whitetail, Antlerless Only	GMU 154
1043	Dayton	Nov. 8-16	Whitetail, Antlerless Only	GMU 162
1044	Marengo A	Nov. 8-16	Whitetail, Antlerless Only	GMU 163
1045	Marengo B	Nov. 8-16	Antlerless Only	GMU 163
1046	Peola	Nov. 8-16	Antlerless Only	GMU 178
1047	Couse	Nov. 8-16	Whitetail, Antlerless Only	GMU 181
1048	Blue Mtns. Foothills A	Nov. 10-25	Whitetail, 3 Pt. Min. or Antlerless	GMUs 149, 154, 162-166
1049	Blue Mtns. Foothills B	Nov. 10-25	Whitetail, 3 Pt. Min. or Antlerless	GMUs 145, 172-181
1050	East Okanogan	Nov. 10-25	Whitetail, Either Sex	GMU 204
1051	West Okanogan	Nov. 10-25	Whitetail, Either Sex	GMUs 209, 218-242
1052	Wannacut	Oct. 20-29	Antlerless Only	GMU 209
1053	Sinlahekin B	Oct. 20-29	Whitetail, Antlerless Only	GMU 215
1054	Chewuch B	Oct. 20-29	Antlerless Only	GMU 218
1055	Pearrygin B	Oct. 20-29	Antlerless Only	GMU 224
1056	Gardner B	Oct. 20-29	Antlerless Only	GMU 231
1057	Pogue B	Oct. 20-29	Antlerless Only	GMU 233
1058	Chiliwist B	Nov. 10-25	Whitetail, Either Sex	GMU 239
1059	Big Bend A	Oct. 11-19	Antlerless Only	GMU 248
1060	Saint Andrews	Oct. 11-19	Antlerless Only	GMU 254
1061	Badger	Oct. 11-19	Antlerless Only	GMU 266
1062	Moses Coulee	Oct. 11-19	Antlerless Only	GMU 269
1063	Beezley	Oct. 11-19	Antlerless Only	GMU 272
1064	Kahlotus	Oct. 11-19	Antlerless Only	GMU 284
1065	Lake Sacajawea	Oct. 11-19	Antlerless Only	Deer Area 030
1066	Entiat B	Nov. 1-12	Antlerless Only	GMUs 306, 308

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1067	Wenatchee A	Nov. 1-15	Antlerless Only	Portion of GMU 314*
1068	Green River A	Oct. 18-24	2 Pt. Min. or Antlerless	GMU 485
1069	Green River B	Oct. 18-24	Antlerless Only	GMU 485
1070	Lincoln	Oct. 18-31	Either Sex	GMU 501
1071	Stella	Oct. 18-31	Either Sex	GMU 504**
1080	Yale	Oct. 18-31	Either Sex	GMU 554**
1072	Mossyrock	Oct. 18-31	Either Sex	GMU 505
1073	Willapa Hills	Oct. 18-31	Either Sex	GMU 506
1074	Stormking	Oct. 18-31	Either Sex	GMU 510
1075	South Rainier	Oct. 18-31	Either Sex	GMU 513
1076	Packwood	Oct. 18-31	Either Sex	GMU 516
1077	Winston	Oct. 18-31	Either Sex	GMU 520
1078	Ryderwood	Oct. 18-31	Either Sex	GMU 530
1079	Coweeman	Oct. 18-31	Either Sex	GMU 550
1081	Marble	Oct. 18-31	2 Pt. Min. or Antlerless	GMU 558
1082	Lewis River	Oct. 18-31	Either Sex	GMU 560
1083	Washougal	Oct. 18-31	Either Sex	GMU 568
1084	Siouxon	Oct. 18-31	Either Sex	GMU 572
1085	West Klickitat	Oct. 18-31	2 Pt. Min. or Antlerless	GMU 578
1086	East Klickitat	Oct. 18-31	2 Pt. Min. or Antlerless	GMU 582
1087	Grayback	Oct. 18-31	2 Pt. Min. or Antlerless	GMU 588
1088	Pysht	Oct. 18-31	Either Sex	GMU 603
1089	Olympic	Oct. 18-31	Either Sex	GMU 621
1090	Coyle	Oct. 18-31	Either Sex	GMU 624
1091	Mason Lake	Oct. 18-31	Either Sex	GMU 633
1092	Skokomish	Oct. 18-31	2 Pt. Min. or Antlerless	GMU 636
1093	Wynoochee	Oct. 18-31	Either Sex	GMU 648
1094	North River	Oct. 18-31	Either Sex	GMU 658
1095	Minot Peak	Oct. 18-31	Either Sex	GMU 660
1096	Capitol Peak	Oct. 18-31	Either Sex	GMU 663
1097	Deschutes	Oct. 18-31	Either Sex	GMU 666
1098	Skookumchuck A	Oct. 18-31	Either Sex	GMU 667
1099	Fall River	Oct. 18-31	Either Sex	GMU 672
1100	Williams Creek	Oct. 18-31	Either Sex	GMU 673

\*Successful applicants will be mailed a map of the hunt boundary.

\*\*Firearm restriction area.

MODERN FIREARM BUCK HUNTS (Only Modern Firearm tag holders may apply.)

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description
1001	Sinlahekin A	Nov. 8-13	3 Pt. Min.	GMU 215
1002	Chewuch A	Nov. 8-13	3 Pt. Min.	GMU 218
1003	Pearygin A	Nov. 8-13	3 Pt. Min.	GMU 224
1004	Gardner A	Nov. 8-13	3 Pt. Min.	GMU 231
1005	Pogue A	Nov. 8-13	3 Pt. Min.	GMU 233
1006	Chiliwist A	Nov. 8-13	3 Pt. Min.	GMU 239
1009	Manson A	Nov. 8-13	3 Pt. Min.	GMU 300
1010	Chiwawa A	Nov. 8-13	3 Pt. Min.	GMU 304
1011	Entiat A	Nov. 8-13	3 Pt. Min.	GMU 308
1012	Mission A	Nov. 8-13	3 Pt. Min.	GMU 314
1013	Swakane A	Nov. 8-13	3 Pt. Min.	GMU 316
1016	Teanaway A	Nov. 8-13	3 Pt. Min.	GMU 335
1017	Taneum A	Nov. 8-13	3 Pt. Min.	GMU 336
1019	Little Naches A	Nov. 8-13	3 Pt. Min.	GMU 346
1020	Nile A	Nov. 8-13	3 Pt. Min.	GMU 352
1021	Bumping A	Nov. 8-13	3 Pt. Min.	GMU 356
1022	Bethel A	Nov. 8-13	3 Pt. Min.	GMU 360
1023	Rimrock A	Nov. 8-13	3 Pt. Min.	GMU 364
1024	Cowiche A	Nov. 8-13	3 Pt. Min.	GMU 368
1026	Kiona A	Nov. 8-13	3 Pt. Min.	GMU 372

DEER MUZZLELOADER ONLY HUNTS (Only Muzzleloader tag holders may apply.)

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description
1101	Sinlahekin C	Nov. 15-20	3 Pt. Min.	GMU 215
1102	Chewuch C	Nov. 15-20	3 Pt. Min.	GMU 218
1103	Pearrygin C	Nov. 15-20	3 Pt. Min.	GMU 224
1104	Gardner C	Nov. 15-20	3 Pt. Min.	GMU 231
1105	Pogue C	Nov. 15-20	3 Pt. Min.	GMU 233
1106	Chiliwist C	Nov. 15-20	3 Pt. Min.	GMU 239
1109	Manson B	Nov. 15-20	3 Pt. Min.	GMU 300
1110	Chiwawa B	Nov. 15-20	3 Pt. Min.	GMU 304
1111	Chiwawa C	Nov. 1-20	Antlerless Only	GMU 304
1112	Entiat C	Nov. 15-20	3 Pt. Min.	GMU 308
1113	Mission B	Nov. 15-20	3 Pt. Min.	GMU 314
1114	Swakane B	Nov. 15-20	3 Pt. Min.	GMU 316
1117	Teanaway B	Nov. 15-20	3 Pt. Min.	GMU 335
1118	Taneum B	Nov. 15-20	3 Pt. Min.	GMU 336
1120	Little Naches B	Nov. 15-20	3 Pt. Min.	GMU 346
1121	Nile B	Nov. 15-20	3 Pt. Min.	GMU 352
1122	Bumping B	Nov. 15-20	3 Pt. Min.	GMU 356
1123	Bethel B	Nov. 15-20	3 Pt. Min.	GMU 360
1124	Rimrock B	Nov. 15-20	3 Pt. Min.	GMU 364
1125	Cowiche B	Nov. 15-20	3 Pt. Min.	GMU 368
1127	Kiona B	Nov. 15-20	3 Pt. Min.	GMU 372

DEER ARCHERY ONLY BUCK HUNTS (Only Archery tag holders may apply.)

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description
1128	Chewuch D	Nov. 26-Dec. 8	3 Pt. Min.	GMU 218
1129	Pearrygin D	Nov. 26-Dec. 8	3 Pt. Min.	GMU 224
1130	Gardner D	Nov. 26-Dec. 8	3 Pt. Min.	GMU 231
1131	Chiliwist D	Nov. 26-Dec. 8	3 Pt. Min.	GMU 239
1134	Chiwawa D	Nov. 26-Dec. 8	3 Pt. Min.	GMU 304
1135	Entiat D	Nov. 26-Dec. 8	3 Pt. Min.	GMU 308
1136	Mission C	Nov. 26-Dec. 8	3 Pt. Min.	GMU 314
1139	Teanaway C	Nov. 26-Dec. 8	3 Pt. Min.	GMU 335
1140	Taneum C	Nov. 26-Dec. 8	3 Pt. Min.	GMU 336
1142	Bumping C	Nov. 26-Dec. 8	3 Pt. Min.	GMU 356
1143	Bethel C	Nov. 26-Dec. 8	3 Pt. Min.	GMU 360
1144	Cowiche C	Nov. 26-Dec. 8	3 Pt. Min.	GMU 368
1146	Kiona C	Nov. 26-Dec. 8	3 Pt. Min.	GMU 372

MODERN FIREARM LIMITED ENTRY ONLY BUCK HUNTS (Only Modern Firearm tag holders may apply.)

Deer hunting in the units listed below will be limited to permit only hunting.

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description
1007	Alta A	Nov. 8-23	3 Pt. Min.	GMU 242
1008	Desert A	Nov. 8-23	3 Pt. Min.	GMU 290
1014	Quilomene A	Nov. 8-23	3 Pt. Min.	GMU 329
1015	West Bar A	Nov. 8-23	3 Pt. Min.	GMU 330
1018	Umtanum A	Nov. 8-23	3 Pt. Min.	GMU 342
1025	Alkali A	Nov. 8-23	3 Pt. Min.	GMU 371

MUZZLELOADER LIMITED ENTRY ONLY BUCK HUNTS (Only Muzzleloader tag holders may apply.)

Deer hunting in the units listed below will be limited to permit only hunting.

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description
1107	Alta B	Oct. 1-10	3 Pt. Min.	GMU 242
1108	Desert B	Oct. 1-10	3 Pt. Min.	GMU 290
1115	Quilomene B	Oct. 1-10	3 Pt. Min.	GMU 329
1116	West Bar B	Oct. 1-10	3 Pt. Min.	GMU 330
1119	Umtanum B	Oct. 1-10	3 Pt. Min.	GMU 342
1126	Alkali B	Oct. 1-10	3 Pt. Min.	GMU 371

PROPOSED



ARCHERY LIMITED ENTRY ONLY BUCK HUNTS (Only Archery tag holders may apply.)  
Deer hunting in the units listed below will be limited to permit only hunting.

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description
1132	Alta C	Sept. 1-15	3 Pt. Min.	GMU 242
1133	Desert C	Sept. 1-15	3 Pt. Min.	GMU 290
1137	Quilomene C	Sept. 1-15	3 Pt. Min.	GMU 329
1138	West Bar C	Sept. 1-15	3 Pt. Min.	GMU 330
1141	Umtanum C	Sept. 1-15	3 Pt. Min.	GMU 342
1145	Alkali C	Sept. 1-15	3 Pt. Min.	GMU 371

YOUTH HUNTER OPPORTUNITY

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description
1158	Blue Mtns. Foothills D	Oct. 11-19	3 Pt. Min. or Antlerless	GMUs 149, 154, 162-166
1159	Blue Mtns. Foothills E	Oct. 11-19	3 Pt. Min. or Antlerless	GMUs 145, 172-181
1160	Big Bend C	Oct. 11-19	3 Pt. Min. or Antlerless	GMU 248
1161	Toutle	Oct. 11-31	Either Sex	GMU 556
1162	Wind River	Oct. 11-31	2 Pt. Min. or Antlerless	GMU 574
1163	Satsop	Oct. 11-31	Either Sex	GMU 651
1164	Skookumchuck C	Oct. 11-31	Either Sex	GMU 667

SENIOR HUNTER OPPORTUNITY

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description
1156	Prescott B	Oct. 11-19	3 Pt. Min. or Antlerless	GMU 149
1157	Marengo C	Oct. 11-19	3 Pt. Min. or Antlerless	GMU 163

ADVANCED HUNTER EDUCATION (AHE) PROGRAM

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description
1147	Wenatchee B	Nov.15-23	3 Pt. Min. or Antlerless	Portion of GMU 314*
1148	Mt. Adams	Oct. 1-10	2 Pt. Min. or Antlerless	Elk Area 059

\*Successful applicants will be mailed a map of the hunt boundary.

SPECIAL HUNTS FOR PERSONS OF DISABILITY

Hunters must purchase a hunting license and modern firearm or muzzleloader deer tag prior to purchase of a special hunting season permit application. Only those hunters with a Washington Disabled Hunter Permit may apply for these permits.

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description
1149	Blue Mtn. Foothills C	Nov. 10-25	3 Pt. Min. or Antlerless	GMUs 149, 154, 162-166
1150	Big Bend B	Oct. 11-19	3 Pt. Min. or Antlerless	GMU 248
1151	Entiat E	Nov. 1-14	Antlerless Only	GMU 308
1152	Green River C	Oct. 18-24	Antlerless Only	GMU 485
1153	Margaret	Oct. 11-31	Antlerless Only	GMU 524
1154	Skookumchuck B	Oct. 11-31	Either Sex	GMU 667
1155	Bear River	Oct. 11-31	2 Pt. Min. or Antlerless	GMU 681

PRIVATE LANDS WILDLIFE MANAGEMENT AREA DEER PERMIT OPPORTUNITIES

Wilson Creek Area

Only hunters possessing appropriate deer tags and meeting the special restrictions noted for each hunt are eligible for permits on PLWMA 201. You may apply for buck permits (Wilson A and B) by contacting the manager at (509) 345-0121. Other applications for Wilson Creek Area must be made through the normal application process. Access for Hunts D, E and F are for one day, scheduled by the manager. There are no access fees for hunts C, D, E, and F but the manager or his representative will accompany all deer hunters on these hunts. All hunters shall have a valid hunting license, deer tag, and written authorization from the manager to participate in these hunts. All other hunting regulations apply.

Hunt No.	Hunt Name	Permit Number	Permit Season	Special Restrictions	Boundary Description
*	Wilson A	30	Oct. 1-Dec. 31	Buck Only (Access Fee)	PLWMA 201
*	Wilson B	2	Sept. 1-30	Archery, Buck Only (Access fee)	PLWMA 201

PROPOSED

1168	Wilson C	((3)) <u>1</u>	Oct. 1-Dec. 31	Buck Only, Youth Hunters Only**	PLWMA 201
1169	Wilson D	((50)) <u>29</u>	Oct. 1-Dec. 31	Antlerless Only, Youth Hunters Only**	PLWMA 201
1170	Wilson E	((40)) <u>29</u>	Oct. 1-Dec. 31	Antlerless Only, Persons of Disability Only	PLWMA 201
1171	Wilson F	((40)) <u>29</u>	Oct. 1-Dec. 31	Antlerless Only, AHE Hunters Only	PLWMA 201
<u>1172</u>	<u>Wilson G</u>	<u>1</u>	<u>Oct. 1-Dec. 31</u>	<u>Buck Only, Persons of Disability Only</u>	<u>PLWMA 201</u>
<u>1173</u>	<u>Wilson H</u>	<u>1</u>	<u>Oct. 1-Dec. 31</u>	<u>Buck Only, AHE Only</u>	<u>PLWMA 201</u>

\* No hunt number because hunter must contact manager, David Stevens, for access.

\*\*Applicants must be 16 years old or younger by opening date of the permit season and must be accompanied by an adult during the hunt.

**Champion's Kapowsin Tree Farm**

Hunt No.	Hunt Name	Permit Number	Permit Season	Special Restrictions	Boundary Description
*	Kapowsin North/Buck	<u>8</u> ((14))**	Nov. 8-23	Buck Only (Auction/Raffle)	PLWMA 401A North
*	Kapowsin Central/Buck	28**	Nov. 8-23	Buck Only (Auction/Raffle)	PLWMA 401B Central
*	Kapowsin South/Buck	<u>14</u> ((8))**	Nov. 8-23	Buck Only (Auction/Raffle)	PLWMA 401C South
1165	Kapowsin North	50	Dec. 12-16	Antlerless Only, Senior Hunters (Age 65+)	PLWMA 401A North
1166	Kapowsin Central	100	Dec. 12-16	Antlerless Only	PLWMA 401B Central
1167	Kapowsin South	100	Dec. 13, 14, 20, 21	Antlerless Only, Youth or Persons of Disability Only	PLWMA 401C South

\* No hunt number because hunter must contact Champion for auction/raffle permit opportunity.

\*\*Only hunters possessing a valid deer tag (any 1997 deer tag) are eligible for Champion buck permits. Persons interested in these deer permits should contact Champion Pacific Timberlands, Inc., 31716 Camp 1 Road, Orting, WA 98360. For more information, please call Champion at (206) 879-4200.

**Merrill and Ring's Pysht Tree Farm**

An access fee will be charged by the landowner for hunting on the Pysht Tree Farm. Pysht North A is archery only, all other hunts are open to any legal weapon hunters.

Hunt No.	Hunt Name	Permit Number	Permit Season	Special Restrictions	Boundary Description
*	Pysht North A	15**	Sept. 15-30	Raffle, Archery, Antlerless Only	PLWMA 600A North
*	Pysht North B	40**	Oct. 19-31	Raffle, Antlerless Only	PLWMA 600A North
*	Pysht North C	30**	Nov. 10-24	Raffle, 3 Pt. Min. or Antlerless	PLWMA 600A North
*	Pysht South A	40**	Oct. 19-31	Raffle, Antlerless Only	PLWMA 600B South

\*No hunt number because hunter must contact Merrill and Ring for raffle permit opportunity.

\*\*Only hunters possessing a valid deer tag (any 1997 deer tag) are eligible for Merrill and Ring permits. Persons interested in these permits should contact Merrill and Ring, 11 Pysht River Rd., Clallam Bay, WA 98326. For more information, please call Merrill and Ring at (360) 963-2378.

**SPECIAL ELK PERMIT HUNTING SEASONS**  
(Open to Permit Holders Only)

Permit hunters may hunt only with a weapon in compliance with their tag. Applicants must have purchased the proper tag for these hunts (see Elk Tag Prefix required to apply for each hunt).

PROPOSED

## MODERN FIREARM PERMIT HUNTS

Use the FOUR DIGIT HUNT NUMBER on your application.

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2027	Northeast	Oct. 29-Nov. 2	Antlerless Only	BP or BM	GMU 109, 113, 117, 124 east of SR 395
2028	Mica A, Cheney	Oct. 11-Nov. 2	Antlerless Only	BP or BM	GMU 127-130
2029	Wenaha B	Oct. 1-10	3 Pt. Bull Min.	BP or BM	GMU 169
2030	Peola B	Oct. 29-Nov. 2	Antlerless Only	BP or BM	GMU 178
2031	Wenatchee Mtns.	Oct. 1-10	3 Pt. Bull Min.	CP, CM, YP or YM	GMUs 302, 335
2032	Naneum B	Oct. 29-Nov. 2	Antlerless Only	CP or CM	GMU 328
2033	Shushuskin A	Nov. 15-Dec. 15	Antlerless Only	CP (( <del>or</del> )) <sub>2</sub> CM <sub>1</sub> <u>YP or YM</u>	Elk Area 031
2034	Malaga A	Sept. 1-Oct. 3	Antlerless Only	CP or CM	Elk Area 032
2035	Malaga B	Nov. 7-Dec. 31	Antlerless Only	CP or CM	Elk Area 032
2036	Peshastin A	Sept. 1-Oct. 3	Antlerless Only	CP or CM	Elk Area 033
2037	Peshastin B	Nov. 7-Dec. 31	Either Sex	CP or CM	Elk Area 033
2038	Brushy	Sept. 20-22	Antlerless Only	CP or CM	Elk Area 035
2039	Quilomene B	Oct. 29-Nov. 2	Antlerless Only	CP or CM	GMU 329
2040	West Bar A	Oct. 22	Antlerless Only	CP or CM	GMU 330
2041	West Bar B	Oct. 23	Antlerless Only	CP or CM	GMU 330
2042	West Bar C	Oct. 24	Antlerless Only	CP or CM	GMU 330
2043	Taneum	Oct. 29-Nov. 2	Antlerless Only	YP or YM	GMU 336
2044	Manastash A	Oct. 29-Nov. 2	Antlerless Only	YP or YM	GMU 340
2045	Umtanum	Oct. 29-Nov. 2	Antlerless Only	YP or YM	GMU 342
2046	Little Naches A	Oct. 29-Nov. 2	Antlerless Only	YP or YM	GMU 346
2047	Little Naches B	Oct. 1-10	3 Pt. Bull Min.	YP or YM	GMU 346
2048	Nile	Oct. 29-Nov. 2	Antlerless Only	YP or YM	GMU 352
2049	Bumping	Oct. 29-Nov. 2	Antlerless Only	YP or YM	GMU 356
2050	Bethel B	Oct. 29-Nov. 2	Antlerless Only	YP or YM	GMU 360
2051	Rimrock B	Oct. 29-Nov. 2	Antlerless Only	YP or YM	GMU 364
2052	Cowiche B	Oct. 29-Nov. 2	Antlerless Only	YP or YM	GMU 368
2053	White River C	Nov. 12-16	Antlerless Only	WP or WM	GMU 472
2054	Green River B	Nov. 8-12	Antlerless Only	WP or WM	GMU 485
2055	Lincoln	Nov. 12-16	Antlerless Only	WP or WM	GMU 501
2056	Willapa Hills	Nov. 12-16	Antlerless Only	WP or WM	GMU 506
2057	Packwood	Nov. 12-16	Antlerless Only	WP or WM	GMU 516
2058	Winston B	Nov. 12-16	Antlerless Only	WP or WM	GMU 520
2059	Margaret B	Nov. 12-16	Antlerless Only	WP or WM	GMU 524
2060	Ryderwood	Nov. 12-16	Antlerless Only	WP or WM	GMU 530
2061	Coweeman B	Nov. 12-16	Antlerless Only	WP or WM	GMU 550
2062	Toutle B	Nov. 12-16	Antlerless Only	WP or WM	GMU 556
2063	Marble	Nov. 12-16	Antlerless Only	WP or WM	GMU 558
2064	Carlton	Oct. 1-10	3 Pt. Bull Min.	WP or WM	Elk Area 057
2065	West Goat Rocks	Oct. 1-10	3 Pt. Bull Min.	WP or WM	Elk Area 058
2066	Mt. Adams	Oct. 1-10	3 Pt. Bull Min.	WP or WM	Elk Area 059
2067	Lewis River B	Nov. 12-16	Antlerless Only	WP or WM	GMU 560
2068	Washougal	Nov. 12-16	Antlerless Only	WP or WM	GMU 568
2069	Siouxon	Nov. 12-16	Antlerless Only	WP or WM	GMU 572
2070	Wind River	Nov. 12-16	Antlerless Only	WP or WM	GMU 574
2071	West Klickitat	Nov. 12-16	Antlerless Only	WP or WM	GMU 578
2072	Grayback	Nov. 12-16	Antlerless Only	WP or WM	GMU 588
2073	Minot Peak	Nov. 12-16	Antlerless Only	WP or WM	GMU 660
2074	Williams Creek	Nov. 12-16	Antlerless Only	WP or WM	GMU 673
2075	Curtis	Dec. 20-31	Antlerless Only	WP or WM	Elk Area 050
2076	Boistfort A	Jan. 1-15, 1998	Antlerless Only	WP or WM	Elk Area 054
2077	East Valley	Jan. 1-15, 1998	Antlerless Only	WP or WM	Elk Area 055

PROPOSED

**ADVANCED HUNTER EDUCATION (AHE) PROGRAM**

Hunters with any elk tag are eligible to apply for these hunts.

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description
2137	Shushuskin B	Dec. 16- Jan. 15, 1998	Antlerless Only	Elk Area 031
2138	Margaret E	Oct. 1-10	3 Pt. Min. or Antlerless	GMU 524
2139	Quinault Ridge	Oct. 1-10	3 Pt. Min. or Antlerless	GMU 638
2140	Skookumchuck	Oct. 1-10	Spike bull or Antlerless Only	GMU 667
2141	South Bank A	Jan. 1-15, 1998	Antlerless Only	Elk Area 062
2142	South Bank B	Jan. 16-31, 1998	Antlerless Only	Elk Area 062
2143	Cathlamet	Sep. 1-14, Nov. 26-Dec. 8	Archery Only, Antlerless Only, Any Elk Tag	Cathlamet Big Game Closure in Wahkiakum County

**MODERN FIREARM BULL PERMITS (Only Modern Firearm tag holders may apply.)**

**Special Restriction: 3 Pt. Min.**

Hunt No.	Hunt Name	Permit Season	Elk Tag Prefix	Boundary Description
2001	Blue Creek A	Oct. 20-Nov. 2	BP	GMU 154
2003	Dayton A	Oct. 20-Nov. 2	BP	GMU 162
2004	Tucannon A	Oct. 20-Nov. 2	BP	GMU 166
2005	Wenaha A	Oct. 20-Nov. 2	BP	GMU 169
2006	Mtn. View A	Oct. 20-Nov. 2	BP	GMU 172
2007	Peola A	Oct. 20-Nov. 2	BP	GMU 178
2008	Grande Ronde A	Oct. 20-Nov. 2	BP	GMU 186
2009	Naneum A	Oct. 20-Nov. 2	CP	GMU 328
2010	Quilomene A	Oct. 20-Nov. 2	CP	GMU 329
2011	Peaches Ridge A	Oct. 20-Nov. 2	YP	GMUs 336, 346
2012	Observatory A	Oct. 20-Nov. 2	YP	GMUs 340, 342
2013	Goose Prairie A	Oct. 20-Nov. 2	YP	GMUs 352, 356
2014	Bethel A	Oct. 20-Nov. 2	YP	GMU 360
2015	Rimrock A	Oct. 20-Nov. 2	YP	GMU 364
2016	Cowiche A	Oct. 20-Nov. 2	YP	GMU 368
2020	Winston A	Nov. 3-16	WP	GMU 520
2022	Coweeman A	Nov. 3-16	WP	GMU 550
2024	Lewis River A	Nov. 3-16	WP	GMU 560

**MUZZLELOADER BULL PERMITS (Only Muzzleloader tag holders may apply.)**

**Special Restriction: 3 Pt. Min.**

Hunt No.	Hunt Name	Permit Season	Elk Tag Prefix	Boundary Description
2078	Blue Creek B	Oct. 1-10	BM	GMU 154
2080	Dayton B	Oct. 1-10	BM	GMU 162
2081	Tucannon B	Oct. 1-10	BM	GMU 166
2082	Wenaha C	Oct. 1-10	BM	GMU 169
2083	Mtn. View B	Oct. 1-10	BM	GMU 172
2084	Peola C	Oct. 1-10	BM	GMU 178
2085	Grande Ronde B	Oct. 1-10	BM	GMU 186
2086	Naneum C	Oct. 1-10	CM	GMU 328
2087	Quilomene C	Oct. 1-10	CM	GMU 329
2088	Peaches Ridge B	Oct. 1-10	YM	GMUs 336, 346
2089	Observatory B	Oct. 1-10	YM	GMUs 340, 342
2090	Goose Prairie B	Oct. 1-10	YM	GMUs 352, 356
2091	Bethel C	Oct. 1-10	YM	GMU 360
2092	Rimrock C	Oct. 1-10	YM	GMU 364
2093	Cowiche C	Oct. 1-10	YM	GMU 368
2097	Winston C	Oct. 1-10	WM	GMU 520
2099	Coweeman C	Oct. 1-10	WM	GMU 550
2101	Lewis River C	Oct. 1-10	WM	GMU 560

PROPOSED

PROPOSED

**ARCHERY BULL PERMITS (Only Archery tag holders may apply.)**

**Special Restrictions: 3 Pt. Min.**

Hunt No.	Hunt Name	Permit Season	Elk Tag Prefix	Boundary Description
2111	Blue Creek D	Sept. 1-14	BA	GMU 154
2113	Dayton C	Sept. 1-14	BA	GMU 162
2114	Tucannon C	Sept. 1-14	BA	GMU 166
2115	Wenaha D	Sept. 1-14	BA	GMU 169
2116	Mtn. View C	Sept. 1-14	BA	GMU 172
2117	Peola D	Sept. 1-14	BA	GMU 178
2118	Grande Ronde C	Sept. 1-14	BA	GMU 186
2119	Naneum D	Sept. 1-14	CA	GMU 328
2120	Quilomene D	Sept. 1-14	CA	GMU 329
2121	Peaches Ridge C	Sept. 1-14	YA	GMUs 336, 346
2122	Observatory C	Sept. 1-14	YA	GMUs 340, 342
2123	Goose Prairie C	Sept. 1-14	YA	GMUs 352, 356
2124	Bethel D	Sept. 1-14	YA	GMU 360
2125	Rimrock D	Sept. 1-14	YA	GMU 364
2126	Cowiche D	Sept. 1-14	YA	GMU 368
2130	Winston D	Sept. 1-14	WA	GMU 520
2132	Coweeman D	Sept. 1-14	WA	GMU 550
2134	Lewis River D	Sept. 1-14	WA	GMU 560

**MODERN FIREARM LIMITED ENTRY ONLY BULL HUNTS (Only Modern Firearm tag holders may apply.)**

Elk hunting in the units listed below will be limited to permit hunting only.

In the two watershed areas, GMUs 157 and 485, all hunters must hunt at the same time and archers and muzzleloaders must wear hunter orange.

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2002	Watershed A*	Nov. 1-9	3 Pt. Bull or Antlerless	BP	GMU 157
2017	White River A	Nov. 3-16	Spike Only	WP	GMU 472
2018	White River B	Nov. 3-16	3 Pt. Min.	WP	GMU 472
2019	Green River A*	Nov. 8-12	3 Pt. Min. or Antlerless	WP	GMU 485
2021	Margaret A	Nov. 3-16	3 Pt. Min.	WP	GMU 524
2023	Toutle A	Nov. 3-16	3 Pt. Min.	WP	GMU 556
2025	Dickey A	Nov. 3-16	3 Pt. Min.	WP	GMU 602
2026	Olympic A	Nov. 3-16	3 Pt. Min.	WP	GMU 621

\*Permit season for archery and muzzleloader is the same as modern firearm.

**MUZZLELOADER LIMITED ENTRY ONLY BULL HUNTS (Only Muzzleloader tag holders may apply.)**

Elk hunting in the units listed below will be limited to permit hunting only.

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2079	Watershed B*	Nov. 1-9	3 Pt. Bull or Antlerless	BM	GMU 157
2094	White River D	Oct. 1-10	Spike Only	WM	GMU 472
2095	White River E	Oct. 1-10	3 Pt. Min.	WM	GMU 472
2096	Green River C*	Nov. 8-12	3 Pt. Min. or Antlerless	WM	GMU 485
2098	Margaret C	Oct. 1-10	3 Pt. Min.	WM	GMU 524
2100	Toutle C	Oct. 1-10	3 Pt. Min.	WM	GMU 556
2102	Dickey B	Oct. 1-10	3 Pt. Min.	WM	GMU 602
2103	Olympic B	Oct. 1-10	3 Pt. Min.	WM	GMU 621

\*Permit season in Mill Creek and Green River Watersheds is the same as modern firearm and hunters must wear hunter orange.

ARCHERY LIMITED ENTRY ONLY BULL HUNTS (Only Archery tag holders may apply.)  
 Elk hunting in the units listed below will be limited to permit hunting only.

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Hunt No.	Hunt Name	Permit Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2112	Watershed C*	Nov. 1-9	3 Pt. Bull or Antlerless	BA	GMU 157
2127	White River F	Sept. 1-14	Spike Only	WA	GMU 472
2128	White River G	Sept. 1-14	3 Pt. Min.	WA	GMU 472
2129	Green River D*	Nov. 8-12	3 Pt. Min. or Antlerless or Antlerless	WA	GMU 485
2131	Margaret D	Sept. 1-14	3 Pt. Min.	WA	GMU 524
2133	Toutle D	Sept. 1-14	3 Pt. Min.	WA	GMU 556
2135	Dickey C	Sept. 1-14	3 Pt. Min.	WA	GMU 602
2136	Olympic C	Sept. 1-14	3 Pt. Min.	WA	GMU 621

\*Permit season in Mill Creek and Green River Watersheds is the same as modern firearm and hunters must wear hunter orange.

PRIVATE LANDS WILDLIFE MANAGEMENT AREA PERMIT OPPORTUNITIES  
 Champion (PLWMA 401) Kapowsin Tree Farm

Champion Application Bull Permits

Only hunters possessing a valid elk tag (any 1997 elk tag) and meeting the special restrictions noted for each hunt are eligible for Champion access permits on PLWMA 401.

Hunt No.	Hunt Name	Permit No.	Permit Season	Special Restrictions	Boundary Descriptions
2152	Kapowsin Bull North A	2	Sept. 13-24	Any Tag, Any Bull	PLWMA 401A North
*	Kapowsin Bull North B	2	Sept. 13-24	Auction/Raffle Any Bull, Any Tag	PLWMA 401A North
*	Kapowsin Bull Central A	3	Sept. 13-24	Auction/Raffle Any Bull, Any Tag	PLWMA 401B Central
*	Kapowsin Bull South A	3	Sept. 13-24	Auction/Raffle Any Bull, Any Tag	PLWMA 401C South
2153	Kapowsin North C	10	Nov. 24-Dec. 8	Muzzleloader Only, Antlerless Only	PLWMA 401A
2154	Kapowsin Central B	5	Nov. 24-Dec. 8	Muzzleloader Only, Antlerless Only	PLWMA 401B
2155	Kapowsin South B	5	Nov. 24-Dec. 8	Muzzleloader Only, Antlerless Only	PLWMA 401C

\*No hunt number because hunter must contact Champion for auction/raffle permit opportunity. Champion Pacific Timberland Inc., 31716 Camp 1 Road, Orting, Washington 98360. For more information, please call Champion at (206) 879-4200.

Merrill and Ring PLWMA 600 Pysht Tree Farm

Hunt No.	Hunt Name	Permit No.	Permit Season	Special Restrictions	Boundary Description
*	Pysht	2	Sept. 1-14	Raffle, Any Bull/Tag	PLWMA 600

\*No hunt number because hunter must contact Merrill and Ring for raffle permit opportunity. Merrill and Ring Tree Farm, 11 Pysht River Rd., Clallam Bay, WA 98326. For more information please call Merrill and Ring at (360) 963-2378.

SPECIAL HUNTS FOR PERSONS OF DISABILITY

Hunters must purchase a hunting license and modern firearm or muzzleloader elk tag prior to purchase of a special hunting season permit application. Note elk tag required. Only those hunters with a Washington Disabled Hunter Permit may apply.

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2144	Quilomene E	Nov. 1-7	Antlerless Only	CP or CM	GMU 329
2145	Manastash B	Nov. 1-7	Antlerless Only	YP or YM	GMU 340
2146	Little Naches C	Oct. 1-10	Antlerless Only	YP or YM	GMU 346
2147	Green River E	Nov. 8-12	Antlerless Only	WP or WM	GMU 485
2148	Centralia Mine A	Nov. 22-23	Antlerless Only	Any Elk Tag	Portion of GMU 667*

2150	Centralia Mine B	Nov. 29-30	Either Sex	Any Elk Tag	Portion of GMU 667*
2151	South Bank C	Dec. 10-20	Antlerless Only	Any Elk Tag	Elk Area 062

\*Successful applicants will be mailed a map of the hunt boundary.

**MUZZLELOADER ONLY**

Hunters must purchase a hunting license and muzzleloader elk tag prior to purchase of a special hunting season permit application. Note the elk tag required for each hunt.

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2104	Blue Creek C	Dec. 1-Jan. 31, 1998	Antlerless Only	BM	GMU 154
2105	Couse	Dec. 1-Jan. 31, 1998	Antlerless Only	BM	GMU 181
2106	Stella	Nov. 26-Dec. 15	Spike or Antlerless Only	WM	GMU 504
2107	Boistfort B	Jan. 16-31, 1998	Antlerless Only	WM	Elk Area 054
2108	Yale	Nov. 26-Dec. 15	Either Sex	WM	GMU 554
2109	Toledo	Jan. 2-16, 1998	Antlerless Only	WM	Elk Area 029
2110	North River	Nov. 26-Dec. 15	Antlerless Only	WM	GMU 658

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

**WSR 97-06-123  
PROPOSED RULES  
DEPARTMENT OF  
FISH AND WILDLIFE  
(Wildlife)**

[Filed March 5, 1997, 10:37 a.m.]

**Original Notice:**

Preproposal statement of inquiry was filed as WSR 97-01-111.

**Title of Rule:** To adopt WAC 232-28-267 1997 Deer permit quotas.

**Purpose:** To adopt deer permit quotas for the 1997 hunting seasons.

**Statutory Authority for Adoption:** RCW 77.12.020, 77.12.030, 77.12.040, or 77.32.220.

**Statute Being Implemented:** RCW 77.12.020, 77.12.030, 77.12.040, or 77.32.220.

**Summary:** Special deer permit hunts were identified in the 1997 *Big Game Hunting Seasons and Rules* pamphlet. The permit quota for these hunts must be adopted so hunters know how many permits are available for each game management unit.

**Reasons Supporting Proposal:** Permit quotas will be based on conservation of the deer resource, damage potential, resource allocation, recreation opportunity and winter feeding.

**Name of Agency Personnel Responsible for Drafting and Implementation:** Dave Brittell, Assistant Director, Wildlife Management Program, Olympia, (360) 902-2504; and **Enforcement:** Ron Swatfigure, Acting Assistant Director, Enforcement Program, Olympia, (360) 902-2927.

**Name of Proponent:** Washington Fish and Wildlife Commission, governmental.

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

**Explanation of Rule, its Purpose, and Anticipated Effects:** The proposed permit quotas will protect the deer resource, help prevent overpopulation, limit damage potential, and result in recreational opportunity.

**Proposal Changes the Following Existing Rules:** See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules do not affect small business.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

**Hearing Location:** Longview Elks Lodge, 1265 12th Avenue, Longview, WA 98632, on April 18-19, 1997, at 8:00 a.m.

**Assistance for Persons with Disabilities:** Contact Debbie Nelson by April 1, 1997, TDD (360) 902-2207, or (360) 902-2267.

**Submit Written Comments to:** Washington Department of Fish and Wildlife, Evan Jacoby, 600 Capitol Way North, Olympia, WA 98501-1091, FAX (360) 902-2930, by April 4, 1997.

**Date of Intended Adoption:** April 19, 1997.

March 5, 1997  
Evan Jacoby  
Legal Counsel

PROPOSED

NEW SECTION

**WAC 232-28-267 1997 Deer permit quotas**

**Modern Firearm Buck Permit Hunts (Only modern firearm deer tag holders may apply.)**

<b>Hunt Choice No.</b>	<b>Hunt Name</b>	<b>Permit Season</b>	<b>Special Restrictions</b>	<b>Boundary Description</b>	<b>1997 Permits</b>
1001	Sinlahekin A	Nov. 8-13	3 Pt. Min.	GMU 215	0
1002	Chewuch A	Nov. 8-13	3 Pt. Min.	GMU 218	0
1003	Pearrygin A	Nov. 8-13	3 Pt. Min.	GMU 224	0
1004	Gardner A	Nov. 8-13	3 Pt. Min.	GMU 231	0
1005	Pogue A	Nov. 8-13	3 Pt. Min.	GMU 233	0
1006	Chiliwist A	Nov. 8-13	3 Pt. Min.	GMU 239	0
1007	Alta A	Nov. 8-23	3 Pt. Min.	GMU 242	37
1008	Desert A	Nov. 8-23	3 Pt. Min.	GMU 290	26
1009	Manson A	Nov. 8-13	3 Pt. Min.	GMU 300	0
1010	Chiwawa A	Nov. 8-13	3 Pt. Min.	GMU 304	0
1011	Entiat A	Nov. 8-13	3 Pt. Min.	GMU 308	0
1012	Mission A	Nov. 8-13	3 Pt. Min.	GMU 314	0
1013	Swakane A	Nov. 8-13	3 Pt. Min.	GMU 316	0
1014	Quilomene A	Nov. 8-23	3 Pt. Min.	GMU 329	131
1015	West Bar A	Nov. 8-23	3 Pt. Min.	GMU 330	26
1016	Teanaway A	Nov. 8-13	3 Pt. Min.	GMU 335	0
1017	Taneum A	Nov. 8-13	3 Pt. Min.	GMU 336	0
1018	Umtanum A	Nov. 8-23	3 Pt. Min.	GMU 342	263
1019	Little Naches A	Nov. 8-13	3 Pt. Min.	GMU 346	0
1020	Nile A	Nov. 8-13	3 Pt. Min.	GMU 352	0
1021	Bumping A	Nov. 8-13	3 Pt. Min.	GMU 356	0
1022	Bethel A	Nov. 8-13	3 Pt. Min.	GMU 360	0
1023	Rimrock A	Nov. 8-13	3 Pt. Min.	GMU 364	0
1024	Cowiche A	Nov. 8-13	3 Pt. Min.	GMU 368	0
1025	Alkali A	Nov. 8-23	3 Pt. Min.	GMU 371	79
1026	Kiona A	Nov. 8-13	3 Pt. Min.	GMU 372	0

**Modern Firearm Deer Permit Hunts (Only modern firearm and muzzleloader deer tag holders may apply)**

<b>Hunt Choice No.</b>	<b>Hunt Name</b>	<b>Permit Season</b>	<b>Special Restrictions</b>	<b>Boundary Description</b>	<b>1997 Permits</b>
1027	Sherman	Oct. 13-28	Whitetail, Antlerless Only	GMU 101	125
1028	Kelly Hill	Oct. 13-28	Whitetail, Antlerless Only	GMU 105	75
1029	Threeforks	Oct. 13-28	Whitetail, Antlerless Only	GMU 109	200
1030	Selkirk	Oct. 13-28	Whitetail, Antlerless Only	GMU 113	25
1031	49 Degrees North	Oct. 13-28	Whitetail, Antlerless Only	GMU 117	125
1032	Huckleberry	Oct. 13-28	Whitetail, Antlerless Only	GMU 121	250
1033	Mt. Spokane	Oct. 13-28	Whitetail, Antlerless Only	GMU 124	300
1034	Mica Peak	Oct. 13-28	Whitetail, Antlerless Only	GMU 127	150
1035	Cheney	Oct. 13-28	Antlerless Only	GMU 130	100
1036	Roosevelt	Oct. 13-28	Antlerless Only	GMU 133	350
1037	Harrington	Nov. 8-16	Antlerless Only	GMU 136	150
1038	Steptoe	Nov. 8-16	Antlerless Only	GMU 139	225
1039	Almota	Nov. 8-16	Antlerless Only	GMU 142	200
1040	Mayview	Nov. 8-16	Antlerless Only	GMU 145	300
1041	Prescott A	Nov. 8-16	Antlerless Only	GMU 149	350
1042	Blue Creek	Nov. 8-16	Whitetail, Antlerless Only	GMU 154	150
1043	Dayton	Nov. 8-16	Whitetail, Antlerless Only	GMU 162	100
1044	Marengo A	Nov. 8-16	Whitetail, Antlerless Only	GMU 163	125
1045	Marengo B	Nov. 8-16	Antlerless Only	GMU 163	75
1046	Peola	Nov. 8-16	Antlerless Only	GMU 178	50
1047	Couse	Nov. 8-16	Whitetail, Antlerless Only	GMU 181	125
1048	Blue Mtns. Foothills A	Nov. 10-25	Whitetail, 3 Pt. Min. or Antlerless	GMUs 149, 154, 162-166	120

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1049	Blue Mtns.Foothills B	Nov. 10-25	Whitetail, 3 Pt. Min. or Antlerless	GMUs 145, 172-181	100
1050	East Okanogan	Nov. 10-25	Any Whitetail	GMU 204	100
1051	West Okanogan	Nov. 10-25	Any Whitetail	GMUs 209, 218-242	150
1052	Wannacut	Oct. 20-29	Antlerless Only	GMU 209	0
1053	Sinlahekin B	Oct. 20-29	Whitetail, Antlerless Only	GMU 215	50
1054	Chewuch B	Oct. 20-29	Antlerless Only	GMU 218	0
1055	Pearygin B	Oct. 20-29	Antlerless Only	GMU 224	0
1056	Gardner B	Oct. 20-29	Antlerless Only	GMU 231	0
1057	Pogue B	Oct. 20-29	Antlerless Only	GMU 233	0
1058	Chiliwist B	Nov. 10-25	Any Whitetail	GMU 239	50
1059	Big Bend A	Oct. 11-19	Antlerless Only	GMU 248	50
1060	Saint Andrews	Oct. 11-19	Antlerless Only	GMU 254	50
1061	Badger	Oct. 11-19	Antlerless Only	GMU 266	50
1062	Moses Coulee	Oct. 11-19	Antlerless Only	GMU 269	50
1063	Beezley	Oct. 11-19	Antlerless Only	GMU 272	200
1064	Kahlotus	Oct. 11-19	Antlerless Only	GMU 284	200
1065	Lake Sacajawea	Oct. 11-19	Antlerless Only	Deer Area 030	100
1066	Entiat B	Nov. 1-12	Antlerless Only	GMUs 306, 308	800
1067	Wenatchee A	Nov. 1-15	Antlerless Only	Portion of GMU 314	0
1068	Green River A	Oct. 18-24	2 Pt. Min. or Antlerless	GMU 485	25
1069	Green River B	Oct. 18-24	Antlerless Only	GMU 485	25
1070	Lincoln	Oct. 18-31	Any Deer	GMU 501	175
1071	Stella	Oct. 18-31	Any Deer	GMU 504*	75
1072	Mossyrock	Oct. 18-31	Any Deer	GMU 505	150
1073	Willapa Hills	Oct. 18-31	Any Deer	GMU 506	150
1074	Stormking	Oct. 18-31	Any Deer	GMU 510	75
1075	South Rainier	Oct. 18-31	Any Deer	GMU 513	75
1076	Packwood	Oct. 18-31	Any Deer	GMU 516	100
1077	Winston	Oct. 18-31	Any Deer	GMU 520	100
1078	Ryderwood	Oct. 18-31	Any Deer	GMU 530	175
1079	Coweeman	Oct. 18-31	Any Deer	GMU 550	175
1080	Yale	Oct. 18-31	Any Deer	GMU 554*	50
1081	Marble	Oct. 18-31	2 Pt. Min. or Antlerless	GMU 558	75
1082	Lewis River	Oct. 18-31	Any Deer	GMU 560	100
1083	Washougal	Oct. 18-31	Any Deer	GMU 568	75
1084	Siouxon	Oct. 18-31	Any Deer	GMU 572	100
1085	West Klickitat	Oct. 18-31	2 Pt. Min. or Antlerless	GMU 578	25
1086	East Klickitat	Oct. 18-31	2 Pt. Min. or Antlerless	GMU 582	25
1087	Grayback	Oct. 18-31	2 Pt. Min. or Antlerless	GMU 588	25
1088	Pysht	Oct. 18-31	Any Deer	GMU 603	30
1089	Olympic	Oct. 18-31	Any Deer	GMU 621	40
1090	Coyle	Oct. 18-31	Any Deer	GMU 624	40
1091	Mason Lake	Oct. 18-31	Any Deer	GMU 633	60
1092	Skokomish	Oct. 18-31	2 Pt. Min. or Antlerless	GMU 636	90
1093	Wynoochee	Oct. 18-31	Any Deer	GMU 648	75
1094	North River	Oct. 18-31	Any Deer	GMU 658	40
1095	Minot Peak	Oct. 18-31	Any Deer	GMU 660	100
1096	Capitol Peak	Oct. 18-31	Any Deer	GMU 663	100
1097	Deschutes	Oct. 18-31	Any Deer	GMU 666	80
1098	Skookumchuck A	Oct. 18-31	Any Deer	GMU 667	220
1099	Fall River	Oct. 18-31	Any Deer	GMU 672	90
1100	Williams Creek	Oct. 18-31	Any Deer	GMU 673	50

**Muzzleloader Only Deer Permit Hunts (Only muzzleloader tag holders may apply.)**

Hunt Choice No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description	1997 Permits
1101	Sinlahekin C	Nov. 15-20	3 Pt. Min.	GMU 215	0
1102	Chewuch C	Nov. 15-20	3 Pt. Min.	GMU 218	0

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1103	Pearrygin C	Nov. 15-20	3 Pt. Min.	GMU 224	0
1104	Gardner C	Nov. 15-20	3 Pt. Min.	GMU 231	0
1105	Pogue C	Nov. 15-20	3 Pt. Min.	GMU 233	0
1106	Chiliwist C	Nov. 15-20	3 Pt. Min.	GMU 239	0
1107	Alta B	Oct. 1-10	3 Pt. Min.	GMU 242	6
1108	Desert B	Oct. 1-10	3 Pt. Min.	GMU 290	3
1109	Manson B	Nov. 15-20	3 Pt. Min.	GMU 300	0
1110	Chiwawa B	Nov. 15-20	3 Pt. Min.	GMU 304	0
1111	Chiwawa C	Nov. 1-20	Antlerless Only	GMU 304	0
1112	Entiat C	Nov. 15-20	3 Pt. Min.	GMU 308	0
1113	Mission B	Nov. 15-20	3 Pt. Min.	GMU 314	0
1114	Swakane B	Nov. 15-20	3 Pt. Min.	GMU 316	0
1115	Quilomene B	Oct. 1-10	3 Pt. Min.	GMU 329	14
1116	West Bar B	Oct. 1-10	3 Pt. Min.	GMU 330	3
1117	Teanaway B	Nov. 15-20	3 Pt. Min.	GMU 335	0
1118	Taneum B	Nov. 15-20	3 Pt. Min.	GMU 336	0
1119	Umtanum B	Oct. 1-10	3 Pt. Min.	GMU 342	28
1120	Little Naches B	Nov. 15-20	3 Pt. Min.	GMU 346	0
1121	Nile B	Nov. 15-20	3 Pt. Min.	GMU 352	0
1122	Bumping B	Nov. 15-20	3 Pt. Min.	GMU 356	0
1123	Bethel B	Nov. 15-20	3 Pt. Min.	GMU 360	0
1124	Rimrock B	Nov. 15-20	3 Pt. Min.	GMU 364	0
1125	Cowiche B	Nov. 15-20	3 Pt. Min.	GMU 368	0
1126	Alkali B	Oct. 1-10	3 Pt. Min.	GMU 371	9
1127	Kiona B	Nov. 15-20	3 Pt. Min.	GMU 372	0

**Archery Only Buck Permit Hunts (Only archery deer tag holders may apply.)**

Hunt Choice No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description	1997 Permits
1128	Chewuch D	Nov. 26-Dec. 8	3 Pt. Min.	GMU 218	0
1129	Pearrygin D	Nov. 26-Dec. 8	3 Pt. Min.	GMU 224	0
1130	Gardner D	Nov. 26-Dec. 8	3 Pt. Min.	GMU 231	0
1131	Chiliwist D	Nov. 26-Dec. 8	3 Pt. Min.	GMU 239	0
1132	Alta C	Sept. 1-15	3 Pt. Min.	GMU 242	21
1133	Desert C	Sept. 1-15	3 Pt. Min.	GMU 290	8
1134	Chiwawa D	Nov. 26-Dec. 8	3 Pt. Min.	GMU 304	0
1135	Entiat D	Nov. 26-Dec. 8	3 Pt. Min.	GMU 308	0
1136	Mission C	Nov. 26-Dec. 8	3 Pt. Min.	GMU 314	0
1137	Quilomene C	Sept. 1-15	3 Pt. Min.	GMU 329	38
1138	West Bar C	Sept. 1-15	3 Pt. Min.	GMU 330	8
1139	Teanaway C	Nov. 26-Dec. 8	3 Pt. Min.	GMU 335	0
1140	Taneum C	Nov. 26-Dec. 8	3 Pt. Min.	GMU 336	0
1141	Umtanum C	Sept. 1-15	3 Pt. Min.	GMU 342	76
1142	Bumping C	Nov. 26-Dec. 8	3 Pt. Min.	GMU 356	0
1143	Bethel C	Nov. 26-Dec. 8	3 Pt. Min.	GMU 360	0
1144	Cowiche C	Nov. 26-Dec. 8	3 Pt. Min.	GMU 368	0
1145	Alkali C	Sept. 1-15	3-Pt. Min.	GMU 371	23
1146	Kiona C	Nov. 26-Dec. 8	3 Pt. Min.	GMU 372	0

**Advanced Hunter Education (AHE) Graduate Special Deer Permit Hunts (Only AHE graduates may apply.)**

Hunt Choice No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description	1997 Permits
1147	Wenatchee B	Nov. 15-23	3-Pt. Min. or Antlerless	Portion of GMU 314	0
1148	Mt. Adams	Oct. 1-10	2-Pt. Min. or Antlerless	Elk Area 059	10

**Persons of Disability Special Deer Permit Hunts (Only Persons of Disability may apply.)**

Hunt Choice No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description	1997 Permits
1149	Blue Mtns. Foothills C	Nov. 10-25	3-Pt. Min. or Antlerless	GMUs 149, 154, 162-166	25
1150	Big Bend B	Oct. 11-19	3-Pt. Min. or Antlerless	GMU 248	25
1151	Entiat E	Nov. 1-14	Antlerless Only	GMU 308	50
1152	Green River C	Oct. 18-24	Antlerless Only	GMU 485	5
1153	Margaret	Oct. 11-31	Antlerless Only	GMU 524	25
1154	Skookumchuck B	Oct. 11-31	Any Deer	GMU 667	20
1155	Bear River	Oct. 11-31	2-Pt. Min. or Antlerless	GMU 681	20

**Senior Special Deer Permit Hunts (Must be 65 or older on opening day of the permit season to apply.)**

Hunt Choice No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description	1997 Permits
1156	Prescott B	Oct. 11-19	3-Pt. Min or Antlerless	GMU 149	75
1157	Marengo C	Oct. 11-19	3-Pt. Min or Antlerless	GMU 163	75

**Youth Special Deer Permit Hunts (Must be 16 or younger on opening day of permit season & accompanied by adult during the hunt.)**

Hunt Choice No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description	1997 Permits
1158	Blue Mtns. Foothills D	Oct. 11-19	3-Pt. Min. or Antlerless	GMUs 149, 154, 162-166	125
1159	Blue Mtns. Foothills E	Oct. 11-19	3-Pt. Min. or Antlerless	GMUs 145, 172-181	125
1160	Big Bend C	Oct. 11-19	3-Pt. Min. or Antlerless	GMU 248	25
1161	Toutle	Oct. 11-31	Any Deer	GMU 556	100
1162	Wind River	Oct. 11-31	2-Pt. Min. or Antlerless	GMU 574	75
1163	Satsop	Oct. 11-31	Any Deer	GMU 651	10
1164	Skookumchuck C	Oct. 11-31	Any Deer	GMU 667	60

**WSR 97-06-124  
PROPOSED RULES  
DEPARTMENT OF  
FISH AND WILDLIFE  
(Wildlife)**

[Filed March 5, 1997, 10:39 a.m.]

**Original Notice.**

Preproposal statement of inquiry was filed as WSR 97-01-111.

Title of Rule: To adopt WAC 232-28-268 1997 Elk permit quotas.

Purpose: To adopt elk permit quotas for the 1997-98 hunting season.

Statutory Authority for Adoption: RCW 77.12.020, 77.12.030, 77.12.040, or 77.32.220.

Statute Being Implemented: RCW 77.12.020, 77.12.030, 77.12.040, or 77.32.220.

Summary: Special elk permit hunts were identified in the 1997 *Big Game Hunting Seasons and Rules* pamphlet. The permit quota for these hunts must be adopted so hunters know how many permits are available for each game management unit.

Reasons Supporting Proposal: Permit quotas will be based on conservation of the elk resource, damage potential, resource allocation, recreational opportunity and winter feeding.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Assistant Director,

Wildlife Management Program, Olympia, (360) 902-2504; and Enforcement: Ron Swatfigure, Acting Assistant Director, Enforcement Program, Olympia, (360) 902-2927.

Name of Proponent: Washington Fish and Wildlife Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed permit quotas will protect the elk resource, help prevent overpopulation, limit damage potential, and result in recreational opportunity.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules do not affect small business.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: Longview Elks Lodge, 1265 12th Avenue, Longview, WA 98632, on April 18-19, 1997, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by April 1, 1997, TDD (360) 902-2207, or (360) 902-2267.

Submit Written Comments to: Washington Department of Fish and Wildlife, Evan Jacoby, 600 Capitol Way North, Olympia, WA 98501-1091, FAX (360) 902-2930, by April 4, 1997.

PROPOSED

Date of Intended Adoption: April 19, 1997.

March 5, 1997

Evan Jacoby

Legal Counsel

**NEW SECTION**

**WAC 232-28-268 1997-1998 Elk permit quotas**

PROPOSED

Hunt Choice No.	Hunt Name	Permit Season	Special Restrictions	Elk Tag Prefix	Boundary Description	1997 Permits
<b>Modern Firearm Bull Permit Hunts (Only modern firearm elk tag holders may apply.)</b>						
2001	Blue Creek A	Oct. 20-Nov. 2	3 Pt. Min.	BP	GMU 154	5
2002	Watershed A*	Nov. 1-9	3 Pt. Bull or Antlerless	BP	GMU 157	52
2003	Dayton A	Oct. 20-Nov. 2	3 Pt. Min.	BP	GMU 162	12
2004	Tucannon A	Oct. 20-Nov. 2	3 Pt. Min.	BP	GMU 166	6
2005	Wenaha A	Oct. 20-Nov. 2	3 Pt. Min.	BP	GMU 169	13
2006	Mountain View A	Oct. 20-Nov. 2	3 Pt. Min.	BP	GMU 172	7
2007	Peola A	Oct. 20-Nov. 2	3 Pt. Min.	BP	GMU 178	2
2008	Grande Ronde A	Oct. 20-Nov. 2	3 Pt. Min.	BP	GMU 186	1
2009	Naneum A	Oct. 20-Nov. 2	3 Pt. Min.	CP	GMU 328	26
2010	Quilomene A	Oct. 20-Nov. 2	3 Pt. Min.	CP	GMU 329	20
2011	Peaches Ridge A	Oct. 20-Nov. 2	3 Pt. Min.	YP	GMUs 336, 346	47
2012	Observatory A	Oct. 20-Nov. 2	3 Pt. Min.	YP	GMUs 340, 342	47
2013	Goose Prairie A	Oct. 20-Nov. 2	3 Pt. Min.	YP	GMUs 352, 356	29
2014	Bethel A	Oct. 20-Nov. 2	3 Pt. Min.	YP	GMU 360	20
2015	Rimrock A	Oct. 20-Nov. 2	3 Pt. Min.	YP	GMU 364	24
2016	Cowiche A	Oct. 20-Nov. 2	3 Pt. Min.	YP	GMU 368	8
2017	White River A	Nov. 3-16	Spike Only	WP	GMU 472	537
2018	White River B	Nov. 3-16	3 Pt. Min.	WP	GMU 472	35
2019	Green River A	Nov. 8-12	3 Pt. Min. or Antlerless	WP	GMU 485	1
2020	Winston A	Nov. 3-16	3 Pt. Min.	WP	GMU 520	9
2021	Margaret A	Nov. 3-16	3 Pt. Min.	WP	GMU 524	18
2022	Coweman A	Nov. 3-16	3 Pt. Min.	WP	GMU 550	9
2023	Toutle A	Nov. 3-16	3 Pt. Min.	WP	GMU 556	114
2024	Lewis River A	Nov. 3-16	3 Pt. Min.	WP	GMU 560	14
2025	Dickey A	Nov. 3-16	3 Pt. Min.	WP	GMU 602	53
2026	Olympic A	Nov. 3-16	3 Pt. Min.	WP	GMU 621	11

Hunt Choice No.	Hunt Name	Permit Season	Special Restrictions	Elk Tag Prefix	Boundary Description	1997 Permits
<b>Modern Firearm Elk Permit Hunts (Only modern firearm and muzzleloader elk tag holders may apply.)</b>						
2027	Northeast	Oct. 29-Nov. 2	Antlerless Only	BP or BM	GMUs 109, 113, 117, 124 (E. of SR 395)	75
2028	Mica, Cheney	Oct. 11-Nov. 2	Antlerless Only	BP or BM	GMUs 127, 130	250
2029	Wenaha B	Oct. 1-10	3-Pt. Min.	BP or BM	GMU 169	7
2030	Peola B	Oct. 29-Nov. 2	Antlerless Only	BP or BM	GMU 178	50
2031	Wenatchee Mtns.	Oct. 1-10	3-Pt. Min.	CP, CM, YP, or YM	GMUs 302, 335	24

\*Permit season for archery and muzzleloader is the same as modern firearm and all hunters must wear hunter orange.

Hunt Choice No.	Hunt Name	Permit Season	Special Restrictions	Elk Tag Prefix	Boundary Description	1997 Permits
2032	Naneum B	Oct. 29-Nov. 2	Antlerless Only	CP or CM	GMU 328	0

2033	Shushuskin A	Nov. 15-Dec. 15	Antlerless Only	CP or CM	Elk Area 031	125
2034	Malaga A	Sept. 1-Oct. 3	Antlerless Only	CP or CM	Elk Area 032	75
2035	Malaga B	Nov. 7-Dec. 31	Antlerless Only	CP or CM	Elk Area 032	75
2036	Peshastin A	Sept. 1-Oct. 3	Antlerless Only	CP or CM	Elk Area 033	25
2037	Peshastin B	Nov. 7-Dec. 31	Any Elk	CP or CM	Elk Area 033	25
2038	Brushy	Sept. 20-22	Antlerless Only	CP or CM	Elk Area 035	50
2039	Quilomene B	Oct. 29-Nov. 2	Antlerless Only	CP or CM	GMU 329	0
2040	West Bar A	Oct. 22	Antlerless Only	CP or CM	GMU 330	10
2041	West Bar B	Oct. 23	Antlerless Only	CP or CM	GMU 330	10
2042	West Bar C	Oct. 24	Antlerless Only	CP or CM	GMU 330	10
2043	Taneum	Oct. 29-Nov. 2	Antlerless Only	YP or YM	GMU 336	100
2044	Manastash A	Oct. 29-Nov. 2	Antlerless Only	YP or YM	GMU 340	100
2045	Umtanum	Oct. 29-Nov. 2	Antlerless Only	YP or YM	GMU 342	100
2046	Little Naches A	Oct. 29-Nov. 2	Antlerless Only	YP or YM	GMU 346	100
2047	Little Naches B	Oct. 1-10	3-Pt. Min.	YP or YM	GMU 346	15
2048	Nile	Oct. 29-Nov. 2	Antlerless Only	YP or YM	GMU 352	30
2049	Bumping	Oct. 29-Nov. 2	Antlerless Only	YP or YM	GMU 356	150
2050	Bethel B	Oct. 29-Nov. 2	Antlerless Only	YP or YM	GMU 360	25
2051	Rimrock B	Oct. 29-Nov. 2	Antlerless Only	YP or YM	GMU 364	175
2052	Cowiche B	Oct. 29-Nov. 2	Antlerless Only	YP or YM	GMU 368	75
2053	White River C	Nov. 12-16	Antlerless Only	WP or WM	GMU 472	20
2054	Green River B	Nov. 8-12	Antlerless Only	WP or WM	GMU 485	1
2055	Lincoln	Nov. 12-16	Antlerless Only	WP or WM	GMU 501	0
2056	Willapa Hills	Nov. 12-16	Antlerless Only	WP or WM	GMU 506	100
2057	Packwood	Nov. 12-16	Antlerless Only	WP or WM	GMU 516	25
2058	Winston B	Nov. 12-16	Antlerless Only	WP or WM	GMU 520	30
2059	Margaret B	Nov. 12-16	Antlerless Only	WP or WM	GMU 524	30
2060	Ryderwood	Nov. 12-16	Antlerless Only	WP or WM	GMU 530	125
2061	Coweeman B	Nov. 12-16	Antlerless Only	WP or WM	GMU 550	50
2062	Toutle B	Nov. 12-16	Antlerless Only	WP or WM	GMU 556	50
2063	Marble	Nov. 12-16	Antlerless Only	WP or WM	GMU 558	60
2064	Carlton	Oct 1-10	3-Pt. Min.	WP or WM	Elk Area 057	5
2065	West Goat Rocks	Oct. 1-10	3-Pt. Min.	WP or WM	Elk Area 058	5
2066	Mt. Adams	Oct. 1-10	3-Pt. Min.	WP or WM	Elk Area 059	5
2067	Lewis River B	Nov. 12-16	Antlerless Only	WP or WM	GMU 560	75
2068	Washougal	Nov. 12-16	Antlerless Only	WP or WM	GMU 568	0
2069	Siouxon	Nov. 12-16	Antlerless Only	WP or WM	GMU 572	50
2070	Wind River	Nov. 12-16	Antlerless Only	WP or WM	GMU 574	0
2071	West Klickitat	Nov. 12-16	Antlerless Only	WP or WM	GMU 578	0
2072	Grayback	Nov. 12-16	Antlerless Only	WP or WM	GMU 588	0
2073	Minot Peak	Nov. 12-16	Antlerless Only	WP or WM	GMU 660	10
2074	Williams Creek	Nov. 12-16	Antlerless Only	WP or WM	GMU 673	80
2075	Curtis	Dec. 20-31	Antlerless Only	WP or WM	Elk Area 050	50
2076	Boisfort A	Jan. 1-15, 1998	Antlerless Only	WP or WM	Elk Area 054	50
2077	East Valley	Jan. 1-15, 1998	Antlerless Only	WP or WM	Elk Area 055	25

Hunt Choice No.	Hunt Name	Permit Season	Special Restrictions	Elk Tag Prefix	Boundary Description	1997 Permits
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**Muzzleloader Bull Permit Hunts (Only muzzleloader elk tag holders may apply.)**

2078	Blue Creek B	Oct. 1-10	3 Pt. Min.	BM	GMU 154	3
2079	Watershed B*	Nov. 1-9	3 Pt. Bull or Antlerless	BM	GMU 157	10
2080	Dayton B	Oct. 1-10	3 Pt. Min.	BM	GMU 162	3
2081	Tucannon B	Oct. 1-10	3 Pt. Min.	BM	GMU 166	3
2082	Wenaha C	Oct. 1-10	3 Pt. Min.	BM	GMU 169	6
2083	Mountain View B	Oct. 1-10	3 Pt. Min.	BM	GMU 172	3
2084	Peola C	Oct. 1-10	3 Pt. Min.	BM	GMU 178	3
2085	Grande Ronde B	Oct. 1-10	3 Pt. Min.	BM	GMU 186	1
2086	Naneum C	Oct. 1-10	3 Pt. Min.	CM	GMU 328	5
2087	Quilomene C	Oct. 1-10	3 Pt. Min.	CM	GMU 329	4
2088	Peaches Ridge B	Oct. 1-10	3 Pt. Min.	YM	GMUs 336, 346	10

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2089	Observatory B	Oct. 1-10	3 Pt. Min.	YM	GMUs 340, 342	10
2090	Goose Prairie B	Oct. 1-10	3 Pt. Min.	YM	GMUs 352, 356	6
2091	Bethel C	Oct. 1-10	3 Pt. Min.	YM	GMU 360	4
2092	Rimrock C	Oct. 1-10	3 Pt. Min.	YM	GMU 364	5
2093	Cowiche C	Oct. 1-10	3 Pt. Min.	YM	GMU 368	2
2094	White River D	Oct. 1-10	Spike Only	WM	GMU 472	102
2095	White River E	Oct. 1-10	3 Pt. Min.	WM	GMU 472	7
2096	Green River C*	Nov. 8-12	3 Pt. Min. or Antlerless	WM	GMU 485	1
2097	Winston C	Oct. 1-10	3 Pt. Min.	WM	GMU 520	2
2098	Margaret C	Oct. 1-10	3 Pt. Min.	WM	GMU 524	4
2099	Coweeman C	Oct. 1-10	3 Pt. Min.	WM	GMU 550	2
2100	Toutle C	Oct. 1-10	3 Pt. Min.	WM	GMU 556	23
2101	Lewis River C	Oct. 1-10	3 Pt. Min.	WM	GMU 560	3
2102	Dickey B	Oct. 1-10	3 Pt. Min.	WM	GMU 602	11
2103	Olympic B	Oct. 1-10	3 Pt. Min.	WM	GMU 621	2

\* Permit season in Watershed B & Green River C is the same as modern firearm, and hunters must wear hunter orange.

Hunt Choice No.	Hunt Name	Permit Season	Special Restrictions	Elk Tag Prefix	Boundary Description	1997 Permits
<b>Muzzleloader Permit Hunts (Only muzzleloader elk tag holders may apply.)</b>						
2104	Blue Creek C	12/1/97 - 1/31/98	Antlerless Only	BM	GMU 154	50
2105	Couse	12/1/97 - 1/31/98	Antlerless Only	BM	GMU 181	150
2106	Stella	Nov. 26-Dec. 15	Spike or antlerless	WM	GMU 504	100
2107	Boisfort B	Jan. 16-31, 1998	Antlerless Only	WM	Elk Area 054	50
2108	Yale	Nov. 26-Dec. 15	Any Elk	WM	GMU 554	75
2109	Toledo	Jan. 2-16, 1998	Antlerless Only	WM	Elk Area 029	75
2110	North River	Nov. 26-Dec. 15	Antlerless Only	WM	GMU 658	20

Hunt Choice No.	Hunt Name	Permit Season	Special Restrictions	Elk Tag Prefix	Boundary Description	1997 Permits
<b>Archery Bull Permit Hunts (Only archery elk tag holders may apply.)</b>						
2111	Blue Creek D	Sept. 1-14	3 Pt. Min.	BA	GMU 154	4
2112	Watershed C*	Nov. 1-9	3 Pt. Bull/Antlerless	BA	GMU 157	12
2113	Dayton C	Sept. 1-14	3 Pt. Min.	BA	GMU 162	8
2114	Tucannon C	Sept. 1-14	3 Pt. Min.	BA	GMU 166	4
2115	Wenaha D	Sept. 1-14	3 Pt. Min.	BA	GMU 169	8
2116	Mountain View C	Sept. 1-14	3 Pt. Min.	BA	GMU 172	11
2117	Peola D	Sept. 1-14	3 Pt. Min.	BA	GMU 178	11
2118	Grande Ronde C	Sept. 1-14	3 Pt. Min.	BA	GMU 186	1
2119	Naneum D	Sept. 1-14	3 Pt. Min.	CA	GMU 328	14
2120	Quilomene D	Sept. 1-14	3 Pt. Min.	CA	GMU 329	11
2121	Peaches Ridge C	Sept. 1-14	3 Pt. Min.	YA	GMUs 336, 346	25
2122	Observatory C	Sept. 1-14	3 Pt. Min.	YA	GMUs 340, 342	25
2123	Goose Prairie C	Sept. 1-14	3 Pt. Min.	YA	GMUs 352, 356	16
2124	Bethel D	Sept. 1-14	3 Pt. Min.	YA	GMU 360	11
2125	Rimrock D	Sept. 1-14	3 Pt. Min.	YA	GMU 364	13
2126	Cowiche D	Sept. 1-14	3 Pt. Min.	YA	GMU 368	5
2127	White River F	Sept. 1-14	Spike Only	WA	GMU 472	287
2128	White River G	Sept. 1-14	3 Pt. Min.	WA	GMU 472	19
2129	Green River D*	Nov. 8-12	3 Pt. Min. or Antlerless	WA	GMU 485	1
2130	Winston D	Sept. 1-14	3 Pt. Min.	WA	GMU 520	5
2131	Margaret D	Sept. 1-14	3 Pt. Min.	WA	GMU 524	9
2132	Coweeman D	Sept. 1-14	3 Pt. Min.	WA	GMU 550	5
2133	Toutle D	Sept. 1-14	3 Pt. Min.	WA	GMU 556	61
2134	Lewis River D	Sept. 1-14	3 Pt. Min.	WA	GMU 560	8
2135	Dickey C	Sept. 1-14	3 Pt. Min.	WA	GMU 602	28
2136	Olympic C	Sept. 1-14	3 Pt. Min.	WA	GMU 621	6

\* Permit season in Watershed C and Green River D is the same as modern firearm and hunters must wear hunter orange.

Hunt Choice No.	Hunt Name	Permit Season	Special Restrictions	Elk Tag Prefix	Boundary Description	1997 Permits
<b>Advanced Hunter Education (AHE) Graduate Special Elk Permit Hunts (Only AHE graduates may apply.)</b>						
2137	Shushuskin B	12/16/97-1/15/98	Antlerless Only	Any Elk Tag	Elk Area 031	20
2138	Margaret E	Oct. 1-10	3-Pt. Min or Antlerless	Any Elk Tag	GMU 524	15
2139	Quinault Ridge	Oct. 1-10	3-Pt. Min or Antlerless	Any Elk Tag	GMU 638	5
2140	Skookumchuck	Oct. 1-10	Spike Bull or Antlerless	Any Elk Tag	GMU 667	2
2141	South Bank A	Jan. 1-15, 1998	Antlerless Only	Any Elk Tag	Elk Area 062	5
2142	South Bank B	Jan. 16-31, 1998	Antlerless Only	Any Elk Tag	Elk Area 062	5
2143	Cathlamet	Sept. 1-14 and Nov. 26-Dec. 8	Archery Antlerless Only	Any Elk Tag	Cathlamet Big Game Closure in Wahkiakum Co.	7

Hunt Choice No.	Hunt Name	Permit Season	Special Restrictions	Elk Tag Prefix	Boundary Description	1997 Permits
<b>Persons of Disability Only - Special Elk Permit Hunts (Only for persons issued a "DHP" - see pg. 13)</b>						
2144	Quilomene E	Nov. 1-7	Antlerless Only	CP or CM	GMU 329	5
2145	Manastash B	Nov. 1-7	Antlerless Only	YP or YM	GMU 340	5
2146	Little Naches C	Oct. 1-10	Antlerless Only	YP or YM	GMU 346	5
2147	Green River E	Nov. 8-12	Antlerless Only	WP or WM	GMU 485	1
2148	Centralia Mine A	Nov. 22-23	Antlerless Only	Any Elk Tag	Portion of 667*	4
2150	Centralia Mine B	Nov. 29-30	Any Elk	Any Elk Tag	Portion of 667*	4
2151	South Bank C	Dec. 10-20	Antlerless Only	Any Elk Tag	Elk Area 062	3

\*Successful applicants will be mailed a map of the hunt boundary.

**Reviser's note:** The spelling errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

**Reviser's note:** The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 97-06-125  
PROPOSED RULES  
DEPARTMENT OF  
FISH AND WILDLIFE  
(Wildlife)**

[Filed March 5, 1997, 10:40 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-01-111.

Title of Rule: To adopt WAC 232-28-269 1998 Elk, bighorn sheep and other big game auction permits.

Purpose: To adopt 1998 elk and bighorn sheep auction permits so conservation organizations can bid for the right to auction the hunt. The auction permit is designed to raise funds for elk and bighorn sheep management.

Statutory Authority for Adoption: RCW 77.12.020, 77.12.030, 77.12.040, or 77.32.220.

Statute Being Implemented: RCW 77.12.020, 77.12.030, 77.12.040, or 77.32.220.

Summary: One elk and one bighorn sheep permit will be auctioned for 1998. The hunting season dates and geographic area for the hunt are identified.

Reasons Supporting Proposal: Revenue raised for the auction permits will be dedicated to that species' management. Without this funding, management of programs would be reduced.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Assistant Director, Wildlife Management Program, Olympia, (360) 902-2504; and Enforcement: Ron Swatfigure, Acting Assistant Director, Enforcement Program, Olympia, (360) 902-2927.

Name of Proponent: Washington Fish and Wildlife Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose of the auction permit is to raise funds for the elk and bighorn programs. We anticipate the auction hunter will pay \$30-35,000 for the bighorn permit and \$8-9,000 for the elk permit.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules do not affect small business. The auction permit is limited to one individual for elk and bighorn sheep so the business impact is small. We expect the auction hunter will pay \$30-35,000

PROPOSED

for the bighorn permit. We expect the elk auction hunter will pay \$8-9,000 for the elk permit. The auction hunters will hire guides and spend 1-30 days hunting.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: Longview Elks Lodge, 1265 12th Avenue, Longview, WA 98632, on April 18-19, 1997, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by April 1, 1997, TDD (360) 902-2207, or (360) 902-2267.

Submit Written Comments to: Washington Department of Fish and Wildlife, Evan Jacoby, 600 Capitol Way North, Olympia, WA 98501-1091, FAX (360) 902-2930, by April 4, 1997.

Date of Intended Adoption: April 19, 1997.

March 5, 1997  
Evan Jacoby  
Legal Counsel

**NEW SECTION**

**WAC 232-28-269 1998 Elk, bighorn sheep, and other big game auction permits.**

**AUCTIONING OF PERMIT**

The Director will select a conservation organization(s) to conduct the 1998 auction(s). Selection of the conservation organizations will be based on criteria developed by the Washington Department of Fish and Wildlife. The organization shall notify the Department of the name of and address of the successful bidder within ten days of the auction.

**AUCTION PERMIT HUNT(S)**

**SPECIES - ONE ELK PERMIT**

Hunting Season Dates: September 15-30, 1998

Hunt Area: GMU 485 (Green River) and GMU 346 (Little Naches)

Hunting Season Dates: October 1-16, 1998

Hunting Area: GMUs 145-154, 160-185

Bag Limit: One bull elk

**AUCTION HUNT PERMITTEE RULES**

(1) Permittee shall contact the appropriate regional office of the Department of Fish and Wildlife when entering the designated hunt area.

(2) The permittee may be accompanied by others; however, only the permittee is allowed to carry a legal weapon or harvest an animal.

(3) Any attempt by members of the permittee's party to herd or drive wildlife is prohibited.

(4) If requested by the Department, the permittee is required to direct Department officials to the site of the kill.

**SPECIES - ONE BIGHORN SHEEP PERMIT**

Hunting Season Dates: September 1 - October 31, 1998

Hunt Area: Sheep Unit 4 (Selah Butte), Sheep Unit 5 (Umtanum), Sheep Unit 7 (Clemon Mountain), or Sheep Unit 12 (Lincoln Cliffs).

Bag Limit: One Bighorn Ram

**AUCTION HUNT PERMITTEE RULES**

(1) Permittee shall contact the appropriate regional office of the Department of Fish and Wildlife when entering the designated hunt area.

(2) The permittee may be accompanied by others; however, only the permittee is allowed to carry a firearm and harvest an animal.

(3) Any attempt by members of the permittee's party to herd or drive wildlife is prohibited.

(4) If requested by the Department, the permittee is required to direct Department officials to the site of the kill.

(5) The permittee will present the head and carcass of the bighorn sheep killed to any Department office within 72 hours of date of kill.

**WSR 97-06-126  
PROPOSED RULES  
DEPARTMENT OF  
FISH AND WILDLIFE  
(Wildlife)  
[Filed March 5, 1997, 10:41 a.m.]**

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-01-111.

Title of Rule: To adopt WAC 232-28-270 1998 Raffle permits.

Purpose: To provide a unique hunting opportunity for hunting bighorn sheep, deer, elk, and moose. The raffle permits are a nominal cost and the permit hunter has the same opportunity as auction hunters for bighorn sheep and elk.

Statutory Authority for Adoption: RCW 77.12.020, 77.12.030, 77.12.040, or 77.32.220.

Statute Being Implemented: RCW 77.12.020, 77.12.030, 77.12.040, or 77.32.220.

Summary: To provide a unique recreational opportunity and generate revenue for the big game program.

Reasons Supporting Proposal: Raffle tickets are a nominal cost and this provides a chance for a quality hunt opportunity for a person of modest means.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Assistant Director, Wildlife Management Program, Olympia, (360) 902-2504; and Enforcement: Ron Swatfigure, Acting Assistant Director, Enforcement Program, Olympia, (360) 902-2927.

Name of Proponent: Washington Fish and Wildlife Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The raffle will provide a unique hunting opportunity and generate revenue for the program.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules do not affect small business. License agents will get fifty cents per ticket sold.

PROPOSED



Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: Longview Elks Lodge, 1265 12th Avenue, Longview, WA 98632, on April 18-19, 1997, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by April 1, 1997, TDD (360) 902-2207, or (360) 902-2267.

Submit Written Comments to: Washington Department of Fish and Wildlife, Evan Jacoby, 600 Capitol Way North, Olympia, WA 98501-1091, FAX (360) 902-2930, by April 4, 1997.

Date of Intended Adoption: April 19, 1997.

March 5, 1997  
Evan Jacoby  
Legal Counsel

## NEW SECTION

### **WAC 232-28-270 1998 Raffle permits**

#### **RAFFLE PERMIT HUNTS**

The following raffle permits will be issued to individuals selected through a drawing:

##### **(1) Deer Raffle Permit Hunt**

(a) Bag limit: One additional any buck deer.

(b) Open area: Statewide in any open area, except all Private Lands Wildlife Management Areas (PLWMAs), GMUs 157 and 485 are closed.

(c) Open season: The deer raffle permit holder may hunt in any 1998 general or permit archery, muzzleloader, or modern firearm season.

(d) Weapon: The raffle hunter may use only archery equipment during archery seasons, muzzleloader equipment during muzzleloader seasons and any legal weapon during modern firearm seasons.

(e) Number of permits: 1

(f) Raffle tickets cost \$5.00 including a 50 cent vendor fee.

##### **(2) Elk Raffle Permit Hunt**

(a) Bag limit: One additional any bull elk.

(b) Open area: Statewide in any open area, except all Private Lands Wildlife Management Areas (PLWMAs) and GMUs 157 and 485 are closed.

(c) Open season: The elk raffle permit holder may hunt in any 1998 general or permit archery, muzzleloader, or modern firearm season.

(d) Weapon: The raffle permit hunter may use only archery equipment during archery seasons, muzzleloader equipment during muzzleloader seasons and any legal weapon during modern firearm seasons.

(e) Number of permits: 1

(f) Raffle tickets cost \$5.00 including a 50 cent vendor fee.

##### **(3) Bighorn Sheep Hunt**

(a) Bag limit: One bighorn ram

(b) Open area: Sheep Unit 4 (Selah Butte), Sheep Unit 5 (Umtanum), Sheep Unit 7 (Clemon Mountain), or Sheep Unit 12 (Lincoln Cliffs).

(c) Open season: September 1-October 31, 1998.

(d) Weapon: Hunter may use any legal weapon.

(e) Number of permits: 1

(f) Raffle tickets cost \$10.00 including a 50 cent vendor fee.

(g) Permittee shall contact the appropriate regional office of the Department of Fish and Wildlife when entering the designated hunt area.

(h) The permittee may be accompanied by others; however, only the permittee is allowed to carry a firearm and harvest an animal.

(i) Any attempt by members of the permittee's party to herd or drive wildlife is prohibited.

(j) If requested by the department, the permittee is required to accompany Department officials to the site of the kill.

(k) The permittee will present the head and carcass of the bighorn sheep killed to any department office within 72 hours of date of kill.

#### **(4) Moose Hunt**

(a) Bag limit: One moose of either sex

(b) Open area: Hunter may hunt in any open moose unit.

(c) Open season: October 1-November 30, 1998.

(d) Weapon: Hunter may use any legal weapon.

(e) Number of permits: 1

(f) Raffle tickets cost \$5.00 including a 50 cent vendor fee.

(g) Permittee shall contact the appropriate regional office of the department of fish and wildlife when entering the designated hunt area.

(h) If requested by the department, the permittee is required to accompany department officials to the site of the kill.

**WSR 97-06-127**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
(Wildlife)

[Filed March 5, 1997, 10:43 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-01-111.

Title of Rule: To amend WAC 232-28-02290 Game management units (GMUs)—Special game areas—Boundary descriptions—Private lands wildlife management areas.

Purpose: To edit the boundary description to include only property owners that are in the private lands area.

Statutory Authority for Adoption: RCW 77.12.020, 77.12.030, 77.12.040, or 77.32.220.

Statute Being Implemented: RCW 77.12.020, 77.12.030, 77.12.040, or 77.32.220.

Summary: The boundary has been edited slightly to reflect only property owners that joined the private lands area program.

Reasons Supporting Proposal: To correct the boundary description.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Assistant Director, Wildlife Management Program, Olympia, (360) 902-2504; and Enforcement: Ron Swatfigure, Acting Assistant Director, Enforcement Program, Olympia, (360) 902-2927.

Name of Proponent: Washington Fish and Wildlife Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: To correct the boundary description for Merrill and Ring private lands area by adding an exception.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules do not affect small business.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: Longview Elks Lodge, 1265 12th Avenue, Longview, WA 98632, on April 18-19, 1997, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by April 1, 1997, TDD (360) 902-2207, or (360) 902-2267.

Submit Written Comments to: Washington Department of Fish and Wildlife, Evan Jacoby, 600 Capitol Way North, Olympia, WA 98501-1091, FAX (360) 902-2930, by April 4, 1997.

Date of Intended Adoption: April 19, 1997.

March 5, 1997  
Evan Jacoby  
Legal Counsel

AMENDATORY SECTION [(Amending Order 97-47, filed 2/27/97)]

**WAC 232-28-02290 Game management units (GMUs)—Special game areas—Boundary descriptions—Private lands wildlife management areas.**

**Area Description**

PLWMA 201 - Wilson Creek (Grant County): This area surrounds Billy Clapp Lake directly north of the town of Stratford and northwest of the town of Wilson Creek. The legal description is T22N, R29E; North 1/2 of Section 3, Section 4 except southeast 1/4 of southeast 1/4 and north 1/2 of northwest 1/4; Section 5; Section 6 north of State Highway 28; Sections 8 and 9. T23N, R29E, Sections 5, 6, 7, and 8; Sections 13, 14, 17, and 18; Section 19 except for northwest 1/4 of the southwest 1/4; Sections 20, 21, 22, 23, 24, 25, 26, 27, 28, and 29; southeast 1/4 of Section 30; Section 31; Section 32 south 1/2 of northwest 1/4 and north 1/2 of southwest 1/4; Sections 33, 34, and 35. T23N, R28E, Sections 1 and 2, Section 3 except west 1/4; Section 4 except southwest 1/4 and east 1/2 of southeast 1/4; Section 5; Section 6 except west 1/4; Sections 7 and 8; Section 9 except south 1/2; north 1/2 of Section 10 except west 1/4; Section 11 except south 1/4; north 1/2 of Section 12; Section 15 except that part within Stratford Game Reserve; Section 16 except northeast 1/4; Sections 17, 18, 19, 20, 21, 22, and 23; Sections 26, 27, 28, 29, 30, and 33; north 1/2 and north 1/2 of south 1/2 of Section 34; Section 35 except that part in game reserve. T23N, R27E, Section 11, south 1/2 of southwest 1/4 and west 1/4 of southeast 1/4 of Section 12; Sections 13 and 14; Section 22 except west 1/2 of southwest 1/4; Sections 23, 24, 25, 26, and 27. T24N, R28E, Section

35. T24N, R29E, Section 31; west 1/2 of Section 32. Public lands with the external boundaries are not part of the PLWMA.

PLWMA 401 - Champion (Pierce County): Beginning at the intersection of Champion haul road (Champion 1 Rd.) and the Camp One Road near the town of Kapowsin; then southwest along Champion 1 Rd. to east side of Lake Kapowsin; then along east side of Lake Kapowsin to Ohop Creek; then up Ohop Creek to Champion ownership line; then along ownership line to N.W. corner Section 31, T17N, R5E; then south along section line to 1/4 corner Section 6, T16N, R5E; then easterly along Weyerhaeuser/Champion ownership line to intersection with Busy Wild Creek; then up Busy Wild Creek to intersection with Champion ownership on the section line between Sections 10 & 15, T15N, R6E; then west and south along DNR/Champion ownership line and Plum Creek Timber Co./Champion ownership line to most southerly point of Champion ownership (northwest of Ashford, WA); then easterly along Champion ownership line to DNR/Champion ownership line; then north and east to USFS/Champion ownership line; then north along USFS/Champion ownership line to S.W. corner Section 31, T16N, R7E; then east along USFS/Champion ownership line to S.E. corner Section 31, T16N, R7E; then north along USFS/Champion ownership line to N.W. corner Section 32, T16N, R7E; then east along Plum Creek Timber Co./USFS ownership line to N.E. corner Section 32, T16N, R7E; then south along USFS/Champion ownership line to S.E. corner Section 32, T16N, R7E; then ((west)) east along USFS/Champion ownership line to Mount Rainier National Park Boundary; then north along Mount Rainier National Park Boundary to N.E. corner Section 33 T17N, R7E; then following north and ((east)) west along USFS/Champion ownership line to intersection with SR 165 near the N.E. corner Section 24, T17N, R7E; then northwest along SR 165 to intersection with Carbon River; then down Carbon River to the BPA Transmission Line; then south and west along the powerline to the Fisk Road; then south along the Fisk Road to the King Creek Gate; then north and west along the Brooks Road BPA Transmission line; then southwest along BPA Transmission line to the Puyallup River (excluding all small, private ownership); then up Puyallup River to intersection with Champion haul road bridge; then south along Champion haul road to point of beginning. Another portion of PLWMA 401 Champion is the Buckley block (Kapowsin North described as follows: Beginning at the intersection of the BPA Transmission line and South Prairie Creek; then up South Prairie Creek to East Fork South Prairie Creek; then up East Fork South Prairie Creek to Plum Creek Timber Co./Champion ownership line (on south line of Section 33, T19N, R7E); then along Champion ownership line to center line of Section 34, T19N, R7E; then north and east along DNR/Champion ownership line to S.W. corner Section 27, T19N, R7E; then north along Weyerhaeuser/Champion ownership line to White River; then down White River to where it crosses west line Section 6, T19N, R7E; then south and west along Champion ownership line to intersection with South Prairie Creek; then up South Prairie Creek to point of beginning.

PLWMA 401A - Kapowsin North (Buckley): That portion of PLWMA 401 description which includes the Buckley block.

PLWMA 401B - Kapowsin Central (King Creek): That portion of PLWMA 401 description which lies to the north of the Puyallup River, excluding the Buckley block.

PLWMA 401C - Kapowsin South (Kapowsin): That portion of PLWMA 401 description which lies to the south of the Puyallup River.

PLWMA 600 - Merrill and Ring (Clallam County): Beginning at Clallam Bay, east along the Strait of Juan de Fuca to the mouth of Deep Creek, then south along Deep Creek to the township line between Townships 30 and 31, then west along said township line to Highway 113 (Burnt Mt. Road) and north along Burnt Mt. Road (Highway 112 and 113) to Clallam Bay and point of beginning, except the following described lands: T31N, R10W: E 1/2 W 1/2, E 1/2 West of Deep Creek Section 19, Except SW 1/4 NW 1/4, SW 1/4, W 1/2 E 1/2 West of Deep Creek Section 30, Except North & West of Deep Creek Section 31: T31N R11W; Except the SW 1/4 SE 1/4 Section 7, Except that portion of NW 1/4 SE 1/4 which is County Park Section 10, Except the NE 1/4 NE 1/4 Section 14, Except W 1/2, W 1/2 E 1/2, SE 1/4 NE 1/4, NE 1/4 SE 1/4 Section 16, Except SW 1/4 NE 1/4 Section 17, Except NW 1/4 NW 1/4, SE 1/4 NW 1/4, SE 1/4, NE 1/4, NW 1/4 SE 1/4 Section 18, Except W 1/2 SW 1/4, SW 1/4 NE 1/4 Section 19, Except W 1/2 SW 1/4 Section 27, Except S 1/2 S 1/2, N 1/2 SW 1/4 Section 28, Except E 1/2 SE 1/4, SW 1/4 SE 1/4, NE 1/4, SW 1/4 Section 29, Except SW 1/4 SE 1/4 Section 30, Except NE 1/4 Section 31, Except All Section 32, Except All Section 33, except SW 1/4 NE 1/4, S 1/2 Section 34, T31N R12W; Except SE 1/4 SE 1/4, W 1/2 SE 1/4 East of Highway 112 Section 4, Except All East of Highway 112 Section 9, Except E 1/2 NE 1/4, SW 1/4 NE 1/4, W 1/2, SW 1/4, NW 1/4 SE 1/4 Section 13, Except S 1/2 SE 1/4 Section 14, Except E 1/2 NW 1/4 East of Highway 112 Section 23, Except N 1/2 SW 1/4, SE 1/4 NW 1/4 Section 24, Except SE 1/4 SW 1/4, SW 1/4 SE 1/4 Section 26, Except N 1/2 N 1/2, NE 1/4 SW 1/4 Section 35, Except All Section 36: T32N R12W; Except W 1/2 SE 1/4 Section 21, Except All Section 22, Except NW 1/4 Section 27, Except NE 1/4, N 1/2 SE 1/4, E 1/2 W 1/2 East of Highway 112 Section 28, Except E 1/2 W 1/2 East of Highway 112 Section 33, Except S 1/2 Section 36.

PLWMA 600A North - Merrill and Ring North: That portion of PLWMA 600 north of Highway 112.

PLWMA 600B South - Merrill and Ring South: That portion of PLWMA 600 south of Highway 112.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**Reviser's note:** The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.



**WSR 97-06-002**  
**PERMANENT RULES**  
**TRANSPORTATION COMMISSION**  
 [Filed February 20, 1997, 1:35 p.m.]

Date of Adoption: February 19, 1997.

Purpose: To designate the commission's monthly meeting schedule.

Statutory Authority for Adoption: RCW 47.01.061 and 42.30.070.

Adopted under notice filed as WSR 97-01-069 on December 16, 1996.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 1, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

February 19, 1997

Linda Tompkins  
 Chair

**NEW SECTION**

**WAC 468-500-001 Commission meetings.** Regular public meetings of the Washington state transportation commission are held monthly on the third Thursday of every month and on the Wednesday immediately preceding that day commencing at 9:00 a.m. or such other time as determined by the commission chair. Each such regular meeting shall be held in the transportation commission meeting room (1D2) in the Transportation Building, 410 Maple Park Drive, Olympia, Washington. Persons desiring to know the starting time for a specific meeting can call the commission office at (360) 705-7070.

**WSR 97-06-006**  
**PERMANENT RULES**  
**COUNTY ROAD**  
**ADMINISTRATION BOARD**  
 [Filed February 24, 1997, 11:30 a.m.]

Date of Adoption: October 4, 1996.

Purpose: Amends WAC 136-130-060 increasing the traffic volume points from 20 to 22 and increasing the local significance points from 10 to 20.

Citation of Existing Rules Affected by this Order: Amending WAC 136-130-060.

Statutory Authority for Adoption: RCW 36.79.060.

Adopted under notice filed as WSR 96-17-008 on August 12, 1996.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

February 20, 1997

Eric Berger  
 Executive Director

**AMENDATORY SECTION** (Amending WSR 94-10-020, filed 4/27/94, effective 5/28/94)

**WAC 136-130-060 Project prioritization in southeast region (SER).** Each county in the SER may submit projects requesting RATA funds not to exceed twice the per county percent limit of the SER biennial apportionment which is listed as follows:

Asotin County	10%
Benton County	14%
Columbia County	11%
Franklin County	13%
Garfield County	10%
Kittitas County	13%
Klickitat County	14%
Walla Walla County	14%
Yakima County	20%

Each project shall be rated in accordance with the SER RAP rating procedures. 10% of the SER biennial apportionment shall be reserved for bridge projects. Federally funded bridges for which counties are seeking matching funds shall receive first consideration for these funds, ranked against each other according to the WSDOT priority array. Bridges receiving federal funding may be added to this list at any time during the biennium. Stand-alone bridges may compete for funds in this reserve that remain after all bridges seeking match for federal funds have been funded. These bridges will be rated against each other according to their total points assigned from the RAP Rating Worksheets for the southeast region. Whatever part of the bridge reserve that is not allocated to bridge projects shall be available for allocation to other RAP projects. SER RAP rating points shall be assigned on the basis of 45 points for structural condition, 30 points for geometrics, ~~((20))~~ 22 points for traffic volume, 5 points for traffic accidents. A total of ~~((40))~~ 20 points representing local significance may be added to one project in each county's biennial submittal. Prioritization of SER projects shall be on the basis of total SER RAP rating points shown on the project worksheet and the prospectus form of the project application.

PERMANENT

**WSR 97-06-007**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**

[Filed February 24, 1997, 11:25 a.m., effective April 1, 1997]

Date of Adoption: February 24, 1997.

Purpose: Adopt special drywall industry rules which change the basis of premium from worker hours to a material installed/finished basis, including the creation of four new reporting classifications, related base rates for the new classifications; modification of a general reporting construction rule and repeal of two existing risk classification definitions.

Citation of Existing Rules Affected by this Order: Repealing WAC 296-17-52107 and 296-17-52112; and amending WAC 296-17-45003.

Statutory Authority for Adoption: RCW 51.04.020, 51.16.035, and 51.32.073.

Adopted under notice filed as WSR 97-01-122 on December 19, 1996.

Changes Other than Editing from Proposed to Adopted Version: WAC 296-17-45003(3) the word "should" is changed to "must"; WAC 296-17-45006 (2)(c) is changed to read as follows "Provide us a supplemental quarterly report which shows by employee the employee's name and Social Security number . . . per unit/hour, and a notation as to whether they are an installer, finisher, scrapper, painter, etc.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 6, amended 1, repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 6, amended 1, repealed 2.

Effective Date of Rule: April 1, 1997.

February 24, 1997

Gary Moore

Director

**AMENDATORY SECTION** (Amending WSR 96-12-039, filed 5/31/96, effective 7/1/96)

**WAC 296-17-45003 ((Special construction industry rule-)) Building, construction and erection contractor reporting rules. (((1) Construction or erection operations. Each distinct type of construction or erection operation at a job site or location shall be assigned to the basic classification describing that operation provided separate payroll/time records are maintained for each such operation and which show in detail the name, rate of pay, and actual hours worked for each employee.**

**In the event payroll/time records are not maintained to support separate classification assignments the entire number**

**of work hours in question shall be assigned to the highest rated classification which applies to the job site or location where the operation is being performed. The department may upon request by an employer (contractor) prior to the commencement of a contract authorize the use of a single basic classification to cover an entire project.**

**Selection of the basic classification will be determined by estimating the work hours for each construction operation at the site or location and calculating the premiums by each applicable classification—total estimated premiums will then be divided by the total estimated hours to produce an average rate. The basic classification assigned to the employer that carries the rate nearest to the estimated average rate will be selected provided that if the estimated average rate is equally between two classifications assigned to the employer the lower of the two rates will be selected.**

**Separate construction or erection classifications shall not be assigned to any operation which is within the scope of another basic classification assigned to such a job site or location. For example a carpenter employed by a concrete contractor to build foundation forms is to be assigned to a concrete construction classification and not a carpentry classification.**

**(2) Subcontracted work. The general contractor as defined in RCW 18.27.010, who subcontracts work out to others must ensure that such subcontractors are properly registered and licensed under chapter 18.27 or 19.28 RCW as applicable to avoid being held liable for industrial insurance premiums for such subcontractors (RCW 51.12.070). At the time of audit or within thirty days thereafter the general contractor or specialist contractor as the case may be who has subcontracted work out to others must provide the department's traveling auditors, agents or assistants a list containing the names of such subcontractors, their contractors registration of license number, the expiration date of such registration or license, and their uniform business identifier or industrial insurance account number. Failure by the general contractor or specialist contractor to provide this record at the time of audit may result in a premium assessment being made for each subcontractor used by the general contractor or specialist contractor.**

**(3) Debris removal. Work hours related to the removal of construction materials equipment or debris from a job site or location by employees of a general contractor or specialist contractor are to be assigned to the construction classification applicable to the phase of construction work being supported by such clean up personnel. However, if clean up personnel are involved in general job site or location clean up then risk classification 0510 or 0518 will apply as applicable to the job site or location. Employees of a specialist contractor engaged exclusively in debris removal services shall be assigned to risk classification 0510 or 0518 as applicable to the job site or location serviced.**

**(4) Scaffolding, hoists, and towers. Work hours related to the installation, maintenance or removal of scaffolding, hod hoists, distributing towers, sidewalk bridges, and elevators by employees of a general contractor or specialist contractor are to be assigned to the construction classification applicable to the phase of construction being supported. However, if the scaffolding, hod hoists, distributing towers, sidewalk bridges and elevators being installed supports several phases of construction then risk classification 0510**

or 0518 will apply as applicable to the jobsite or location. Employees of a specialist contractor engaged exclusively in work described in this subsection shall be assigned to risk classification 0510 or 0518 as applicable to the job site or location.

(5) ~~Preoccupancy clean up. Work hours related to preoccupancy clean up by employees of a general contractor or specialist contractor are to be assigned to classification 6602 "Janitors, N.O.C." provided that the term "preoccupancy clean up" for purposes of this rule is limited in scope to dusting, washing windows, vacuuming carpets, mopping floors, and cleaning fixtures. A division of individual work hours between classification 6602 and any construction, erection, or shop classification is not allowed. Employees having duties that fall within a construction classification and who are also engaged in preoccupancy clean up are to be reported in the applicable construction classification.~~

(6) ~~Shop or yard operations. Construction or erection contractors who maintain a permanent shop or yard operation may report the work hours of such employees in classification 5206, provided that this classification shall not apply to any yard or shop employee during any work shift in which the yard or shop employee has duties subject to another classification or if the classification assigned to the employer requires a separate treatment for shop operations.~~

(7) ~~Construction superintendent or project manager. Applies to construction superintendents or project managers applicable to both general and specialty contractors for construction or erection projects. Construction superintendents spend some time in an office and spend the remainder of time visiting various job sites to confer with construction foreman to keep track of the progress occurring at each construction site or project location. Project managers are generally temporarily stationed at the construction site or project location and confined to a modular type of clerical office to schedule activities and arrival of supplies applicable to the job or project. Construction superintendents and project managers can be assigned classification 4900 provided such employees have no direct control over work crews and are not performing construction labor at the job site or project location. An employee performing superintendent or project manager duties and some type of construction labor or control over a work crew shall not be permitted a division of work hours between classification 4900 and any other construction classification, all work hours are to be reported in the applicable construction classification.)~~ (1) Who does this rule apply to? If you are a building, construction or erection contractor and we have assigned one or more of the following classifications to your business this rule applies to you: 0101, 0102, 0103, 0104, 0105, 0107, 0108, 0201, 0202, 0210, 0212, 0214, 0217, 0219, 0301, 0302, 0303, 0306, 0307, 0403, 0502, 0504, 0506, 0507, 0508, 0509, 0510, 0511, 0512, 0513, 0514, 0516, 0517, 0518, 0519, 0521, 0522, 0523, 0524, 0525, 0601, 0602, 0603, 0607, 0608, and 0701.

(2) How are classifications assigned to my business? We will assign a classification or number of separate classifications which describe the business(es) you are involved in. For example, if you are a plumbing contractor we will assign a plumbing classification to your business (classification 0306). The plumbing classification covers all of the various phases of plumbing work such as rough in

plumbing work, house to sewer hookup if performed by employees of the plumbing contractor and installation of the fixtures. In some cases we will assign several classifications to your business. For example, if you were building a house (single-family dwelling) and you were going to do the foundation, framing, roofing and finish carpentry we would assign your business classification 0217 for the foundation work; classification 0510 for framing the structure; classification 0507 for installing the roofing material; and classification 0513 for finish carpentry work. We will not assign separate classifications to your business for work activities which are included within a classification which we have assigned to your business. For example, if you are a concrete foundation contractor and you employ a carpenter to make and set foundation forms, you would report the carpenters hours in the concrete foundation classification (0217) and not a carpentry classification (0510).

(3) What happens if I have several classifications assigned to my business but I did not keep track of the time my employees spent on the different phases of construction. If we have assigned more than one classification to your business, you must keep track of the actual time your employees spend under each classification which we have assigned to your business. If we audit your business, and we find that you did not keep accurate time records required by WAC 296-17-35201 we will assign all work hours in question to the highest rated classification applicable to the work hours in question.

(4) Who can I call if questions on how to use the different classification which you have assigned to my business? We would be happy to assist you with this and other questions you might have. You can call us at (360) 902-4817 Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m. Pacific time and one of our representatives will assist you.

(5) Can I report all of my construction operations under one classification? Yes, you can report all construction operations in one classification if we have preapproved it. To obtain this approval you must contact your policy manager. Your policy manager will ask you for a breakdown of the estimated project hours by phase of construction for the construction project. We will send you a letter confirming the classification which will apply to a project when you have requested a single classification.

(6) If you approve a single classification for one of my projects does this preapproval apply to all of my projects? No, the single classification approval only applies to a specific project or group of projects which are specified in our letter to you.

(7) Can I be held liable for unpaid premiums of subcontractors which I use? Yes, if you want to avoid being held responsible for unpaid premiums on work you subcontract out to others (RCW 51.12.070), you should only use currently licensed or registered contractors (chapter 18.27 or 19.28 RCW).

(8) How can I be sure that a contractor is licensed or registered with you? The best way is to ask the contractor for their license or registration number and expiration date and then call us to verify that the information is correct. It's a good idea to write this information down somewhere that you can locate easily, it may come in handy in the future. If we audit you, we will ask you for a list of the subcontractors

tors that you have used during a specific period of time, their license or registration number and the expiration date of the license or registration. You can simplify the audit by making and keeping this list as a part of your regular business records.

**(9) What happens if you audit me and I do not have a list of the contractors described in subsection (8) of this section?** If we audit you, and you are unable to provide us with this list while we are doing the audit, we will allow you a reasonable amount of time to provide us with this list. In the event that you do not provide us this list, or we cannot verify that a contractor that you used has paid premiums on the work you subcontracted to them and they were either not licensed or registered, or we determine that their license or registration was not current when you used them, we will charge you for the premiums they should have paid.

**(10) Do I need any other information on subcontracted work?** If you purchase materials such as but not limited to roofing material, framing lumber, concrete, or sheet rock, and supply this material to a contractor on a job you are working on, you should keep a record which shows the volume of material you have supplied (square feet) to the contractor; the project name or location; the date when the material was given to the contractor or delivered to the construction site; the approximate completion date of the contracted work; the name of the contractor that performed the work for you; their contractor license or registration number; and the expiration date of their license or registration. We will ask you for this information if we audit your business.

**(11) What classification should I use to report construction site cleanup by my employees?** You should report the cleanup of construction debris in the same classification that applied to the work which generated the debris. For example, if you are a roofing contractor and you have an employee pick up roofing debris at the construction (project) site, you would report the employee involved in the site cleanup in the roofing classification (0507). If you are the general contractor at a construction site and have either classification 0510 "wood frame building construction" or classification 0518 "nonwood frame building construction" assigned to your business you would report site cleanup in the classification applicable to the type of building you are constructing. For example, if you are a general contractor and you are engaged in building a single-family wood frame dwelling, you would report construction site cleanup by your employees in classification 0510 "wood frame building construction."

**(12) I am a construction site clean-up contractor, my employees only pick up construction debris, we do no construction work, what classification do I report site cleanup in?** If your employees are cleaning a construction site where a wood frame building was erected you would report their work time in classification 0510 "wood frame building construction." If your employees are cleaning a construction site where a nonwood frame building was erected you would report their work time in classification 0518 "nonwood frame building construction." If your employees are cleaning other nonbuilding construction sites you would report their work time in the same classification that applied to the construction work that generated the nonbuilding construction debris. For example, if you are

doing site cleanup for a concrete contractor that was involved in pouring and finishing sidewalks and drive ways, you would report the work time of your employees involved in this construction site clean-up project in classification 0217 "concrete flatwork."

**(13) What classification should I use to report the work time of my employees when they are involved in the set up of scaffolding, hoists, cranes, towers or elevators at a construction site?** We use the same classification treatment for this type of work as we do with construction site cleanup. For example, if you are a roofing contractor and you have an employee set up scaffolding at the construction (project) site, you would report the employee involved in the set up of scaffolding in the roofing classification (0507). If you are the general contractor at a construction site and have either classification 0510 "wood frame building construction" or classification 0518 "nonwood frame building construction" assigned to your business you would report the set up of scaffolding at the construction in the classification applicable to the type of building you are constructing. For example, if you are a general contractor and you are engaged in building a single-family wood frame dwelling, you would report scaffolding set up by your employees in classification 0510 "wood frame building construction."

**(14) Is preoccupancy cleanup of a building by my employees classified the same as debris cleanup at a construction site?** Since your understanding of what preoccupancy clean-up work is may be different from ours, we need to share with you our understanding before we can answer this question. Our understanding in this area is that preoccupancy cleanup occurs after the building is finished. The clean-up work consists of washing paint and over spray from windows, vacuuming carpets, washing floors and fixtures, and dusting woodwork, doors and cabinets. If you have employees whose duties are limited to this type of cleaning we will allow you to report their work time in classification 6602 "janitors."

**(15) If I have an employee who does some construction work, construction site cleanup and preoccupancy cleanup can I divide their work time between the janitor and a construction classification?** No, we will not permit you to divide the work time of an employee between the janitor classification and a construction classification. If you have an employee who does preoccupancy clean-up work for you, and that employee also performs other nonpreoccupancy clean-up work for you such as construction work, shop work or construction site debris clean-up work, then you must report all of their work time in the applicable construction or nonshop classification. We would be happy to assist you with this and other questions you might have. You can call us at the phone number listed in subsection (4) of this section and one of our representatives will assist you.

**(16) Can I use a shop classification to report the work time of one of my employees who works in my shop or yard?** If you have a shop or yard where you maintain and store construction equipment and machinery, and/or store materials which you use in your construction business, you may qualify for a separate shop classification. There are several conditions which must be met before we will assign a shop classification to your business. A separate rule (WAC 296-17-675) describes these conditions. If you would like to see if you qualify for a shop classification you can



call us at the phone number listed in subsection (4) of this section and one of our representatives will assist you.

**(17) What classification do I use to report my construction superintendent or project manager? We have a special classification (4900) which may apply to your business but there are several conditions which must be met before we will assign this classification to your business. A separate rule (WAC 296-17-64999) describes these conditions. If you would like to see if you qualify for a special classification you can call us at the phone number listed in subsection (4) of this section and one of our representatives will assist you.**

## NEW SECTION

### **WAC 296-17-45006 Special drywall industry rule.**

**(1) Why are we changing the way you pay premiums?** Under Washington law (RCW 51.16.035), we are given the authority to establish how workers' compensation insurance rates are computed. For most industries, workers' compensation insurance rates are based on hours worked by employees. While the worker hour system works well for most industries, this method of paying premium is unfair when a large segment of workers within an industry are not paid an hourly wage. The drywall industry is one in which many workers are paid on the basis of material installed (piece work), not the hours they work. As a result, employers have developed a variety of different ways of converting payroll to hours worked to comply with our hourly reporting requirements. In many instances the conversion of payroll to hours worked has resulted in the under reporting of work hours to us. Under reporting results in higher premium rates which you pay. To help remedy the problems caused by using work hours as the basis of how you pay premiums, and to provide greater fairness to employers engaged in drywall work, the premium for classifications 0522, 0523, 0524 and 0525 is based on material installed (square feet).

**(2) How can I qualify for a discounted rate?** For each drywall industry classification, we will establish a second classification covering the same activity. The second classification will carry a discounted rate. To qualify for a discounted classification and rate you will be required to meet all of the following conditions:

(a) Attend a special claims, risk management and premium reporting workshop which we will offer.

(b) Submit complete and accurate premium reports when they are due and be current with all premium reports and payments. If you owe us money (premiums) for any period prior to December 31, 1996, we will allow you to report in the discounted classifications provided that all current reports and premiums are filed and paid on time and you maintain a current payment agreement with us for any past due premium. You will not be allowed to use a discounted classification if you fail to submit reports and make premium payments on time. This requirement applies to any classification assigned to your business and for any exposure (hours, square feet, etc.) which occurs after January 1, 1997.

(c) Provide us with a supplemental quarterly report which shows by employee the employee's name and Social Security number, the wages you paid them during the quarter, the basis for how they are paid, (piece rate, commission, hourly, etc.) their rate of pay per unit/hour, and a

notation as to whether they are an installer, finisher, scraper, painter, etc.

(d) Provide us with a voluntary release of information form that we can give to the material supply dealer that you use. We will use this release form to obtain material sales records. This will aid us as we verify the information you supply us on your premium and supplemental reports.

(e) For any work which you subcontract to others, you must maintain the records described in WAC 296-17-45003.

(f) Keep and retain the payroll and employment records described in WAC 296-17-35201.

If you do not meet all of the above conditions, we will not assign the discounted rates to your business and you will be required to pay premiums in the nondiscounted classification(s).

**(3) Can I be disqualified from using the discounted rates?** Yes, your business will be disqualified from using the discounted premium rates if you do not file premium reports on time; if you fail to pay premiums on time; or if you under report or misclassify the work performed by your employees.

**(4) How long will I be disqualified from using the discounted classifications?** If we disqualify your business from using the discounted classifications, the disqualification will be for three years (thirty-six months) from the period of last noncompliance.

**(5) I have several businesses, if one of my businesses is disqualified from using the discounted rates will that affect my other businesses?** Yes, if you have ownership interest in a business which has been disqualified from using the discounted rates, and you also have ownership interest in other construction businesses which have separate industrial insurance accounts or subaccounts, all businesses in which you have ownership interest will be disqualified from using the discounted rates.

**(6) What if I make a mistake in how I reported to you, should I correct the error?** Yes, you should send in a revised report with an explanation of the error you are trying to correct. If we audit your business, and we determine that you have under reported exposure in any classification assigned to your business, all exposure which you reported in the discounted classifications for the audit period will be reclassified to the nondiscounted classifications.

**(7) If I disagree with an audit or other decision can I still use the discounted rates while we are resolving the issue?** If you are involved in a dispute with us over the status of an independent contractor, the issue being whether an individual is a covered worker; the proper classification of work your employees performed, or under reporting, you may qualify for the discounted classifications by paying the disputed amount while the issue is under dispute. If the issue is resolved in your favor we will refund any moneys which you paid which were disputed. We will not pay interest on the refunded amount.

## NEW SECTION

### **WAC 296-17-52114 Classification 0522.**

Wallboard installation - nondiscounted rate  
This classification excludes wallboard taping and texturing work which is to be reported separately in classification 0523.

*Special note: The basis of premium for this classification is material installed (square feet).*

**NEW SECTION**

**WAC 296-17-52115 Classification 0523.**

Wallboard taping and texturing - nondiscounted rate  
This classification includes incidental painting when performed by employees of an employer subject to this classification but excludes wallboard installation which is to be reported separately in classification 0522.

*Special note: The basis of premium for this classification is material finished (square feet).*

**NEW SECTION**

**WAC 296-17-52116 Classification 0524.**

Wallboard installation - discounted rate  
This classification excludes wallboard taping and texturing work which is to be reported separately in classification 0525.

*Special note: The basis of premium for this classification is material installed (square feet).*

**NEW SECTION**

**WAC 296-17-52117 Classification 0525.**

Wallboard taping and texturing - discounted rate  
This classification includes incidental painting when performed by employees of an employer subject to this classification but excludes wallboard installation which is to be reported separately in classification 0524.

*Special note: The basis of premium for this classification is material finished (square feet).*

**NEW SECTION**

**WAC 296-17-89502 Industrial insurance accident fund, medical aid and supplemental pension rates by class of industry for nonhourly rated classifications.** The base rates as set forth below are for classifications whose premium rates are based on units other than hours worked.

Base Rates Effective  
January 1, 1997

Class	Accident Fund	Medical Aid Fund	Supplemental Pension Fund
0522	0.0242	0.0090	0.0003
0523	0.0151	0.0059	0.0003
0524	0.0160	0.0060	0.0003
0525	0.0100	0.0039	0.0003

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

- WAC 296-17-52107 Classification 0515.
- WAC 296-17-52112 Classification 0520.

**WSR 97-06-012**

**PERMANENT RULES**

**PERSONNEL RESOURCES BOARD**

[Filed February 25, 1997, 12:49 p.m., effective April 1, 1997]

Date of Adoption: February 13, 1997.

Purpose: These rules pertain to labor relations regarding requests for mediation and arbitration and contents of written agreements.

Citation of Existing Rules Affected by this Order: Amending WAC 251-14-120 and 251-14-060.

Statutory Authority for Adoption: RCW 41.06.150.

Adopted under notice filed as WSR 97-02-072 on December 31, 1996; and WSR 97-01-064 on December 13, 1996.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 2, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 2, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 2, repealed 0.

Effective Date of Rule: April 1, 1997.

February 24, 1997  
Dennis Karras  
Secretary

**AMENDATORY SECTION** (Amending WSR 80-15-026 (Order 85), filed 10/8/80)

**WAC 251-14-120 Requests for mediation and arbitration.** Mediation and arbitration requests per WAC 251-14-100(2) and 251-14-110(2) shall not be allowed if the same charges are pending before the board or the personnel appeals board for processing per WAC 251-12((-090)) or 251-14-090.

**AMENDATORY SECTION** (Amending WSR 86-09-076 (Order 148), filed 4/22/86, effective 6/1/86)

**WAC 251-14-060 Contents of written agreements.**  
(1) Written agreements may contain provisions covering all personnel matters over which the institution related board may lawfully exercise discretion.

(2) Written agreements shall include a grievance procedure for processing individual and group grievances within the bargaining unit and shall provide for mediation by the director or designee and for arbitration by the board. Mediation by the director or designee and arbitration by the board of a grievance dispute shall not apply in those instances where the same complaint has been filed for hearing either through the unfair labor practice or appeal procedures of the ~~((higher education))~~ Washington personnel resources board or the personnel appeals board rules.

PERMANENT

(3) Written agreements may contain provisions for payroll deduction of employee organization dues and/or union shop representation fees upon written authorization from the employee. Any employee may cancel his/her payroll deduction of employee organization dues by filing a written notice with the appointing authority or designee and the employee organization thirty calendar days prior to the effective date of such cancellation.

(4) Written agreements shall be for a minimum of one year in duration and shall not exceed three years. Automatic renewal or extension provisions may extend the term of a contract for only one year at a time. An automatic renewal or extension provision in a contract cannot act as a bar to a request for an exclusive representative decertification election per WAC 251-14-050(1).

(5) Where there are collective bargaining agreements in effect in bargaining units which are combined per WAC 251-14-030, the board shall determine the application of such bargaining agreements or terms thereof when there is an impasse between the exclusive representative and the institution.

(6) Institutions shall file signed written agreements with the director. Provisions of such agreements shall not prevail if in conflict with the higher education personnel (~~board~~) rules, the higher education personnel law or other applicable law.

**WSR 97-06-013**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**VETERANS AFFAIRS**

[Filed February 25, 1997, 2:05 p.m.]

Date of Adoption: January 17, 1997.

Purpose: To reflect changes made to applicable RCWs.

Citation of Existing Rules Affected by this Order:

Amending WAC 484-20-103 and 484-20-120.

Statutory Authority for Adoption: RCW 43.60A.070.

Other Authority: RCW 72.36.030.

Adopted under notice filed as WSR 96-23-048 on November 19, 1996.

Changes Other than Editing from Proposed to Adopted Version: WAC 484-20-103 (1), (2)(a) through (d) and (3), changed language to reflect applicable language in chapter 70.129 RCW; WAC 484-20-103(5), added language from chapter 70.129 RCW; WAC 484-20-120, deleted "and denial of colony benefits." This and subsection (3) duplicates language in WAC 484-20-089 (2)(e) and was creating confusion among DVA clients; WAC 484-20-120 (1)(a) through (e), changed language to reflect applicable language in chapter 70.129 RCW; and WAC 484-20-120(3), deleted this subsection. It duplicates language in WAC 484-20-089 (2)(e) and was creating confusion among DVA clients.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 2, repealed 0; or Recently Enacted State Statutes: New 0, amended 2, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 2, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

February 24, 1997

Sherri Madison

Policy Analyst

**AMENDATORY SECTION** (Amending WSR 94-22-050, filed 10/31/94, effective 12/1/94)

**WAC 484-20-103 Administrative action, notice of.**

(1) The state veterans home (~~shall give notice to~~) must notify the resident(;) and the resident's ((surrogate decision maker, and if appropriate, a family member or the resident's legal) representative, and make a reasonable effort to notify, if known, an interested family member of any proposed administrative action, as defined in RCW 34.05.010(3) and this chapter(;- except as)). Exceptions are indicated in subsection (4) of this section.

(2) (~~Timing of the notice.~~) All notices (~~shall~~) of proposed administrative actions must be given in writing, in a manner which the resident understands at least thirty days before the ((effective date of the)) proposed administrative action(;) will occur. Except, notice may be given (~~less than thirty days in advance but~~) as soon as (~~practicable~~) practical before a transfer or discharge when:

(a) The safety of individuals in the state veterans home would be endangered;

(b) The health of individuals in the state veterans home would be endangered;

(c) (~~The resident's health improves sufficiently to allow a more immediate transfer or discharge; or~~

~~(d) When a facility resident is discharged pursuant to WAC 484-20-120 (2)(e)-))~~ An immediate transfer or discharge is required by the resident's urgent medical needs; or

(d) A resident has not resided in the facility for thirty days.

(3) (~~Contents of the notice.~~) All written notices (~~shall state~~) must include:

(a) The reason for the proposed action;

~~(b) ((The reason for the action, to include a summary of the relevant facts and RCW and/or WAC authority for the proposed action;~~

~~(e))~~ The effective date of the proposed action;

~~((d) A statement that the resident has the right to appeal the proposed action, including information on how to file for an appeal and how to contact client advocacy groups such as the state survey and certification agency or the state ombudsman program; and~~

~~(e) A statement that the proposed action shall be deferred pending resolution of the appeal, when the appeal is received by the superintendent on or before the date of the proposed action-))~~

(c) If the proposed action is a transfer or discharge, the location to which the resident is to be transferred or discharged;

(d) The name, address and telephone number of the state long-term care ombudsman.

(4) For Medicaid certified nursing facility residents notice of transfer or discharge is governed by WAC 388-97-270.

(5) For all transfers or discharges, staff must give sufficient preparation and orientation to residents to ensure a safe transfer or discharge from the state veterans home.

AMENDATORY SECTION (Amending WSR 94-22-050, filed 10/31/94, effective 12/1/94)

**WAC 484-20-120 Transfer and discharge of state veterans home residents ((and denial of colony benefits)).**

(1) ~~Transfer and discharge ((Medicaid certified nursing facility residents. Transfer and/or discharge of Medicaid certified nursing facility residents is governed by WAC 388-97-270.~~

~~(2) Transfer and discharge Facility residents. Residents of the facility may be transferred or discharged:~~

~~(a) At their own request;~~

~~(b) When the transfer or discharge is necessary for the resident's welfare and the resident's needs cannot be met in the facility;~~

~~(c) When the transfer or discharge is appropriate because the resident's health has improved sufficiently so the resident no longer needs the services provided by the facility;~~

~~(d) The safety of individuals in the state veterans home is endangered;~~

~~(e) The health of individuals in the state veterans home would otherwise be endangered;~~

~~(f) The resident has failed, after reasonable and appropriate notice, to pay for a stay at the facility;~~

~~(g) When an initial order issued pursuant to WAC 484-20-105 becomes final;~~

~~(h) When a resident has been absent "against medical advice" for a period in excess of fourteen days; or~~

~~(i) If a facility resident strikes, threatens another person with bodily harm, or is found in possession of a dangerous weapon or illegal drugs. Confirmation of such actions may be cause for immediate discharge from the facility in accordance with RCW 34.05.479. In such circumstances notice pursuant to WAC 484-20-103 shall be given as soon as practicable.)) of state veterans home residents shall be in accordance with RCW 70.129.110. The state veterans home must not transfer or discharge a resident unless:~~

(a) The transfer or discharge is necessary for the resident's welfare and the resident's needs cannot be met in the facility;

(b) The safety of individuals in the facility is endangered;

(c) The health of individuals in the facility would otherwise be endangered;

(d) The resident has failed to make the required payment for his/her stay; or

(e) The facility ceases to operate.

(2) In addition, WAC 388-97-270 applies to the transfer and discharge of Medicaid certified facility residents.

~~(3) ((Denial of benefits Colony residents. Colony residents may be denied colony program benefits for any reason listed in subsection (2)(a) through (i) of this section as may be caused by refusal to comply with provisions of WAC 484-20-089.~~

~~(4) Notice of transfer, discharge or denial of colony benefits.)) Notice of any transfer((;)) or discharge ((or denial of colony benefits)) given ((pursuant to)) under the authority of this section ((shall)) must be given in accordance with WAC 484-20-103 and ((shall be)) is subject to the provisions of WAC 484-20-105.~~

## WSR 97-06-019

### PERMANENT RULES

### DEPARTMENT OF HEALTH

[Filed February 25, 1997, 2:25 p.m.]

Date of Adoption: September 24, 1996.

Purpose: The proposed rule establishes licensing fees for a new licensing category, health care entities.

Citation of Existing Rules Affected by this Order: Amending chapter 246-907 WAC.

Statutory Authority for Adoption: RCW 43.70.040.

Adopted under notice filed as WSR 96-17-076 on August 20, 1996.

Changes Other than Editing from Proposed to Adopted Version: Licensing fees were reduced to be equal to the licensing fee for pharmacies.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 2, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 2, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

February 24, 1997

Bruce Miyahara  
Secretary

AMENDATORY SECTION (Amending WSR 94-14-038, filed 6/29/94, effective 7/30/94)

**WAC 246-907-020 Licensing periods.** (1) The following are established by the secretary as the licensing periods for each license specified:

(a) Pharmacist licenses will expire on February 1 of each year.

(b) Pharmacy location, controlled substance registration (pharmacy), pharmacy assistant utilization, and shopkeeper differential hours licenses will expire on June 1 of each year.

(c) All other licenses, including health care entity licenses, registrations, permits, or certifications will expire on October 1 of each year.

(2) Before the expiration date of one of the above-listed authorizations, a renewal notice will be mailed to the last mailing address of record of every authorization holder. The authorization holder is responsible for renewing the authorization prior to the expiration date regardless of whether the renewal notice has been received.

(3) Any license, permit, or registration that is not renewed on or before the expiration date established herein shall expire and shall no longer be valid to practice or conduct the activity for which it is issued. Any license, permit, or registration that has not been renewed by the expiration date shall be renewed only upon payment of the renewal fee and penalty fee as specified in WAC 246-907-030.

**AMENDATORY SECTION** (Amending WSR 94-05-036, filed 2/8/94, effective 3/11/94)

**WAC 246-907-030 Fees.** The following fees shall be charged by the professional licensing division of the department of health:

<b>(a) PHARMACY LOCATION</b>	
Original pharmacy fee	\$275.00
Original pharmacy assistant utilization fee	50.00
Renewal pharmacy fee	200.00
Renewal pharmacy assistant utilization fee	60.00
Penalty pharmacy fee	275.00
<b>(b) VENDOR</b>	
Original fee	60.00
Renewal fee	60.00
Penalty fee	60.00
<b>(c) PHARMACIST</b>	
Exam fee (full exam)	200.00
Reexamination fee (jurisprudence portion)	40.00
Original license fee	100.00
Renewal fee, active and inactive license	105.00
Renewal fee, retired license	20.00
Penalty fee	105.00
Reciprocity fee	250.00
Certification of license status to other states	20.00
Retired license	20.00
Temporary permit	50.00
<b>(d) SHOPKEEPER</b>	
Original fee	25.00
Renewal fee	25.00
Penalty fee	12.50
<b>SHOPKEEPER - with differential hours</b>	
Original fee	25.00
Renewal fee	25.00
Penalty fee	12.50

<b>(e) DRUG MANUFACTURER</b>	
Original fee	450.00
Renewal fee	450.00
Penalty fee	450.00
<b>(f) DRUG WHOLESALER - full line</b>	
Original fee	450.00
Renewal fee	450.00
Penalty fee	450.00
<b>(g) DRUG WHOLESALER - OTC only</b>	
Original fee	250.00
Renewal fee	250.00
Penalty fee	250.00
<b>(h) DRUG WHOLESALER - export</b>	
Original fee	450.00
Renewal fee	450.00
Penalty	450.00
<b>(i) PHARMACY ASSISTANT - Level "A"</b>	
Original fee	40.00
Renewal fee	30.00
Penalty fee	40.00
<b>(j) PHARMACY INTERN</b>	
Original registration fee	15.00
Renewal registration fee	15.00
<b>(k) CONTROLLED SUBSTANCES ACT (CSA) REGISTRATIONS</b>	
Dispensing registration fee (i.e. <u>pharmacies and health care entities</u> )	65.00
Dispensing renewal fee (i.e. <u>pharmacies and health care entities</u> )	50.00
Distributors registration fee (i.e. wholesalers)	90.00
Distributors renewal fee (i.e. wholesalers)	90.00
Manufacturers registration fee	90.00
Manufacturers renewal fee	90.00
ARNP with prescriptive authorization registration fee	20.00
ARNP with prescriptive authorization renewal fee	20.00
Sodium pentobarbital for animal euthanization registration fee	30.00
Sodium pentobarbital for animal euthanization renewal fee	30.00
Other CSA registrations	30.00
<b>(l) LEGEND DRUG SAMPLE - distributor registration fees</b>	
Original fee	275.00
Renewal fee	200.00
Penalty fee	200.00
<b>(m) POISON MANUFACTURER/SELLER - license fees</b>	
Original fee	30.00
Renewal fee	30.00
<b>(n) Facility inspection fee</b>	
	150.00
<b>(o) PRECURSOR CONTROL PERMIT</b>	
Original fee	50.00
Renewal fee	50.00

PERMANENT

(p) LICENSE REISSUE	
Reissue fee	15.00
(q) <u>HEALTH CARE ENTITY</u>	
<u>Original fee</u>	<u>275.00</u>
<u>Renewal</u>	<u>200.00</u>
<u>Penalty</u>	<u>275.00</u>

**WSR 97-06-037  
PERMANENT RULES  
FISH AND WILDLIFE  
COMMISSION  
(Wildlife)**

[Order 97-27—Filed February 27, 1997, 10:50 a.m.]

Date of Adoption: February 1, 1997.

Purpose: To amend WAC 232-28-263 1997 Raffle permits.

Citation of Existing Rules Affected by this Order: Amending WAC 232-28-263.

Statutory Authority for Adoption: RCW 77.12.020, 77.12.030, 77.12.040, 77.32.220.

Adopted under notice filed as WSR 97-01-116 on December 19, 1996.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

February 18, 1997

Lisa Pelly  
Chair

AMENDATORY SECTION (Amending Order 96-143, filed 8/30/96, effective 9/30/96)

**WAC 232-28-263 1997 Raffle permits**

**RAFFLE PERMIT HUNTS**

The following raffle permits will be issued to individuals selected through a drawing:

~~((3) Bighorn Sheep Hunt~~

~~(a) Bag limit: One bighorn ram~~

~~(b) Open area: Anywhere south of interstate 90 in eastern Washington.~~

~~(c) Open season: September 1 October 31, 1997.~~

~~(d) Weapon: Hunter may use any legal weapon.~~

~~(e) Number of permits: 1~~

~~(f) Raffle tickets cost \$10.00 including a 50 cent vendor fee.~~

~~(g) Permittee shall contact the appropriate regional office of the Department of Fish and Wildlife when entering the designated hunt area.~~

~~(h) The permittee may be accompanied by others; however, only the permittee is allowed to carry a firearm and harvest an animal.~~

~~(i) Any attempt by members of the permittee's party to herd or drive wildlife is prohibited.~~

~~(j) If requested by the department, the permittee is required to accompany Department officials to the site of the kill.~~

~~(k) The permittee will present the head and carcass of the bighorn sheep killed to any department office within 72 hours of date of kill.~~

~~4 Moose Hunt~~

~~(a) Bag limit: One moose of either sex~~

~~(b) Open area: Hunter may hunt in any open moose unit.~~

~~(c) Open season: October 1 November 30, 1997.~~

~~(d) Weapon: Hunter may use any legal weapon.~~

~~(e) Number of permits: 1~~

~~(f) Raffle tickets cost \$5.00 including a 50 cent vendor fee.~~

~~(g) Permittee shall contact the appropriate regional office of the department of fish and wildlife when entering the designated hunt area.~~

~~(h) If requested by the department, the permittee is required to accompany Department officials to the site of the kill.)~~

~~(1) Deer Raffle Permit Hunt~~

~~(a) Bag limit: One additional any buck deer.~~

~~(b) Open area: Statewide in any open area, except all Private Lands Wildlife Management Areas (PLWMAs), GMUs 157 and 485 are closed.~~

~~(c) Open season: The deer raffle permit holder may hunt in any 1997 general or permit archery, muzzleloader, or modern firearm season.~~

~~(d) Weapon: The raffle hunter may use only archery equipment during archery seasons, muzzleloader equipment during muzzleloader seasons and any legal weapon during modern firearm seasons.~~

~~(e) Number of permits: 1~~

~~(f) Raffle tickets cost \$5.00 including a 50 cent vendor fee.~~

~~(2) Elk Raffle Permit Hunt~~

~~(a) Bag limit: One additional any bull elk.~~

~~(b) Open area: Statewide in any open area, except all Private Lands Wildlife Management Areas (PLWMAs) and GMUs 157 and 485 are closed.~~

~~(c) Open season: The elk raffle permit holder may hunt in any 1997 general or permit archery, muzzleloader, or modern firearm season.~~

~~(d) Weapon: The raffle permit hunter may use only archery equipment during archery seasons, muzzleloader equipment during muzzleloader seasons and any legal weapon during modern firearm seasons.~~

~~(e) Number of permits: 1~~

~~(f) Raffle tickets cost \$5.00 including a 50 cent vendor fee.~~

(3) Bighorn Sheep Hunt

(a) Bag limit: One bighorn ram.

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(b) Open area: Sheep Unit 4 (Selah Butte), Sheep Unit 5 (Umtanum), Sheep Unit 7 (Clemon Mountain), or Sheep Unit 12 (Lincoln Cliffs).

(c) Open season: September 1-October 31, 1997.

(d) Weapon: Hunter may use any legal weapon.

(e) Number of permits: 1.

(f) Raffle tickets cost \$10.00 including a 50 cent vendor fee.

(g) Permittee shall contact the appropriate regional office of the department of fish and wildlife when entering the designated hunt area.

(h) The permittee may be accompanied by others; however, only the permittee is allowed to carry a firearm and harvest an animal.

(i) Any attempt by members of the permittee's party to herd or drive wildlife is prohibited.

(j) If requested by the department, the permittee is required to accompany department officials to the site of the kill.

(k) The permittee will present the head and carcass of the bighorn sheep killed to any department office within 72 hours of date of kill.

(4) Moose Hunt.

(a) Bag limit: One moose of either sex.

(b) Open area: Hunter may hunt in any open moose unit.

(c) Open season: October 1-November 30, 1997.

(d) Weapon: Hunter may use any legal weapon.

(e) Number of permits: 1.

(f) Raffle tickets cost \$5.00 including a 50 cent vendor fee.

(g) Permittee shall contact the appropriate regional office of the department of fish and wildlife when entering the designated hunt area.

(h) If requested by the department, the permittee is required to accompany department officials to the site of the kill.

**WSR 97-06-038  
PERMANENT RULES  
FISH AND WILDLIFE  
COMMISSION**

[Order 97-25—Filed February 27, 1997, 10:54 a.m.]

Date of Adoption: February 1, 1997.

Purpose: To amend WAC 232-28-260 Special hunting seasons.

Citation of Existing Rules Affected by this Order: Amending WAC 232-28-260.

Statutory Authority for Adoption: RCW 77.12.020, 77.12.030, 77.12.040, 77.32.220.

Adopted under notice filed as WSR 97-01-117 on December 19, 1996.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-28-260 differs from the proposed version filed with the code reviser in the following specifics:

1. On page 4(a), RCW 77 is changed to read Title 77 RCW.

2. On page 5(a), add deer and elk before special permits.

3. On page 5(i), insert "may only" in place of "will." Delete the word "only."

4. Delete paragraph (ii).

5. Change paragraph (iii) to (ii).

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

February 18, 1997

Lisa Pelly  
Chair

**AMENDATORY SECTION** (Amending Order 96-142, filed 8/30/96, effective 9/30/96)

**WAC 232-28-260 Special hunting seasons.** (1) The commission may establish special hunting seasons limited to species and/or weapon type.

(2) The commission establishes the following types of special hunting seasons, called permit hunts, for purposes of taking specified wildlife:

(a) General permit hunts;

(b) Persons of disability permit hunts;

(c) Youth permit hunts;

(d) Senior citizen permit hunts;

(e) Advanced hunter education permit hunts.

(3) In addition to the requirements for general permit hunts, the following are hunt requirements for:

(a) Persons of disability permit hunts: Only applicants with a Washington disabled hunter permit are eligible to apply for any persons of disability permit hunts.

(b) Youth permit hunts: Only applicants sixteen years old or younger on opening day of the permit hunt will be eligible to apply for the youth permit hunts.

(c) Senior citizen permit hunts: Only applicants sixty-five years of age or older on opening day of the permit hunt will be eligible to apply for senior citizen permit hunts.

(d) Advanced hunter education permit hunts: Only applicants who have successfully completed the Washington department of fish and wildlife advanced hunter education (AHE) course will be eligible to apply for AHE permit hunts.

(4) Deer and elk special hunting seasons permit hunt application:

(a) To apply for permit hunts for deer, applicants must have a valid Washington hunting license and a valid deer transport tag. Each applicant must have the proper transport tag as identified in the current deer hunting permit tables.

(b) To apply for permit hunts for elk, applicants must have a valid Washington hunting license and a valid elk transport tag. Each applicant must have the proper transport tag as identified in the current elk hunting permit tables.

(c) No refunds or exchanges for deer or elk transport tags will be made for persons applying for permit hunts.

(d) Holders of deer or elk permit hunts may hunt only with a weapon in compliance with their transport tag during the permit hunts.

(5) Mountain goat, moose, mountain sheep, and cougar permit hunts applications:

(a) To apply for permit hunts for mountain goat, moose, mountain sheep, or cougar, applicants must have a valid Washington hunting license. Those who have previously drawn a Washington mountain sheep or moose permit are ineligible to apply for that species. This restriction on eligibility does not apply to permits awarded pursuant to a raffle hunt.

(b) No refunds or exchanges for mountain goat, moose, mountain sheep, or cougar transport tags will be made for persons drawing for permit hunts.

(c) Permit hunting report: A hunter report will be sent to each mountain goat, moose, mountain sheep, and cougar permit hunts holder and must be returned to the department of fish and wildlife within ten days after the close of the permit hunts.

(6) General permit hunts application:

(a) Partnership applications will be accepted for any species. A partnership consists of two hunters. If a partnership application is drawn, both hunters will receive a permit and both hunters can take an animal.

(b) Application deadline: To qualify for the drawing all applications must be postmarked no later than the first Friday of May or received at a department of fish and wildlife office no later than 5:00 p.m. on the first Friday of May of the year of the drawing.

(c) An applicant's name may appear on only one single special permit (~~((hunt))~~) hunt application or one partnership application for each species. If an applicant's name appears on more than one application for a species, the application will be made ineligible for the drawing and no points will be accrued for that year for that species.

(d) For partnership applications that are ineligible because one of the partners has his/her name on more than one application for that species, both applicants will be made ineligible for the drawing and no points will be accrued for that year for that species.

(e) Permits will be drawn by computer selection using a weighted point selection system.

(f) Incomplete applications:

(i) To be eligible for the deer or elk permit hunts drawing, each application must include a valid hunt number, complete name, correct mailing address, date of birth, a marked species check box, a valid Washington hunting license number, and a valid deer or elk transport tag number for each applicant.

(ii) To be eligible for the special mountain goat, moose, mountain sheep, or cougar permit hunts drawing, each application must include a valid hunt number, complete name, correct mailing address, date of birth, a marked species check box, and a valid Washington hunting license number for each applicant.

(iii) To be eligible to accrue points, each application must include either a valid social security number, driver's license number, or a state-issued identification number for each applicant. Applicants choosing not to submit one of the above-listed numbers will be eligible for the drawing, but will not accrue points. The same identification number must be used each year to accrue points. If a different number is used (i.e., driver's license number instead of social security number), point accrual will begin anew for the applicant while maintaining the point accrual under the former identification number.

(g) Inaccurate applications:

(i) If an applicant makes a mistake, applies for the wrong hunt, and is drawn, the permit can be returned to the department of fish and wildlife Olympia headquarters before the opening day of the hunt. The applicant's points will be restored to the condition they were in prior to the drawing.

(ii) If an applicant inaccurately submits his/her identification number on an application, no points will be accrued for that year for that species under the correct identification number.

(7) The commission establishes auction and raffle Private Lands Wildlife Management Areas (PLWMA) hunts:

(a) The commission may authorize, by agreement with PLWMA, the sale, auction, or raffle of hunts on PLWMAs.

(b) PLWMA auction/raffle hunts are awarded to hunt big game or wild turkey. The PLWMA manager will conduct the raffle drawing. Raffle tickets will be sold for not more than \$25.00 each.

(c) The PLWMA manager conducting an authorized big game auction or raffle will provide an annual report to the department of fish and wildlife prior to December 31. The report will include information on how the event was administered, where and when it occurred, who the winners are, the cost of tickets and numbers sold.

(8) The commission establishes raffle hunts:

(a) The commission may establish big game and wild turkey raffle permit hunts. The director may conduct the raffle or may contract to a non-profit wildlife conservation organization (registered 5013c) for marketing. The organization may retain the vendor fee for each raffle ticket sold to cover expenses incurred.

(b) There is no limit on the number of tickets a person may purchase. Raffle tickets cost no more than \$25.00 each with a 50 cent vendor fee included in the price. All raffle permits are void on January 1 following the date of issuance.

(c) The organization interested in conducting a raffle for an authorized permit hunt shall submit a proposal outlining its experience and plans to conduct a raffle. The department of fish and wildlife shall solicit bids consistent with established state competitive bid rules. The proposal shall include:

(i) Name of the organization, articles of incorporation, and contact person.

(ii) The date, time and place of the proposed raffle drawing.

(iii) The approximate number of people expected to attend the function.

(iv) Past experience in conducting raffles and special functions.

(v) Other marketing strategies to be used.

(vi) Portion of funds to be retained by the organization.



(d) The director will select an organization to conduct a raffle.

(i) Revenue potential to the department will be a key criterion in applicant selection.

(ii) The department shall enter into a contract with the raffling organization identifying specific terms of the contract.

(iii) The director may authorize a nonprofit wildlife conservation organization to sell raffle tickets for the department and retain a vending fee of 50 cents for each ticket sold.

(e) The department or organization conducting a raffle shall notify the public about the raffle hunt opportunity and offer raffle tickets for sale.

(i) The department or organization shall inform the public of date, time and place of the raffle and hold the drawing as specified.

(ii) Raffle tickets sales conducted through agency license vendors or the director authorized nonprofit wildlife conservation organization vendor must be received at the department's Olympia office headquarters on or before the last business day prior to the public drawing. Contracting organizations conducting hunting raffles must account for raffle tickets and funds received. A representative of the department will monitor the drawing.

(iii) Additional tickets may be purchased at the raffle site prior to the drawing.

(iv) One winner and two alternates shall be drawn at the drawing.

(v) The raffling organization shall notify the department of the name, address and phone number of the raffle permit winner and two alternates immediately (but no later than ten business days) after the drawing. The department will notify the winner and two alternates by mail. The winner must claim the raffle permit during the regular business hours within 30 days of the drawing or he/she shall be disqualified and the department will offer the raffle permit to the first alternate. The first alternate must claim the raffle permit within 10 business days of notification or he/she shall be disqualified and the department will notify the second alternate. The second alternate must claim the permit within 10 business days of notification or he/she shall be disqualified and the department will not offer the raffle permit.

(vi) The department's share of the raffle revenue shall be returned to the department within 30 days of the drawing.

(f) Residents and nonresidents shall be eligible to purchase raffle tickets.

(g) There shall be no refunds for any raffle ticket purchases.

(h) The raffle winners must purchase a valid hunting license and species transport tag prior to issuance of the raffle permit. An additional big game transport tag may be purchased for a raffle permit hunt.

(i) The department will issue the permit to the person whose name appears on the winning ticket. Raffle tickets may not be resold or reassigned.

(j) All revenue to the department from a species permit raffle shall be used for the management and benefit of that species.

(9) Citizen reward for reporting violations - bonus points:

A person who provides information which contributes substantially to the arrest of another person for illegally killing big game or an endangered species as defined by Title 77 RCW is eligible to receive ten bonus points toward the department drawing for deer and elk special permits.

(a) Ten bonus points may only be awarded to only one person providing information for each person charged regardless of the number of violations involved.

(b) Selection of bonus points is in lieu of application for a cash award which may be authorized by RCW 77.21.080.

**WSR 97-06-039**  
**PERMANENT RULES**  
**FISH AND WILDLIFE**  
**COMMISSION**  
(Wildlife)

[Order 97-26—Filed February 27, 1997, 10:57 a.m.]

Date of Adoption: February 1, 1997.

Purpose: To amend WAC 232-28-262 1997 Bighorn sheep auction permits.

Citation of Existing Rules Affected by this Order: Amending WAC 232-28-262.

Statutory Authority for Adoption: RCW 77.12.020, 77.12.030, 77.12.040, 77.32.220.

Adopted under notice filed as WSR 97-01-115 on December 19, 1996.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

February 18, 1997

Lisa Pelly  
Chair

AMENDATORY SECTION (Amending WSR 96-12-054, filed 5/31/96, effective 7/1/96)

**WAC 232-28-262 1997 Bighorn sheep auction permits.**

**AUCTIONING OF PERMIT**

The Director will select a conservation organization(s) to conduct the 1997 auction. Selection of the conservation organization will be based on criteria developed by the Washington Department of Fish and Wildlife. The organization shall notify the Department of the name and address of the successful bidder within ten days of the auction.

## AUCTION PERMIT HUNT(S)

SPECIES - ONE BIGHORN SHEEP PERMIT

Hunting Season Dates: September 1 - October 31, 1997

Hunt Area: ~~((Any where in eastern Washington south of Interstate 90))~~ Sheep Unit 4 (Selah Butte), Sheep Unit 5 (Umtanum), Sheep Unit 7 (Clemon Mountain), or Sheep Unit 12 (Lincoln Cliffs).

Bag Limit: One Bighorn Ram

## AUCTION HUNT PERMITTEE RULES

(1) Permittee shall contact the appropriate regional office of the Department of Fish and Wildlife when entering the designated hunt area.

(2) The permittee may be accompanied by others; however, only the permittee is allowed to carry a firearm and harvest an animal.

(3) Any attempt by members of the permittee's party to herd or drive wildlife is prohibited.

(4) If requested by the Department, the permittee is required to direct Department officials to the site of the kill.

(5) The permittee will present the head and carcass of the bighorn sheep killed to any Department office within 72 hours of date of kill.

**WSR 97-06-041**  
**PERMANENT RULES**  
**FISH AND WILDLIFE**  
**COMMISSION**  
(Wildlife)

[Order 97-39—Filed February 27, 1997, 2:20 p.m.]

Date of Adoption: December 7, 1996.

Purpose: To amend WAC 232-28-02206 Game management units (GMUs)—Special game areas—Boundary descriptions—Region six.

Citation of Existing Rules Affected by this Order: Amending WAC 232-28-02206.

Statutory Authority for Adoption: RCW 77.12.040.

Adopted under notice filed as WSR 96-21-173 on October 23, 1996.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-28-02206 differs from the version filed with the code reviser in the following specifics:

1. At the end of the GMU 603 (Pysht) description, the following was added; "and EXCEPT Private Lands Wildlife Management Area 600, Merrill and Ring."

2. The spelling of the word Soleduck was changed to Sol Duc in GMU 607.

3. The description of GMU 627 (Kitsap) was amended by deleting "and King" to the counties, and by amending lines 5 and 6 as follows: . . . Island, ~~((Vashon Island, and Murry Island))~~ through Clovis Passage to ((Daleo Passage)) The Narrows; then . . .

4. GMU 663 (Capitol Peak) was amended on lines 4 through 8 as follows: . . . on the Delphi Road S.W. to 110th Avenue; then east on 110th Avenue ((Waddell Creek Road S.W.; then south on the Waddell Creek Road S.W.)) to Littlerock Road; ~~((and the Gate Mima Road S.W.; southwest~~

~~on the Gate Mima Road S.W. to Gate and Moon Road S.W.; then south on Moon Road S.W.))~~ then south on Littlerock Road to U.S. Highway 12; . . .

5. GMU 666 (Deschutes) was amended on lines 3 through 16 as follows: . . . the Thurston County line through Totten Inlet and Puget Sound to the mouth of the Nisqually River; then southeast on the Nisqually River to ~~((the Old Pacific))~~ Highway 507; then west and south on Highway 507 to Cherry Street; then west on Cherry, Alder, and Mellen streets to Interstate 5; then north on Interstate 5 to Highway 12 ((southwest on the Old Pacific Highway (Mounts Road) to State Highway 510; then southeast on State Highway 510 to the Yelm Highway; then southwest and west on the Yelm Highway to Spurgeon Creek Road; then south on Spurgeon Creek Road to Rainier Road; then northwest on Rainier Road to Stedman Road; then west and south on Stedman Road to Waldriek Road; then west on Waldriek Road to Pacific Highway S.E. (Old Highway 99); then north on Pacific Highway S.E. (Old Highway 99) to McCorkle Road; then west on McCorkle Road to 113th Avenue; then west on 113th Avenue)) to Littlerock Road; then north on the Littlerock Road to 110th Avenue; then ~~((west))~~ east on 110th Avenue . . .

6. The boundary description of GMU 667 (Skookumchuck) was rewritten as follows: Beginning at the Highway 507 Bridge on the Nisqually River; then southeast along the Nisqually River to Alder Lake; then southeast along the north shore of Alder Lake to Elbe and State Highway 7; then south on State Highway 7 to Morton and State Highway 508; then west on State Highway 508 to the Centralia-Alpha Road; then west on the Centralia-Alpha Road to Pearl Street; then north on Pearl Street to State Highway 507; then east on State Highway 507 to the Nisqually River Bridge and the point of beginning.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

December 30, 1996

Lisa Pelly

for Mitchell S. Johnson

Chairman

AMENDATORY SECTION (Amending Order 94-139, filed 1/10/95, effective 2/10/95)

**WAC 232-28-02206 Game management units (GMUs)—Special game areas—Boundary descriptions—Region six.**

**GMU 601-HOKO (Clallam County):** Beginning on the Makah Indian Reservation Boundary and the Strait of Juan de Fuca; then southeast along the shore of the Strait of Juan de Fuca to the mouth of the Hoko River; then south along the Hoko River to State Highway 112; then southeast on State Highway 112 to the Hoko-Ozette Road; then southwest on the Hoko-Ozette Road to the Olympic National Park Boundary near Ozette; then north on the Olympic National Park Boundary to the Makah Indian Reservation Boundary; then east and north on the Makah Indian Reservation Boundary to the Strait of Juan de Fuca and the point of beginning. ~~((See Olympic National Forest, Olympic National Park maps and Washington Atlas & Gazetteer))~~

**GMU 602-DICKEY (Clallam County):** Beginning at the mouth of the Hoko River and the Strait of Juan de Fuca; then southeast along the shore of the Strait of Juan de Fuca to the mouth of the Clallam River; then south along the Clallam River to State Highway 112; then south on State Highway 112 to the Burnt Mountain Road; then south on the Burnt Mountain Road to Sappho and U.S. Highway 101; then southwest on U.S. Highway 101 to the LaPush Road; then southwest on the LaPush Road to the Olympic National Park Boundary; then north on the Olympic National Park Boundary to the Hoko-Ozette Road; then northeast on the Hoko-Ozette Road to the Strait of Juan de Fuca and the point of beginning. ~~((See Olympic National Forest, Olympic National Park maps and Washington Atlas & Gazetteer))~~

**GMU 603-PYSHT (Clallam County):** Beginning at the mouth of the Clallam River and the Strait of Juan de Fuca; then east along the shore of the Strait of Juan de Fuca to the mouth of the Elwha River; then south along the Elwha River to the Olympic National Park Boundary; then west on the Olympic National Park Boundary to one mile west of Lake Crescent; then south on the Olympic National Park Boundary to U.S. Highway 101; then west on U.S. Highway 101 to the Burnt Mountain Road; then north on the Burnt Mountain Road to State Highway 112; then north on State Highway 112 to the Clallam River; then north along the Clallam River to its mouth and the point of beginning, EXCEPT that part of the lower Elwha Indian Reservation within this boundary and EXCEPT Private Lands Wildlife Management Area 600, Merrill and Ring. ~~((See Olympic National Forest, Olympic National Park maps and Washington Atlas & Gazetteer))~~

**GMU 607-((SOLEDUCK)) SOL DUC (Clallam County):** Beginning at Sappho and U.S. Highway 101; then east on U.S. Highway 101 to the Olympic National Park Boundary; then south and west on the Olympic National Park Boundary to the Bogachiel River; then west along the Bogachiel River to U.S. Highway 101; then north on U.S. Highway 101 through Forks to Sappho and the point of beginning. ~~((See Olympic National Forest, Olympic National Park maps and Washington Atlas & Gazetteer))~~

**GMU 612-GOODMAN (Jefferson and Clallam counties):** Beginning two miles east of LaPush on the Olympic National Park Boundary and the LaPush Road; then northeast on the LaPush Road to U.S. Highway 101 at Forks; then south on U.S. Highway 101 across the Hoh River and west to Olympic National Park Boundary; then north on the Olympic National Park Boundary to the LaPush Road and the point

of beginning. ~~((See Olympic National Forest, Olympic National Park maps and Washington Atlas & Gazetteer))~~

**GMU 615-CLEARWATER (Jefferson County):** Beginning on U.S. Highway 101 and the Bogachiel River; then east along the Bogachiel River to the Olympic National Park Boundary; then southeast and west on the Olympic National Park Boundary to the Quinault Indian Reservation Boundary; then west on the Quinault Indian Reservation Boundary to the Olympic National Park Boundary; then north along the Olympic National Park Boundary to U.S. Highway 101; then east, north, and west on U.S. Highway 101 to the Bogachiel River and the point of beginning. ~~((See Olympic National Forest, Olympic National Park maps and Washington Atlas & Gazetteer))~~

**GMU 618-MATHENY (Jefferson and Grays Harbor counties):** Beginning at the boundary junction of Olympic National Park and the Quinault Indian Reservation near the Queets River Road; then north, east, south, and west along the Olympic National Park Boundary to the Park and Reservation boundary junction just west of Lake Quinault; then northwest along the Quinault Indian Reservation boundary to its junction with the boundary of Olympic National Park near the Queets River Road, and the point of beginning. ~~((See the Olympic National Forest map))~~

**GMU 621-OLYMPIC (Jefferson, Clallam and Mason counties):** Beginning at the Olympic National Park Boundary and the Elwha River; then north along the Elwha River to U.S. Highway 101; then east on U.S. Highway 101 through Port Angeles, and Sequim to Quilcene and the Chimacum Center Road; then north on the Chimacum Center Road to the East Quilcene Road; then east on the East Quilcene Road to Quilcene Bay; then south along the shore of Quilcene Bay to Dabob Bay; then south along the shore of Dabob Bay to Hood Canal; then southwest along the shore of Hood Canal to U.S. Highway 101 at Hoodspout; then west across U.S. Highway 101 to the Lake Cushman Road; then northwest on the Power Dam Road; then west on Power Dam Road to Upper Cushman Dam and the shore of Lake Cushman; then northwest on the west shore of Lake Cushman to the North Fork Skokomish River; then north along the North Fork Skokomish River to the Olympic National Park Boundary; then north and west on the Olympic National Park Boundary to the Elwha River and the point of beginning. ~~((See Olympic National Forest, Olympic National Park map and Washington Atlas & Gazetteer))~~

**GMU 624-COYLE (Clallam and Jefferson counties):** Beginning at the mouth of the Elwha River and the Strait of Juan de Fuca; then east along the shore including islands and spits to Admiralty Inlet and Puget Sound; then south along the shore of Admiralty Inlet and Puget Sound to Hood Canal; (including Marrowstone Island and ~~((excluding))~~ Indian Island) then southwest along the shore of Hood Canal to Dabob Bay; then north along the shore of Dabob Bay and Quilcene Bay to East Quilcene Road; then west on the East Quilcene Road to the Chimacum Center Road; then south on the Chimacum Center Road to U.S. Highway 101; then north and west on U.S. Highway 101 through Sequim and Port Angeles to the Elwha River; then north along the Elwha River to its mouth and the Strait of Juan de Fuca and the

point of beginning. ~~((See Olympic National Forest, Olympic National Park map and Washington Atlas & Gazetteer))~~

**GMU 627-KITSAP (Kitsap, Mason, and Pierce ~~(and King)~~ counties):** Beginning at the Hood Canal Bridge; then north along the shore of Hood Canal to Admiralty Inlet, and Puget Sound; then south along the shore of Puget Sound, including Bainbridge Island, Blake Island, ~~(Vashon Island, and Murry Island)~~ through Clovis Passage to ~~((Daleo Passage))~~ The Narrows; then south along the shore of Carr Inlet; including Fox Island; through Pitt Passage and Drayton Passage to Nisqually Reach (Pierce-Thurston County line); then northwest along the Nisqually Reach and the Pierce County line to North Bay; then along the east shore of North Bay to the town of Allyn and State Highway 3; then north on State Highway 3 to Belfair; then north on the Old Belfair Highway to the Bear Creek-Dewatto Road; then west on the Bear Creek-Dewatto Road to the Dewatto Road West; then north along the Dewatto Road to its intersection with the Albert Pfundt Road; then north on the Albert Pfundt Road to the easternmost point of Anderson Cove; then north from Anderson Cove along the east shore of Hood Canal to the Hood Canal Bridge and the point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**GMU 633-MASON (Mason and Kitsap counties):** Beginning at the easternmost point of Anderson Cove and south on the Albert Pfundt Road to the West Dewatto Road; then south on the West Dewatto Road to the Bear Creek-Dewatto Road; then east along the Bear Creek-Dewatto Road to the Old Belfair Highway; then south on the Old Belfair Highway to Belfair; then south on State Highway 3 to Allyn and North Bay; then south along the west shore of North Bay including Reach and Stretch Islands, to Case Inlet ~~(includes Hartstene Island)~~ and the Mason-Pierce-Thurston County line intersection; then west through Dana Passage to Squaxin Passage; then northwest through Squaxin Passage including Hope and Squaxin Islands following the Mason County line; then southwest through Totten Inlet to Oyster Bay and U.S. Highway 101; then north on U.S. Highway 101 to Hoodspport; then east across Hood Canal to Cougar Spit; then north along the east shore of Hood Canal to the point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**GMU 636-SKOKOMISH (Grays Harbor and Mason counties):** Beginning on the Olympic Park Boundary and the North Fork Skokomish River; then south along the North Fork Skokomish River to Lake Cushman; then southeast along the west shore of Lake Cushman to Cushman Upper Dam and the Power Dam Road; then east on the Power Dam Road to Lake Cushman Road; then southeast on Lake Cushman Road to U.S. Highway 101 at Hoodspport; then south on U.S. Highway 101 to Shelton and the Shelton-Matlock Road (County Road 9010); then west on to the Shelton-Matlock Road to Matlock and the Deckerville Road; then west on the Deckerville Road to the Middle Satsop Road; then west and south on the Middle Satsop Road to the Kelly Road; then north on the Kelly Road to USFS Road 2153 (old 600 line); then west on USFS 2153 to Wynoochee Road (USFS 22 Road); then northwest and southwest on USFS 22 Road to Big Creek; then up Big Creek and the east fork of Big Creek to the range line separating R8W and R7W; then north on that range line to Olympic National

Park Boundary; then east on the Olympic National Park Boundary to the point of beginning. ~~((See Washington Atlas & Gazetteer and Olympic National Forest map))~~

**GMU 638-QUINALT RIDGE (Grays Harbor and Jefferson counties):** Beginning on the Olympic National Park Boundary at the northwest corner of Lake Quinalt; then northeast on the Olympic National Park Boundary along the Quinalt River; then south and northeast on the Olympic National Park Boundary to the range line separating R7W and R8W near Spur Road 2204-200 and USFS 2204 Road (DeLorme Road 2302); then south on this range line on the East Fork of Big Creek; then down Big Creek to USFS 22 Road (Donkey Creek Road); then west on the Donkey Creek Road to U.S. Highway 101; then north on U.S. Highway 101 to the Quinalt Indian Reservation Boundary; then northeast on the reservation boundary to Lake Quinalt; then northeast along the south shore of Lake Quinalt to the Olympic National Park Boundary and the point of beginning. ~~((See Olympic National Forest map))~~

**GMU 642-COPALIS (Grays Harbor County):** Beginning at the Quinalt Indian Reservation and U.S. Highway 101; then south on U.S. Highway 101 to the Hoquiam River; then south along the Hoquiam River to the City of Hoquiam and Grays Harbor; then west along the north shore of Grays Harbor to the Pacific Ocean; then north along the shore of the Pacific Ocean to the Quinalt Indian Reservation Boundary; then east and northeast along the Quinalt Indian Reservation to U.S. Highway 101 and the point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**GMU 648-WYNOOCHEE (Grays Harbor County):** Beginning at the junction of U.S. Highway 101 and the Donkey Creek Road; then northeast along the Donkey Creek Road (USFS Road 22) to its junction with the Donkey Creek-Grisdale Road; continuing east on this road (USFS Road 22) to Camp Grisdale (south of Wynoochee Lake); then south along the Grisdale-Montesano Road (USFS Road 22) to USFS Road 2153 (old 600 line); then east on USFS 2153 to Kelly Road; then south on Kelly Road to Middle Satsop Road; then south on Middle Satsop Road to Cougar Smith Road; then west on Cougar Smith Road to the West Fork of the Satsop River; then south down the West Fork and the main stream of the Satsop River to U.S. Highway 12; then west along U.S. Highway 12 to its junction with U.S. Highway 101 in Aberdeen; then west and north along U.S. Highway 101 to its junction with the Donkey Creek Road (USFS Road 22) and the point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**GMU 651-SATSOP (Grays Harbor, Mason and Thurston counties):** Beginning at the U.S. Highway 12 bridge on the Satsop River; then upstream on the Satsop River to its junction with the West Fork of the Satsop River; then up the West Fork of the Satsop River to the Cougar Smith Road; then east on the Cougar Smith Road to the Middle Satsop Road; then north and east on the Middle Satsop and Matlock-Deckerville Roads to the Town of Matlock; then east on the Shelton-Matlock Road (County Road 9010) to its junction with U.S. Highway 101; then south on U.S. Highway 101 to its junction with State Route 8; then west on State Route 8 to its junction with U.S. Highway 12; then

west along U.S. Highway 12 to the Satsop River and the point of beginning. (~~See Washington Atlas & Gazetteer~~)

**GMU 658-NORTH RIVER (Grays Harbor and Pacific counties):** Beginning at the Pacific Ocean and the south shore of Grays Harbor; then east along the south shore of Grays Harbor to Aberdeen and the mouth of the Chehalis River including Rennie Island; then east along the Chehalis River to the U.S. Highway 101 bridge and U.S. Highway 101; then south on U.S. Highway 101 to Raymond and the Willapa River; then west along the Willapa River to Willapa Bay; then west along Willapa Bay to the Pacific Ocean; then north along the Pacific Ocean to the south shore of Grays Harbor and the point of beginning. (~~See Washington Atlas & Gazetteer and Forest Protection Hunting map "Willapa Hills"~~)

**GMU 660-MINOT PEAK (Grays Harbor and Pacific counties):** Beginning at Aberdeen on U.S. Highway 12; then east and south on U.S. Highway 12 to Oakville and the Chehalis Indian Reservation Road; then south on the Reservation Road to the South Bank Road; then southeast on the South Bank Road to the Garrard Creek Road; then southwest on the Garrard Creek Road to the Oakville Brook Road; then west on the Oakville Brook Road to the North River Valley Road; then west on the North River Valley Road to the Smith Creek Road; then west on the Smith Creek Road to U.S. Highway 101; then north on U.S. Highway 101 to Aberdeen and U.S. Highway 12 and the point of beginning. (~~See Washington Atlas & Gazetteer and Forest Protection Hunting map "Willapa Hills"~~)

**GMU 663-CAPITOL PEAK (Grays Harbor and Thurston counties):** Beginning at Elma on State Highway 8; then east on State Highway 8 to U.S. Highway 101; then east on U.S. Highway 101 to the Delphi Road S.W.; then south on the Delphi Road S.W. to (~~Waddell Creek Road S.W.; then south on the Waddell Creek Road S.W.~~) 110th Avenue; then east on 110th Avenue to Littlerock (~~and the Gate Mima Road S.W.; southwest on the Gate Mima Road S.W. to Gate and Moon Road S.W.; then south on Moon Road S.W.~~) Road; then south on Littlerock Road to U.S. Highway 12; then northwest on U.S. Highway 12 to Elma and State Highway 8 and the point of beginning. (~~See Washington Atlas & Gazetteer and Forest Protection Hunting map "Willapa Hills"~~)

**GMU 666-DESCHUTES (Thurston County):** Beginning on U.S. Highway 101 at the Mason-Thurston County line near Oyster Bay; then following the Thurston County line through Totten Inlet and Puget Sound to the mouth of the Nisqually River; then (~~south~~) southeast on the Nisqually River to (~~the Old Pacific~~) Highway 507; then (~~southwest on the Old Pacific Highway (Mounts Road) to State Highway 510; then southeast on State Highway 510 to the Yelm Highway; then southwest and west on the Yelm Highway to Spurgeon Creek Road; then south on Spurgeon Creek Road to Rainier Road; then northwest on Rainier Road to Stedman Road; then west and south on Stedman Road to Waldriek Road; then west on Waldriek Road to Pacific Highway S.E. (Old Highway 99); then north on Pacific Highway S.E. (Old Highway 99) to McCorkle Road; then west on McCorkle Road to 113th Avenue; then west on 113th Avenue~~) west and south on Highway 507 to Cherry Street; then west on

Cherry, Alder, and Mellen streets to Interstate 5; then north on Interstate 5 to Highway 12 to Littlerock Road; then north on the Littlerock Road to 110th Avenue; then (~~west~~) east on 110th Avenue to Delphi Road; then north on Delphi Road to U.S. Highway 101; then northwest on U.S. Highway 101 to the Mason-Thurston County line at Oyster Bay and the point of beginning. (~~See Washington Atlas & Gazetteer and Forest Protection map "Willapa Hills"~~)

**GMU 667-SKOOKUMCHUCK (Thurston and Lewis counties):** Beginning (~~on the Old Pacific Highway (Mounts Road)~~) at the Highway 507 Bridge on the Nisqually River; then southeast along the Nisqually River to Alder Lake; then southeast along the north shore of Alder Lake to Elbe and State Highway 7; then south on State Highway 7 to Morton and State Highway 508; then west on State Highway 508 to the Centralia-Alpha Road; then west on the Centralia-Alpha Road to Pearl Street; then north on Pearl Street to State Highway 507; then (~~northwest~~) east on State Highway 507 to (~~Interstate 5; then north on Interstate 5 to U.S. Highway 12; then west on U.S. Highway 12 to Moon Road; then north on Moon Road to the Gate Mima Road; then northeast on the Gate Mima Road to Waddell Creek Road; then northeast on the Waddell Creek Road to the Delphi Road; then south on the Delphi Road to 110th Avenue; then east on 110th Avenue to the Littlerock Road; then south on the Littlerock Road to 113th Avenue; then east on 113th Avenue to McCorkle Road; then east on the McCorkle Road to the Pacific Highway S.E. (Old Highway 99); then south on Pacific Highway to Waldriek Road; then east on Waldriek Road to the Stedman Road; then north and east on the Stedman Road to the Rainier Road; then southeast on the Rainier Road to the Spurgeon Creek Road; then north on the Spurgeon Creek Road to the Yelm Highway; then east and northeast on the Yelm Highway to State Highway 510; then northwest on State Highway 510 to Pacific Highway (Mounts Road); then northeast on Pacific Highway S.E. (Mounts Road)~~) to the Nisqually River Bridge and the point of beginning. (~~See Washington Atlas & Gazetteer~~)

**GMU (~~669-PALIX~~) 673-WILLIAMS CREEK (Pacific County):** Beginning at Willapa Bay and the mouth of the Willapa River; then southeast along the Willapa River to Raymond and State Highway 6; then southeast on State Highway 6 to the Bonneville Powerline Road; then southwest (~~on the Bonneville Powerline Road to Trap Creek A Line; then west on Trap Creek A Line to C2000 Line; then west on the C2000 Line to the Williams Creek A Line; then southwest on the Williams Creek A Line to the North Nemah A Line; then west on the North Nemah A Line to Williams Creek; then southwest along Williams Creek to North Nemah River; then west along North Nemah~~) and south on the Powerline Road to the Salmon Creek Road; then southwest on the Salmon Creek Road to State Highway 4; then west on State Highway 4 to U.S. Highway 101 at Johnson's Landing; then west on U.S. Highway 101 to the Naselle River Bridge and the Naselle River; then west along the Naselle River to Willapa Bay; then north along the east shore of Willapa Bay to the mouth of the Willapa River and the point of beginning. (~~See Washington Atlas & Gazetteer and Forest Protection Hunting map "Willapa Hills"~~)

**GMU 672-FALL RIVER (Pacific, Lewis and Grays Harbor counties):** Beginning at Raymond and U.S. Highway 101; then north on U.S. Highway 101 to Smith Creek Road; then northeast on the Smith Creek Road to the North River Valley Road; then east on the North River Valley Road to the Oakville-Brook Road; then east on the Oakville-Brook Road to the Garrard Creek Road; then south on the Garrard Creek Road to the 720 Road; then southwest on the 720 Road to the 7800 Road; then west on the 7800 Road to the 7000 Road; then south on the 7000 Road to the Elk Creek Road; then east on the Elk Creek Road to the Stevens Road (Doty Road); then east on the Stevens Road to State Highway 6; then south, west and northwest on State Highway 6 to Raymond, U.S. Highway 101 and the point of beginning. ((~~See Washington Atlas & Gazetteer and Weyerhaeuser McDonald Tree Farm Hunting Map~~))

**GMU 678 NEMAH (Pacific and Wahkiakum counties):** Beginning at Nemah and the mouth of the Nemah River; then east along the Nemah River to Williams Creek; then northeast along Williams Creek to the North Nemah A Line; then east on the North Nemah A Line to the Williams Creek A Line; then east on the Williams Creek A Line to the C2000 Line; then east on the C2000 Line to the Trap Creek A Line; then east on the Trap Creek A Line to the Bonneville Powerline Road; then south on the Powerline Road to the Salmon Creek Road; then southwest on the Salmon Creek Road to State Highway 4; then west on State Highway 4 to U.S. Highway 101 at Johnson's Landing; then west on U.S. Highway 101 to the Naselle River Bridge and the Naselle River; then west along the Naselle River to Willapa Bay; then north along the east shore of Willapa Bay to the mouth of the Nemah River and the point of beginning. (~~See Washington Atlas & Gazetteer and Forest Protection Hunting map "Willapa Hills"~~))

**GMU 681-BEAR RIVER (Pacific and Wahkiakum counties):** Beginning at Willapa Bay and the mouth of the Naselle River; then southeast along the Naselle River to U.S. Highway 101 Bridge; then east on U.S. Highway 101 to State Highway 4; then southeast on State Highway 4 to Deep River Bridge; then south along the Deep River to the Columbia River; then west along the shore of the Columbia River to the mouth of the Wallacut River; then north along the Wallacut River to U.S. Highway 101; then northwest on U.S. Highway 101 to alternative U.S. Highway 101; then north and west on alternative U.S. Highway 101 to Bear River; then west along Bear River to Willapa Bay; then north along the shore of Willapa Bay to the mouth of the Naselle River and the point of beginning. ((~~See Washington Atlas & Gazetteer and Forest Protection Hunting map "Willapa Hills"~~))

**GMU 684-LONG BEACH (Pacific County):** All of the Long Beach Peninsula west of the mouth of Bear River; then south along Bear River to U.S. Highway 101; then southwest on U.S. Highway 101 to Alternate U.S. Highway 101; then south and west on U.S. Highway 101 to the Wallacut River; then south along the Wallacut River to the Columbia River. ((~~See Washington Atlas & Gazetteer and Forest Protection Hunting map "Willapa Hills"~~))

Reviser's note: The spelling errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 97-06-042**  
**PERMANENT RULES**  
**FISH AND WILDLIFE**  
**COMMISSION**  
(Wildlife)

[Order 97-40—Filed February 27, 1997, 2:25 p.m.]

Date of Adoption: December 7, 1996.

Purpose: To amend WAC 232-28-02210 Game management units (GMUs)—Special game areas—Boundary descriptions—Deer area descriptions.

Citation of Existing Rules Affected by this Order: Amending WAC 232-28-02210.

Statutory Authority for Adoption: RCW 77.12.040.

Adopted under notice filed as WSR 96-21-160 on October 23, 1996.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-28-02210 differs from the proposed version filed with the code reviser in the following specifics:

1. Deer Area 040 Foss River was amended on lines 11-14 as follows: . . . Crest Trail to ((~~Ridge~~)) Spectacle Lake; then along the Pacific Crest Trail in a ((~~north~~)) westerly direction approximately ((~~one-half~~)) four and one-half miles to Gravel Lake; . . .

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

December 30, 1996

Lisa Pelly

for Mitchell S. Johnson  
Chairman

**AMENDATORY SECTION** (Amending WSR 96-04-027, filed 2/1/96, effective 3/3/96)

**WAC 232-28-02210 Game management units (GMUs)—Special game areas—Boundary descriptions—Deer area descriptions.**

**Deer Area No. 001 Champion North (Pierce County):** Beginning at the point where the Bonneville Power Transmission Line crosses the Carbon River (about 14 miles northwest of Carbonado); then south and west up the Carbon

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River to where it intersects State Highway 165; then south and east along State Highway 165 to where it intersects the Mt. Rainier National Park Boundary; then south along said boundary to where it intersects the North Fork Puyallup River; then north and west down the North Fork Puyallup River and the Puyallup River to where it intersects the Bonneville Power Transmission Line (about three miles south of Orting); then north and east along said power transmission line to the point of beginning. ((~~See Washington Atlas & Gazetteer~~))

**Deer Area No. 002 Champion South (Pierce County):** Beginning at the point where Champion's 1 Road crosses the Puyallup River (approximately 1 1/2 miles northeast of Kapowsin) then southeast up the Puyallup River to the confluence with Deer Creek; then south up Deer Creek to where it intersects the 243 Road; then northwest along the 243 Road to where it intersects the 24 Road; then southwest along the 24 Road to where it intersects the 3270 Road; then west along the 3270 Road to where it intersects the 327 Road; then southwest along the 327 Road to where it crosses Busy Wild Creek (near Lake Lorraine); then west down the Busy Wild Creek to its confluence with the North Fork Mashel River; then up the North Fork Mashel River (about 1 mile) to the point nearest the southernmost extension of the 311 Road (T16N, R6E, Section 19, S.W. 1/2 of S.W. 1/2); then in a line to the 311 Road; then along 311 Road to where it intersects the 3113 Road; then north along the 3113 Road to where it intersects the 843 Road; then along the 843 Road to where it intersects the 84 Road; then along the 84 Road to where it intersects the 8 Road; then north along the 8 Road to where it intersects the 82 Road; then along the 82 Road to where it intersects the township line between Townships 16 & 17 North, W.M.; then west on said line to where it intersects the range line between Ranges 4 & 5 East, W.M.; then north on said line to northwest corner of Section 31, T17N, R5E; then east on section line between Sections 30 and 31, T17N, R5E to 1/4 corner (Champion ownership); then north from said corner along ownership line to the point closest to the southernmost extension of the 0-100 Road (approx. 3/4 mile); then in a northwest line to the 0-100 Road; then along the 0-100 Road to where it intersects with Ohop Creek; then northwest along Ohop Creek to where it empties into Lake Kapowsin; then northeast along the east shore of Lake Kapowsin to the point closest to the start of the 1 Road; then along the 1 Road to point of beginning. ((~~See Washington Atlas & Gazetteer~~))

**Deer Area No. 010 Pyramid (Chelan County):** That part of GMUs 306 and 304 beginning at the Glacier Peaks Wilderness and Lake Chelan; then south along Lake Chelan to Corral Creek Campground; then west to the intersection of Trail 1433 and Butte Trail 1440; then northwest along Butte Trail 1440 to South Pyramid Trail 1439; then southwest to intersection of Trail 1437; then due west to Trail 1434; then northwest to Trail 1435; then south to Trail 1400; then southeast to Garland Creek; then west to Garland Peak; then north along Trail 1408 to Trail 1515; then south to Trail 1530; then west to Trail 1509; then south to Trail 1527; then north to Estes Butte and continuing along the Glacier Peaks Wilderness Boundary to beginning. ((~~See Wenatchee National Forest map~~))

~~**Deer Area No. 020 Desert (Grant County):** That part of GMU 278 (Wahluke) north of O'Sullivan Road and east of Beverly Road.~~

**Deer Area No. 030 Lake Sacajawea:** That part of GMU 284 (Kahlotus) east of State Highway 12, south of the Pasco-Kahlotus Road and west of the McCoy Canyon Road.

**Deer Area No. 031 Patterson (Benton and Klickitat counties):** Beginning at the junction of Highway 14 at Patterson; then west on Highway 14 to Alderdale Road; then north on Alderdale Road (including Section 22 of Township 5N, R23E) to Smith Road; then east on Smith Road to McKinley Springs Road; then northeast on McKinley Springs Road to Horrigan Road; then east on Horrigan Road to Highway 221; then south on Highway 221 to Highway 14 and point of beginning. ((~~See Washington Atlas & Gazetteer~~))

**Deer Area No. 040 Foss River (King County in the Alpine Lakes Wilderness Area):** Beginning at the intersection of the Dingford Creek Trail (USFS Trail 1005) and the Alpine Lakes Wilderness Area Boundary; then north along USFS Trail 1005 to Little Myrtle Lake; then in a northeast line approximately one-half mile to Marlene Lake; then down the tributary from Marlene Lake to its intersection with USFS Trail 1072 near Lake Dorothy; then north along USFS Trail 1072 to its intersection with the Alpine Lakes Wilderness Area Boundary; then north and east along the wilderness boundary to the Pacific Crest Trail at Hope Lake; then south along the Pacific Crest Trail to ((~~Ridge~~)) Spectacle Lake; then along the Pacific Crest Trail in a ((~~northwest~~)) westerly direction approximately four and one-half miles to Gravel Lake; then down the Gravel Lake tributary to Goat Creek; then down Goat Creek to its intersection with Alpine Lakes Wilderness Area Boundary; then north and west along the wilderness area boundary to the point of beginning. ((~~See Washington Atlas & Gazetteer~~))

**Deer Area No. 041 Pilchuck (Snohomish and King counties):** Beginning at the mouth of the Stillaguamish River; then up the Stillaguamish River to Arlington; then northeast along Highway 530 to a point in Section 10, T32N, R7E where it intersects with the City of Seattle power transmission line; then southwest along the transmission line to the point where it crosses the divide between Jim Creek and the North Fork of Canyon Creek (Section 11, T31N, R7E); then down the North Fork of Canyon Creek and Canyon Creek to the South Fork Stillaguamish River; then down the Stillaguamish River to Jordan Road; then along Jordan Road to Granite Falls; then south along Menzel Lake Road to the Pilchuck River Road (P-5000); then east on P-5000 Road to Culmback Dam (Spada Lake); then southeast on Culmback Dam Road to Sultan Basin Road at Olney Pass; then south on Sultan Basin Road to Kellogg Lake Road to U.S. Highway 2 east of Sultan; then west on U.S. Highway 2 to Monroe; then south on Highway 203 to Duvall; then north down the Snoqualmie River to the Snohomish River and down the Snohomish River to Puget Sound; then north along the shore of Puget Sound to the mouth of the Stillaguamish River and the point of beginning. ((~~See Washington Atlas & Gazetteer or Mount Baker/Snoqualmie National Forest map~~))

**Deer Area No. 042 Tolt (King and Snohomish counties):** Beginning at intersection of Highway 202 and the Tokul Creek Road S.E. (near Snoqualmie Falls); then north on Tokul Creek Road S.E. and onto S.E. 53rd Way then onto the S.E. 53rd Road; then along S.E. 53rd Road to its junction with the Weyerhaeuser mainline; then north on Weyerhaeuser mainline road through Gate 4 onto the Weyerhaeuser mainline truck road; then north on Weyerhaeuser mainline truck road (approximately 23 miles) to its junction with Proctor Creek Road; then north on Proctor Creek Road to its junction with Highway 2; then west on U.S. Highway 2 to its junction with Highway 203 at Monroe; then south on Highway 203 to its junction with Highway 202; then east along Highway 202 to the point of beginning. ~~((See Washington Atlas & Gazetteer or Weyerhaeuser Recreational map and Thomas Brothers Guide))~~

**Deer Area No. 060 Olympic Wilderness (Clallam, Jefferson, Grays Harbor and Mason counties):** The Buckhorn, Colonel Bob, Mt. Skokomish, the Brothers and Wonder Mountain Wilderness areas of Olympic National Forest. ~~((See Olympic National Forest map for these primitive roadless areas))~~

**Deer Area No. 061 Marrowstone Island (Jefferson County):** Marrowstone Island in Jefferson County. ~~((See Washington Atlas & Gazetteer))~~

**Deer Area No. 062 Indian Island (Kitsap County):** Indian Island in Kitsap County.

**WSR 97-06-043  
PERMANENT RULES  
FISH AND WILDLIFE  
COMMISSION  
(Wildlife)**

[Order 97-38—Filed February 27, 1997, 2:29 p.m.]

Date of Adoption: December 7, 1996.

Purpose: To amend WAC 232-28-02205 Game management units (GMUs)—Special game areas—Boundary descriptions—Region five.

Citation of Existing Rules Affected by this Order: Amending WAC 232-28-02205.

Statutory Authority for Adoption: RCW 77.12.040.

Adopted under notice filed as WSR 96-21-172 on October 23, 1996.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-28-02205 differs from the version filed with the code reviser in the following specifics:

1. In GMU 564 Battleground, line 2, 3, and 4 of page 6 were amended as follows: . . . Cedar Creek Road to ~~((through))~~ Amboy; then south on N.E. 221st Avenue to N.E. Amboy Road; then south on N.E. Amboy Road to N.E. Yacolt Road; then east on Yacolt Road ~~((and Yacolt))~~ to Railroad . . .

2. In GMU 578 (West Klickitat) a connecting road between USFS 1840 Road and State Highway 141 was omitted. The boundary was corrected as follows: . . . north

on USFS 1840 Road to USFS Road 86; north on USFS Road 86 to State Highway 141; . . .

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

December 30, 1996

Lisa Pelly

for Mitchell S. Johnson  
Chairman

**AMENDATORY SECTION** (Amending WSR 96-04-027, filed 2/1/96, effective 3/3/96)

**WAC 232-28-02205 Game management units (GMUs)—Special game areas—Boundary descriptions—Region five.**

**GMU 501-LINCOLN (Lewis, Thurston, Pacific and Grays Harbor counties):** Beginning at the intersection of Interstate 5 and State Highway 6; then west on State Highway 6 to the Stevens Road; then northwest on Stevens Road to Elk Creek Road (Doty); then west on Elk Creek Road to the 7000 Road; then west on the 7000 Road to the 7800 Road; then west on the 7800 Road to the 720 Road; then northeast on the 720 Road to Garrard Creek Road; then northeast on the Garrard Creek Road to Oakville and U.S. Highway 12; then east on U.S. Highway 12 to Interstate 5; then south on Interstate 5 to State Highway 6 and point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**GMU 504-STELLA (Cowlitz County):** Beginning at the mouth of the Cowlitz River at the Columbia River; then west down the Columbia to the mouth of Germany Creek; then north up Germany Creek to State Highway 4; then east on Highway 4 to Germany Creek Road; then north on Germany Creek Road to International Paper 1000 Road; then north on International Paper 1000 to the International Paper 1050 Road; then east on International Paper 1050 Road to the 2200 Road; then east and south to the 2000 Road; then south on the 2000 Road to the Delameter Road (Woodside Road); then east on Delameter Road to State Highway 411; then north on Highway 411 to PH 10 Road (Four Corners); then east to Cowlitz River; then south down the Cowlitz River to the Columbia River and point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**GMU 505-MOSSYROCK (Lewis County):** Beginning on Interstate 5 and the Cowlitz River; then northeast up the Cowlitz River to Mayfield Lake and the U.S. Highway 12 bridge; then east on U.S. Highway 12 to Winston Creek



Road; then south and east to Longbell Road and Perkins Road; then northeast on Perkins Road to Swofford Road; then north on Swofford Road to Ajlune Road; then east on Ajlune Road to Riffe Lake; then east along the south shore to the Cowlitz River and up the Cowlitz River to the USFS 23 Road (Cispus Road) Bridge; then south and east to the C Line Road; then east to the Bennet Road; then east to U.S. Highway 12; then west on Highway 12 to State Highway 7 (Morton); then north on State Highway 7 to State Highway 508; then west on Highway 508 to Centralia/Alpha Road; then west and north on Centralia/Alpha Road to Salzer Valley Road; then west to Summa Street and Kresky Road; then north on Kresky Road to Tower Street; then on Tower Street to State Highway 507; then west on Highway 507 Cherry, Alder and Mellen Streets to Interstate 5; then south on Interstate 5 to the Cowlitz River and point of beginning. ((See Washington Atlas & Gazetteer))

**GMU 506-WILLAPA HILLS (Wahkiakum, Pacific and Lewis counties):** Beginning at Pe Ell and the Muller Road; then south on the Muller Road to the 1000 Road; then south on the 1000 Road to the 1800 Road; then south on the 1800 Road to the 500 Road; then southeast on the 500 Road to State Highway 407 (Elochoman Valley Road); then south on the Elochoman Valley Road (old SR 407) to the Elochoman River; then downstream along the Elochoman River to the Foster Road; then north on Foster Road to Risk Road; then west and north along Risk Road to SR 4; then west on SR 4 to Skamokawa Creek; then downstream along Skamokawa Creek to the confluence with the Columbia River; then west along Columbia River to the mouth of the Deep River; then north along the Deep River to State Highway 4; then northwest on State Highway 4 to the Salmon Creek Road; then north on the Salmon Creek Road to the Bonneville Powerline Road; then north on the Bonneville Powerline Road to State Highway 6; then east on State Highway 6 to the Town of Pe Ell and the point of beginning. ((See Washington Atlas & Gazetteer, Forest Protection map "Willapa Hills"))

**GMU 510-STORMKING (Lewis County):** Beginning on U.S. Highway 12 at the Silver Creek Bridge; then north up Silver Creek to Silverbrook Road; then east to USFS 47 Road; then north on USFS 47 Road to USFS 85 Road; then west on USFS 85 Road to Silver Creek; then southwest on Silver Creek to Lynx Creek; then north on Lynx Creek and its northernmost tributary to USFS 85 Road; then northwest on the USFS 85 Road to Catt Creek; then north on Catt Creek to the Nisqually River; then west down the Nisqually River to State Highway 7; then south on Highway 7 to U.S. Highway 12 (Morton); then east on U.S. Highway 12 to Silver Creek and point of beginning. ((See Gifford Pinchot National Forest map))

**GMU ((512-SAWTOOTH)) 513-SOUTH RAINIER (Lewis County):** Beginning on U.S. Highway 12 at the Silver Creek bridge; then north up Silver Creek to Silverbrook Road; then east to USFS 47 Road; then north on USFS 47 Road to USFS 85 Road; then west on USFS 85 Road to Silver Creek; then southwest on Silver Creek to Lynx Creek; then north on Lynx Creek and its northernmost tributary to USFS 85 Road; then north on USFS 85 Road to Catt Creek; then northwest down Catt Creek to the Nisqually

River; then east up the Nisqually River to ((Horse Creek; then east up Horse Creek to USFS 52 Road (Skate Creek Road); then southeast on USFS 52 Road to the Cowlitz River; then southwest down the Cowlitz River to Smith Creek; then up Smith Creek to U.S. Highway 12; then west on U.S. Highway 12 to Silver Creek and point of beginning. (See Gifford Pinchot National Forest map and/or Washington Atlas & Gazetteer))

**GMU 514-TATOOSH (Lewis County):** Beginning at USFS 52 Road (Skate Creek) and the Cowlitz River (at Packwood); then northwest on USFS 52 Road to Horse Creek; then down Horse Creek to the Nisqually River and)) the southern boundary of Mt. Rainier National Park; then ((north and)) east along the ((Nisqually River and)) south park boundary to the Pacific Crest Trail; then south along the Pacific Crest Trail to U.S. Highway 12; then ((northwest and southwest)) west on U.S. Highway 12 to ((USFS 1270 Road; then north on USFS 1270 Road to the Cowlitz River; then southwest down the Cowlitz River to the USFS 52 Road)) the Silver Creek bridge and point of beginning. ((See Gifford Pinchot National Forest map))

**GMU 516-PACKWOOD (Lewis and Skamania counties):** Beginning at the mouth of Cispus River; then east up the Cispus River to the USFS 56 Road (Midway G.S. Road); then east on the USFS 56 Road to the USFS 5603 Road; then east on the USFS 5603 Road to the Yakima Indian Reservation Boundary and the Cascade Crest; then north along the reservation boundary to Cispus Pass and the Pacific Crest Trail; then north along the Pacific Crest Trail to the U.S. Highway 12 (White Pass); then northwest and southwest on U.S. Highway 12 to USFS 1270 Road (Section 31, T14N, R10E); then north on USFS 1270 Road to the Cowlitz River; then southwest down the Cowlitz River to the mouth of Smith Creek; then south up Smith Creek to U.S. Highway 12; then southwest down U.S. Highway 12 to Bennet Road; then west on the Bennet Road to the C Line Road; then west to the USFS 23 Road (Cispus Road); then west and north to the Cowlitz River; then west down the Cowlitz River to the mouth of the Cispus River and point of beginning. ((See Gifford Pinchot National Forest map))

**GMU 520-WINSTON (Cowlitz, Lewis and Skamania counties):** Beginning at the intersection of Interstate 5 and the Cowlitz River; then south down the Cowlitz River to the Toutle River; then east up the Toutle River to the North Fork Toutle River; then up the North Fork Toutle River to the Green River; then east up the Green River to USFS 2612 Road; then east on USFS 2612 Road to USFS 26 Road (Ryan Lake Road); then north on USFS 26 Road to the Cispus River; then west down the Cispus to the Cowlitz River; then west down the Cowlitz River to Riffe Lake; then west along the south shore to Ajlune Road; then west to Swofford Road; then south on Swofford Road to Perkins Road; then southwest and northwest on Perkins Road and Longbell Road to Winston Creek Road; then northwest on Winston Creek Road to U.S. Highway 12; then west on U.S. Highway 12 to the Mayfield Lake bridge; then southwest down Mayfield Lake and the Cowlitz River to Interstate 5 and point of beginning. ((See Washington Atlas & Gazetteer))

**GMU 522-LOO-WIT (Cowlitz and Skamania counties):** Beginning on the North Fork Toutle River at the mouth of Hoffstadt Creek; then southeast up the North Fork Toutle River to the Weyerhaeuser 3001 Road; then southeast along the 3001, 3000, and 3090 Roads to the headwaters of the South Fork Castle Creek; then due south to the South Fork Toutle River; then east along South Fork Toutle to its headwaters and Mount St. Helens crater edge; then east along the crater edge to the headwaters of Ape Canyon; then down Ape Canyon Creek to the USFS Smith Creek Trail then north up USFS Smith Creek Trail to USFS 99 Road; then north along USFS 99 Road to USFS 26 Road; then north to Strawberry Lake Creek; then west down Strawberry Lake Creek to the Green River; then across the Green River to Grizzly Creek; then up Grizzly Creek to Grizzly Lake; then west up the western inlet to its headwaters; then west to the headwaters of Coldwater Creek; then west down Coldwater Creek to Coldwater Lake; then southwest along the northwest shore to the old Weyerhaeuser 3500 Road; then west along the 3500, 3530, 3540, 3130, and 3120 Roads to the intersection with Hoffstadt Creek; then down Hoffstadt Creek to the North Fork Toutle River and point of beginning. ~~((See Gifford Pinchot National Forest map))~~

**GMU 524-MARGARET (Cowlitz, Skamania and Lewis counties):** Beginning on the North Fork Toutle River at the mouth of the Green River; then southeast up the North Fork Toutle River to the mouth of Hoffstadt Creek; then up Hoffstadt Creek to the 3120 Road; then east along the 3120, 3130, 3540, 3530 and 3500 Roads to Coldwater Lake; then northeast along the northwest shoreline to Coldwater Creek; then up Coldwater Creek to its headwaters and east to the headwaters of Grizzly Lake; then east down the west inlet creek to Grizzly Lake; then down Grizzly Creek to the Green River and the mouth of Strawberry Lake Creek; then up Strawberry Lake Creek to the USFS 26 Road (Ryan Lake Road); then north on the USFS 26 Road to the USFS 2612 Road; then west on USFS 2612 Road to the Green River; then down the Green River to its mouth and point of beginning. ~~((See Gifford Pinchot National Forest map))~~

**GMU 530-RYDERWOOD (Cowlitz, Lewis and Wahkiakum counties):** Beginning south of the Town of Doty on State Highway 6; then east on State Highway 6 to Chehalis and Interstate 5; then south on Interstate 5 to the Cowlitz River; then south along the Cowlitz River to Castle Rock and the PH 10 Road (Four Corners); then west on the PH 10 Road to State Highway 411; then south on State Highway 411 to Delameter Road (Woodside Drive); then southwest on Delameter Road to the 2000 Road; then west on the 2000 Road to the 2200 Road; then north and west on the 2200 Road to the International Paper 1050 Road; then west on the International Paper 1050 Road to the International Paper 1000 Road; then south on the International Paper 1000 Road to the Germany Creek Road; then south on the Germany Creek Road to State Highway 4; then west on State Highway 4 to Germany Creek; then south along Germany Creek to its mouth at the Columbia River; then west along the Columbia River and the Cathlamet Channel to the Puget Island Bridge on State Highway 409; then north on State Highway 409 to State Highway 4; then west on State Highway 4 to State Highway 407 (Elochoman Valley Road); then northwest on State Highway 407 (Elochoman

Valley Road) to the 500 Road; then west on the 500 Road to the 1800 Road; then north on the 1800 Road to the International Paper 1000 Road; then north on the International Paper 1000 Road to the Muller Road; then north on Muller Road to Pe Ell and State Highway 6; then north on State Highway 6 to south of Doty and the point of beginning. ~~((See Washington Atlas & Gazetteer, Forest Protection map "Willapa Hills"))~~

**GMU 550-COWEEMAN (Cowlitz County):** Beginning at the mouth of the Cowlitz River; then north to the Toutle River; then east along the Toutle River to the South Fork Toutle River; then up the South Fork Toutle to the 4950 Road; then south and east on the 4950 Road to the 235 Road; then south on the 235, 200, 245, 134, 133, 130 and 1680 Roads to the 1600 Road; then southeast along the 1600 and 1400 Roads to the Kalama/Coweeman Summit; then south along the 1420 Road to the 1425 Road; then southwest along the 1425 Road to the 6400 Road; then southwest down the 6400 Road to the 6000 Road; then east to the 6450 Road; then southeast approximately one mile on the 6450 Road to the Arnold Creek Road; then southeast on Arnold Creek Road to Dubois Road; then to State Highway 503; then west on State Highway 503 to Cape Horn Creek; then down Cape Horn Creek to Merwin Reservoir and the Lewis River; then down the Lewis River to the Columbia River; then down the Columbia River to the mouth of the Cowlitz River and point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**GMU 554-YALE (Cowlitz County):** Beginning on State Highway 503 at its crossing of Cape Horn Creek; then east on State Highway 503 to 6690 Road (Rock Creek Road); then northeast on the 6690 and 6696 Roads to West Fork Speelyai Creek; then down Speelyai Creek to State Highway 503; then northeast on State Highway 503 to Dog Creek; then down Dog Creek to Yale Reservoir; then south and west down Yale Reservoir, Lewis River, and Merwin Reservoir to Cape Horn Creek; then up Cape Horn Creek to State Highway 503 and point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**GMU 556-TOUTLE (Cowlitz County):** Beginning on State Highway 503 (Lewis River Road) and USFS 81 Road (Merril Lake Road) intersection; then north on USFS 81 Road to Weyerhaeuser 7200 Road; then northeast on the 7200 Road to the 7400 Road; then northwest on the 7400 Road to the 5500 Road; then east and north on the 5500 and 5670 Roads to the South Fork Toutle River; then east up the South Fork Toutle River to a point due south of the headwaters of the South Fork Castle Creek (Section 1, T8N, R4E); then north to the headwaters of South Fork Castle Creek; then down South Fork Castle Creek to Weyerhaeuser 3092 Road; then west on the 3092 Road to 3090 Road; then northwest on the 3090, 3000 and 3001 Roads to the North Fork Toutle River; then down the North Fork Toutle River to the South Fork Toutle River; then southeast up the South Fork Toutle River to the 4950 Road; then south on the 4950, 235, 200, 245, 243A, 134, 133, 130, and 1680 Roads to the 1600 Road; then southeast on the 1600 and 1400 Roads to the Kalama/Coweeman Summit; then south on the 1420 Road to the 1425 Road; then southwest along the 1425 Road to the 6400 Road; then southwest on the 6400 Road to the

6000 Road; then east up the 6000 Road to the 6450 Road; then southwest on the 6450 Road approximately one mile to the Arnold Creek Road; then southeast on Arnold Creek and Dubois Roads to State Highway 503; then east on State Highway 503 to the 6690 Road (Rock Creek Road); then northeast on the 6690 and 6696 Roads to the West Fork Speelyai Creek; then down Speelyai Creek to State Highway 503; then northeast on State Highway 503 to USFS 81 Road and point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**GMU 558-MARBLE (Cowlitz and Skamania counties):** Beginning on State Highway 503 (Lewis River Road) and USFS 81 Road intersection; then north on USFS 81 Road to Weyerhaeuser 7200 Road; then northeast on the 7200 Road to the 7400 Road; then northwest on the 7400 Road to the 5500 Road; then east and north on the 5500 and 5670 Roads to the South Fork Toutle River; then east up the South Fork Toutle River to Mount St. Helens crater and along crater to headwaters of Ape Canyon; then east down Ape Canyon Creek to USFS Smith Creek Trail then north up USFS Smith Creek Trail to USFS 99 Road; then northeast on USFS 99 Road to USFS 25 Road; then south on USFS 25 Road to the Muddy River; then south down the Muddy River to the North Fork Lewis River; then west down the North Fork Lewis River, Swift Reservoir to Yale Reservoir and Dog Creek; then north up Dog Creek to State Highway 503; then southwest to USFS 81 Road and point of beginning. ~~((See Gifford Pinchot National Forest map))~~

**GMU 560-LEWIS RIVER (Skamania, Klickitat, Yakima and Lewis counties):** Beginning at Trout Lake, north to the USFS 80 Road; then north to USFS 17 Road (Mt. Adams Recreational Road); then northeast to USFS 82 Road; then northeast on the USFS 82 Road to the Yakima Indian Reservation Boundary (Section 16, T7N, R11E); then north along reservation boundary (Cascade Crest) to USFS 5603 Road; then west to the USFS 56 Road; then west to the Cispus River; then northwest down the Cispus River to the USFS 26 Road (Ryan Lake Road); then west and south on the USFS 26 Road to USFS 99 Road; then northeast to the USFS 25 Road; then south to Muddy River; then south down the Muddy River to the North Fork Lewis River; then west to the USFS 90 Road bridge (Eagle Cliff); then east on USFS 90 Road to USFS 51 Road; then southeast to USFS 30 Road; then northeast on the USFS 30 Road to USFS 24 Road; then southeast to the State Highway 141; then northeast on State Highway 141 to Trout Lake and point of beginning. ~~((See Gifford Pinchot National Forest map))~~

**GMU 564-BATTLE GROUND (Clark and Skamania counties):** Beginning on the Interstate 5 at the Lewis River Bridge and the Lewis River; then northeast along the Lewis River (Cowlitz-Clark County line) to the Merwin Dam; then on a southeast line to the transmission line; then south on the transmission line to N.E. Grinnel Road; N.E. Grinnel Road to N.E. Pup Creek Road; N.E. Pup Creek Road to N.E. Cedar Creek Road ~~((through))~~ to Amboy ~~((and Yacolt))~~; then south on N.E. 221st Avenue to N.E. Amboy Road; then south on N.E. Amboy Road to N.E. Yacolt Road; then east on Yacolt Road to Railroad Avenue; southeast to Sunset Falls Road; east to Dole Valley Road; then south on the Dole Valley Road to Rock Creek Road; then southeast and

south on the DNR 1000 Road to DNR 1500 Road; then east on DNR 1500 Road to N.E. 412th Avenue; then south on N.E. 412th Avenue to Skye Road; then east and south on the Skye Road to Washougal River Road; then south on Washougal River Road to State Highway 140; then southeast on State Highway 140 to Cape Horn Road; then south on Cape Horn Road to the Columbia River; then west down the Columbia River (including islands in Washington) to the Lewis River; then north along the Lewis River to the Interstate 5 Bridge and the point of beginning. ~~((See Washington Atlas & Gazetteer, Forest Protection map "St. Helens West"))~~

**GMU 568-WASHOUGAL (Clark and Skamania counties):** Beginning at Merwin Dam on the Lewis River and Lake Merwin; then northeast along Lake Merwin (Cowlitz-Clark County line) to Canyon Creek; then southeast along Canyon Creek to N.E. Healy Road; then east on N.E. Healy Road to USFS Road 54; then east on USFS Road 54 to USFS Road 37; then northwest on USFS Road 37 to USFS Road 53; then south on USFS Road 53 to USFS Road 4205 (Gumboat Road); then south on USFS Road 4205 to USFS Road 42 (Green Fork Road); then southwest on USFS Road 42 to USFS Road 41 (Sunset Hemlock Road) at Sunset Falls; then east on USFS Road 41 to USFS Road 406 at Lookout Mountain; then southeast on USFS Road 406 to the boundary of the Gifford Pinchot National Forest; then due east on the National Forest Boundary to Rock Creek; then southeast along Rock Creek to Stevenson and the Columbia River; then west down the Columbia River (including the islands in Washington) to the Cape Horn Road; then north on the Cape Horn Road to State Highway 140; then west on State Highway 140 to the Washougal River Road; then northwest on the Washougal River Road to the Skye Road; then northwest on the Skye Road to N.E. 412th Avenue; then northwest on DNR 1500 Road to DNR 1000 Road; then north and west on DNR 1000 Road to Dole Valley Road; then north on the Dole Valley Road to Sunset Falls Road; then northwest to Railroad Avenue through Yacolt; then northwest on N.E. Cedar Creek Road through Amboy to N.E. Pup Creek Road; Pup Creek Road to N.E. Grinnel Road to the transmission lines; then north on the transmission lines to Merwin Dam on the Lewis River and the point of beginning. ~~((See Gifford Pinchot National Forest map and Washington Atlas & Gazetteer))~~

**GMU 572-SIOUXON (Skamania and Clark counties):** Beginning at the Yale Dam and Yale Lake; then north along Yale Lake (Cowlitz-Clark County line) to the North Fork Lewis River and Lewis River (old river bed); then northeast along the Lewis River to the Swift Creek Reservoir; then east along the Swift Creek Reservoir to Eagle Cliff Bridge and USFS Road 90; then east on USFS Road 90 to USFS 51 Road (Curly Creek Road); then southeast on USFS Road 51 to USFS Road 30; then north on USFS Road 30 to USFS Road 24 (Twin Butte Road); then south on USFS Road 24 to USFS Road 60 (Carson Guler Road); then southwest on USFS Road 60 to USFS Road 65 (Panther Creek Road); then southwest on USFS Road 65 to the Wind River Highway; then northwest on the Wind River Highway to Stabler; then west on Hemlock Road to USFS Road 41 (Sunset-Hemlock Road); then west on the USFS Road 41 to Sunset Falls and USFS Road 42 (Green Fork Road); then

northeast on USFS Road 42 to USFS Road 4205 (Gunboat Road); then north on USFS Road 4205 to USFS Road 53; then northwest on USFS Road 53 to USFS Road 54 (N.E. Healy Road); then west on USFS Road 54 to Canyon Creek; then north along Canyon Creek to the Lewis River; then northeast along the Lewis River to the Yale Dam and the point of beginning. ((See Gifford Pinchot National Forest map, and Forest Protection map "St. Helens West"))

**GMU 574-WIND RIVER (Skamania County):** Beginning at Little Lookout Mountain on USFS Road 41 (Sunset-Mowich Butte); then east on USFS Road 41 to Stabler; then east on the Hemlock Road to the Wind River Road; then southeast on the Wind River Road to Old State Road; then east on Old State Road to USFS Road 65 (Panther Creek Road); then north on USFS Road 65 to USFS Road 60; then northeast on USFS Road 60 to State Highway 141; continue east on State Highway 141 to USFS Road 86; then south on USFS Road 86 to USFS Road 1840; then south on USFS Road 1840 to USFS Road 18 (Oklahoma Road); then south on USFS Road 18 to Willard and the Little White Salmon River; then south on the Little White Salmon River to the Columbia River; then west along the Columbia River to the mouth of Rock Creek; then northwest along Rock Creek through Stevenson to the south boundary of Gifford Pinchot National Forest; then on the south boundary of Gifford Pinchot National Forest due west to USFS Road 4100-406; then northwest on USFS Road 4100-406 to USFS Road 41 and the point of beginning. ((See Washington Atlas & Gazetteer, Gifford Pinchot National Forest map))

**GMU 576-WHITE SALMON (Klickitat, Yakima and Skamania counties):** Beginning at the mouth of the Klickitat River (Lyle) to the Fisher Hill Bridge; then north along the Fisher Hill Road (P-2000) to the Gravel Pit Road; then west to the B-Z Corners Glenwood Road; then southwest to State Highway 141 (B-Z Corners); then north to Trout Lake; then west on State Highway 141 to USFS 86 Road; then south to the USFS 1840 Road; then south on the USFS 1840 Road to the USFS 18 Road (Oklahoma Road); then south on the USFS 18 Road to Willard and the Little White Salmon River; then south down the Little White Salmon River to the Columbia River; then east up the Columbia River to the Klickitat River and point of beginning. (See Washington Atlas & Gazetteer)

**GMU 580-SIXPRONG (Klickitat and Yakima counties):** Beginning on State Highway 14 at Sundale; then east to the Goldendale Goodnoe Hills Road; then northwest along Goldendale Goodnoe Hills Road to Dot Road; then north along the Dot Road to Cleveland; then along the Goldendale Bickleton Road to the Yakima County line; then east along the Yakima County line to Alderdale Road; then southeast along the Alderdale Road to State Highway 14 and Columbia River; then west along the state line to Sundale and the point of beginning. (See Washington Atlas & Gazetteer))

**GMU 578-West Klickitat (Klickitat, Yakima, and Skamania counties):** Beginning on the Columbia River at the mouth of the Little White Salmon River; then up the Little White Salmon River to Willard; then north on USFS 18 Road (Oklahoma Road) to USFS 1840 Road; then north on USFS 1840 Road; to USFS Road 86; north on USFS Road 86 to State Highway 141; then northeast on State

Highway 141 to Trout Lake and Mt. Adams Recreational Area Road; then north on Mt. Adams Recreational Area Road to USFS 82 Road; then northeast on USFS 82 Road to the Yakama Indian Reservation Boundary (Section 16, T7N, R11E); then south along the reservation boundary to King Mountain and the southwest corner of the reservation (Section 27, T7N, R11E); then east along reservation boundary (approximately one mile) to the end of King Mountain Road; then north along the reservation boundary to Section 2 T7N, R11E; then east along the reservation boundary to the northeastern corner of Section 4, T7N, R12E; then southeast along the reservation boundary to Summit Creek Boundary Road; then south to the Glenwood/Goldendale Road; then northwest on the Glenwood/Goldendale Road to the Gravel Pit Road; then south on the Gravel Pit Road to Fisher Hill Road (P-2000); then south on Fisher Hill Road to the Fisher Hill Bridge; then south down the Klickitat River to the Columbia River; then west down the Columbia River to the mouth of the Little White Salmon River and point of beginning.

**GMU ((584-GOODNOE)) 582-EAST KLICKITAT (Klickitat County):** Beginning at the U.S. Highway 97 bridge on the Columbia River (Maryhill); then north on U.S. Highway 97 to Satus Pass and the ((Yakima)) Yakama Indian Reservation; then east along south reservation boundary to the Yakima County line; then east ((to Goldendale/Bickleton Road; then southwest to Cleveland and Dot Road; then south to Goldendale/Goodnoe Hills Road; then southeast to State Highway 14; then west to Sundale and mouth of Chapman Creek; then west down the Columbia River to U.S. Highway 97 bridge and point of beginning. (See Washington Atlas & Gazetteer)

**GMU 586-GLENWOOD (Klickitat County):** Beginning at B-Z Corners and State Highway 141; then north on State Highway 141 to Trout Lake and the USFS 80 Road; then north to the USFS 17 Road; then northeast to USFS 82 Road; then northeast on USFS 82 Road, to the Yakima Indian Reservation Boundary (Section 16, T7N, R11E); then south along the reservation boundary to King Mountain and the southwest corner of the reservation (Section 27, T7N, R11E); then east along boundary (approximately one mile) to the end of King Mountain Road; then north to the northern boundary of the reservation at Section 2, T7N, R11E; then east to the northeastern corner of Section 4, T7N, R12E; then southeast along boundary to Summit Creek Primary Road; then south to the Glenwood/Goldendale Road; then northwest on the Glenwood/Goldendale Road to the Gravel Pit Road; then south on the Lakeside Road to the B-Z Corners/Glenwood Road; then southwest to B-Z Corners and point of beginning. (See Washington Atlas & Gazetteer and DNR Mt. Adams Quadrangle map)) on the Yakima/Klickitat County line to Alderdale Road; then southeast and south on Alderdale Road to Alderdale and the Columbia River; then west down the Columbia River to U.S. Highway 97 Bridge and the point of beginning.

**GMU 588-GRAYBACK (Klickitat County):** Beginning at U.S. Highway 97 bridge across Columbia River (Maryhill); then west down the Columbia River to Lyle and the mouth of the Klickitat River; then up the Klickitat River to the Fisher Hill Bridge; then north along the Fisher Hill Road (P-

2000) to the Lakeside Road; then north on the Lakeside Road to the Gravel Pit Road; then northwest to the Glenwood/Goldendale Road; then east and southeast on the Glenwood/Goldendale Road to the Summit Creek Primary Road; then northeast to the Yakima Indian Reservation Boundary; then east along the southern boundary of the reservation to U.S. Highway 97 (Satus Pass Highway); then south on U.S. Highway 97 to Maryhill and point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**WSR 97-06-044**  
**PERMANENT RULES**  
**FISH AND WILDLIFE**  
**COMMISSION**  
 (Wildlife)

[Order 97-37—Filed February 27, 1997, 2:32 p.m.]

Date of Adoption: December 7, 1996.

Purpose: To amend WAC 232-28-02204 Game management units (GMUs)—Special game areas—Boundary descriptions—Region four.

Citation of Existing Rules Affected by this Order: Amending WAC 232-28-02204.

Statutory Authority for Adoption: RCW 77.12.040.

Adopted under notice filed as WSR 96-21-171 on October 23, 1996.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-28-02204 differs from the proposed version filed with the code reviser in the following specifics:

1. Line 5 of GMU 454 Issaquah was amended as follows: State Highway 203 ~~((through))~~ to Fall City; then southwest on Preston-Fall City Road to Preston . . .

2. Lines 16-19 of this same GMU were amended as follows: . . . Highway 99; then north on U.S. Highway 99 to Buenna and Redondo Beach; then due west to Puget Sound; then west along East Passage and north along Colvos Passage (including Vashon and Maury Islands) to Puget Sound; then north ((north along Puget Sound)) to the mouth

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

December 30, 1996

Lisa Pelly  
 for Mitchell S. Johnson  
 Chairman

AMENDATORY SECTION (Amending WSR 96-04-027, filed 2/1/96, effective 3/3/96)

**WAC 232-28-02204 Game management units (GMUs)—Special game areas—Boundary descriptions—Region four.**

**GMU ((405-CHUCKANUT)) 407-NORTH SOUND (Whatcom ((and)), Skagit, Snohomish and King counties):** Beginning at the northwest corner of Whatcom County and the Canadian border; then east on the Canadian border to the Silver Lake Road; then south on the Silver Lake Road to the Mount Baker Highway 542; then southwest on the Mount Baker Highway 542 to the Mosquito Lake Road; then south on the Mosquito Lake Road to Valley Highway 9; then south on Valley Highway 9 through Sedro Woolley to the town of Arlington ~~((and the Stillaguamish River; then west along the Stillaguamish River through Stanwood and West Pass to Skagit Bay (Snohomish, Skagit, Island County line))~~); then northeast on State Highway 530 to the Trafton School at Trafton; then southeast along the Jim Creek-Trafton Road (242nd St. N.E.) to the City of Seattle power transmission line; then southwest on the transmission line to the Jordan Road in Section 20, T31N, R6E; then southeast along the Jordan Road to Granite Falls and the Menzel Lake Road; then south on the Menzel Lake Road past Lake Roesiger to the Woods Creek Road; then south on the Woods Creek Road to Monroe and Highway 203; then south on Highway 203 to the Snoqualmie River at Duvall; then north along the Snoqualmie River to the Snohomish River; then west along the Snohomish River to Puget Sound; then north along the shore of Puget Sound to Juniper Beach and through West Pass; then west and north through Skagit Bay, Deception Pass, Rosario Strait and Bellingham Channel to Samish Bay near Edison; then north along the shoreline to the Whatcom County line; then north on the county line to the Canadian border and the point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**GMU 410-ISLANDS (San Juan and Island counties):** Beginning at the north corner of San Juan-Whatcom County line; then southeast on the county line to the Skagit-Whatcom County line; then east on the county line to the shore of Samish Bay; then south on the shoreline near Edison; then west through Samish Bay and south through Bellingham Channel to the Skagit-San Juan County line; then south through Rosario Strait on the San Juan-Skagit County line to the Island County line; then east on the Skagit-Island County line through Deception Pass and south through Skagit Bay; then southeast on the Island-Snohomish County line through Juniper Beach, Port Susan, Possession Sound to the Island-Kitsap County line; then northwest on the Island-Kitsap-Jefferson County line through Puget Sound, Admiralty Inlet, and the Strait of Juan De Fuca; then west on the San Juan-Jefferson-Clallam County lines to the Canadian border; then north on the Canadian border through Middle Bank, Haro Strait, and Boundary Pass to the north corner of San Juan-Whatcom County line and the point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**GMU 417-BALD MOUNTAIN (Whatcom and Skagit counties):** Beginning at the intersection of the Mosquito Lake Road and the Middle Fork Nooksack River Road (Section 11, T38N, R05E); then east on the Middle Fork

PERMANENT

Nooksack River Road to Clearwater Creek; then north and east up Clearwater Creek to the end of USFS 36 Road (Section 8, T38N, R07E); then north and east on USFS 36 Road to USFS 39 Road; then north along USFS 39 Road to SR 542 Road; then east and south along SR 542 Road to its southernmost point (Section 30, T39N, R09E); then approximately 0.5 miles along a straight line to Swift Creek; then south down Swift Creek to Baker Lake; then south along the west shoreline of Baker Lake and Lake Shannon to the lower Baker Dam; then south down the Baker River to SR 20; then west along SR 20 to State Street to Burpee Hill Road; then north along Burpee Hill Road to Baker Lake Road; then west along the Baker Lake Road to SW HO 2400 Road; then north and west along the SW HO 2400 Road, SW HO 2000 Road, SW HO 2800 Road, and SW HO 2900 Road (Josephine Truck Trail) to the intersection with the Crown Pacific 100 Road (Hamilton Mainline); then north along the Crown Pacific 100 Road (approximately .25 miles) to the intersection with Crown Pacific 110 Road; then continue west and north along the Crown Pacific 110 Road to the Crown Pacific 130 Road; then continue north and west along the Crown Pacific 130 Road to the Crown Pacific 170 Road; then continue west along the Crown Pacific 170 Road to the Crown Pacific 171 Road; then continue west along the Crown Pacific 171 Road to the Crown Pacific 172 Road; then north to the end of the Crown Pacific 172 Road (Section 10, T36N, R05E); then north to the end of the Crown Pacific 175 Road (DNR Radio Repeater); then north along a straight line to the end of John Hancock Road No. 1; then north and east along John Hancock Road No. 1 to Christie Creek; then east down Christie Creek to the South Fork Nooksack River; then down the South Fork Nooksack River to the mouth of Hutchinson Creek; then north up Hutchinson Creek to the Mosquito Lake Road; then continue north along Mosquito Lake Road to the Middle Fork Nooksack Road and the point of beginning. (See Washington Atlas & Gazetteer))

**GMU 418-NOOKSACK (Whatcom and Skagit counties):** Beginning at the Silver Lake Road and the Canadian border; then east on the Canadian border to the North Cascades National Park Boundary; then south on the North Cascades National Park Boundary to the range line between Range 9 and 10 East; then south on this range line to Jackman Creek; then south along Jackman Creek to ((the Skagit River)) Highway 20 (at Concrete); then west along ((the main channel of the Skagit River)) Highway 20 to Highway 9 (at Sedro Woolley); then north along Highway 9 to ((its intersection with Highway 20 (West Sedro Woolley)); then east along Highway 20 to its intersection with Valley Highway 9 (East Sedro Woolley); then north along Valley Highway 9 to)) Mosquito Lake Road; then north on the Mosquito Lake Road to Mount Baker Highway 542; then north on Mount Baker Highway 542 to the Silver Lake Road; then north on the Silver Lake Road ((and)) to the Canadian border to the point of beginning ((except GMU 417 (Bald Mountain) which is within GMU 418 (Nooksack))). ((See Washington Atlas & Gazetteer))

**GMU 426-DIABLO (Skagit and Whatcom counties):** Beginning at the Canadian border and the west boundary of the Ross Lake National Recreation Area; then south, on the Ross Lake National Recreation Boundary across the Skagit

River and the North Cascades Highway; then north on the Ross Lake National Recreation Boundary to two miles east of Panther Creek; then south on the North Cascades National Park Boundary to Fisher Point; then east on the Skagit-Chelan County line across State Highway 2 to the Pacific Crest Trail; then north on the Pacific Crest Trail to Jims Pass, Oregon Basin and the Mt. Baker-Snoqualmie National Forest; then west on the Mt. Baker-Snoqualmie National Forest Boundary to the Ross Lake National Recreation Boundary; then north on the east boundary of the Ross Lake National Recreation Area to the Canadian border; then west on the Canadian border to the west boundary of the Ross Lake National Recreation Area and the point of beginning. ((See Washington Atlas & Gazetteer))

**GMU ((433-CAVANAUGH)) 437-SAUK (Skagit and Snohomish counties):** Beginning at the intersection of State Highway 9 and ((the Skagit River (south of Sedro Woolley)); then east along the main channel of the Skagit River to the Sauk Valley Road (SR 530) near Rockport; then south on the Sauk Valley Road (SR 530) to Darrington; then west on the Arlington-Darrington Highway (SR 530) to State Highway 9 (at Arlington); then north on State Highway 9 to the Skagit River and the point of beginning. (See Washington Atlas & Gazetteer)

**GMU 440-SUIATTLE (Skagit and Snohomish counties):** Beginning at State Highway 20 and)) Highway 20; then east along Highway 20 to Jackman Creek east of Concrete; then northeast along Jackman Creek to the range line between Range 9 and 10 East; then north on the range line to the boundary of the North Cascades National Park; then north and east on the North Cascades National Park Boundary to the Ross Lake National Recreation Area Boundary; then south on the Ross Lake National Recreation Area Boundary across the North Cascade Highway 20 and the Skagit River and east along the Ross Lake National Recreation Area to the North Cascades National Park Boundary near Big Devil Peak; then southeast on the North Cascades National Park Boundary to the ((Cascade River Road; then south on the Cascade River Road to USFS Road 1590 (USFS Road 1590); then south on USFS Road 1590 to the)) north boundary of Glacier Peak Wilderness Area; then west and south on Glacier Peak Wilderness Area Boundary to the Suitttle River; then west along the Suitttle River to State Highway 530 (Sauk Valley Road); then ((north)) south on State Highway 530 to ((Rockport and State Highway 20)) Darrington; then west on State Highway ((20)) 530 to ((Jackman Creek)) Highway 9 at Arlington; then north on State Highway 9 to Highway 20 and the point of beginning. ((See Washington Atlas & Gazetteer and Mt. Baker-Snoqualmie National Forest map)

**GMU 442-TULALIP (Snohomish and King counties):** Beginning at the mouth of the Stillaguamish River near Stanwood; then east along the Stillaguamish River to Arlington and State Highway 530; then northeast on State Highway 530 to the Trafton School at Trafton; then south-east along the Jim Creek Trafton Road (242nd St. N.E.) to the City of Seattle power transmission line; then southwest on the transmission line to the Jordan Road in Section 20, T31N, R6E; then southeast along the Jordan Road to Granite Falls and the Menzel Lake Road; then south on the Menzel

~~Lake Road past Lake Roesiger to the Woods Creek Road; then south on the Woods Creek Road to Monroe and Highway 203; then south on Highway 203 to the Snoqualmie River at Duvall; then north along the Snoqualmie River to the Snohomish River; then west along the Snohomish River to Puget Sound; then north along the shore of Puget Sound to the mouth of the Stillaguamish River near Stanwood and the point of beginning. ((See Washington Atlas & Gazetteer))~~

**GMU 448-STILLAGUAMISH (Snohomish and Skagit counties):** Beginning at Trafton on the Highway 530 (Arlington-Darrington Highway); then northeast on Highway 530 to Darrington; then north on Highway 530 (Sauk Valley Road - Bennets Store Road) to the Suiattle River; then east along the Suiattle River to the Glacier Peak Wilderness Area Boundary; then south on the Glacier Peak Wilderness Area Boundary to June Mountain and USFS Trail 650; then west on the USFS Trail 650 on the crest between Sloan Creek and the North Fork Skykomish River Drainages to Curry Gap and the Quartz Creek Trail 1050; then south on the Quartz Creek Trail 1050 and 1054 to West Cady Creek; then south along West Cady Creek through Section 36, T28N, R12E to Meadow Creek; then south along Meadow Creek to Rapid River; then east along Rapid River to Lake Janus and the Pacific Crest Trail; then south on the Pacific Crest Trail to Stevens Pass and Highway 2; then west on Highway 2 to Monroe and the Woods Creek Road; then north on the Woods Creek Road past Lake Roesiger to the Menzel Lake Road; then north on the Menzel Lake Road to Granite Falls and the Jordan Road; then northwest on the Jordan Road through Jordan to the City of Seattle power transmission lines; then northeast on the transmission lines to the Jim Creek-Trafton Road (242nd St. N.E.); then west on the Jim Creek-Trafton Road to Trafton and the point of beginning. ((See Washington Atlas & Gazetteer and Mt. Baker-Snoqualmie National Forest map))

**GMU 450-CASCADE (Skagit and Snohomish counties):** Beginning on the Glacier Peak Wilderness Boundary one mile north of Jordan Lakes on the township line between T34 & 35N; then east on the Wilderness Boundary to USFS Road 1590 (USFS Road 1590); then north on USFS Road 1590 to the Cascade River Road; then north on Cascade River Road to the North Cascades National Park Boundary; then east on the North Cascades National Park Boundary to the Pacific Crest Trail Boundary; then south on the Pacific Crest Trail to Lake Janus and the Rapid River; then northwest along the Rapid River to Meadow Creek; then north along Meadow Creek to West Cady Creek; then northwest along West Cady Creek near Excelsior Mountain and USFS Trail 1054; then north on USFS Trail 1054 and the Quartz Creek Trail (USFS 1050) to Curry Gap and USFS Trail 650; then east on USFS Trail 650 to June Mountain and the Glacier Peak Wilderness Boundary; then north on the Glacier Peak Wilderness Boundary across the Suiattle River to Jordan Lakes on township line between T34 & 35N and the point of beginning. ((See Mt. Baker-Snoqualmie National Forest and Wenatchee National Forest maps))

**GMU 454-ISSAQUAH (King and Snohomish counties):** Beginning at the mouth of the Snohomish River near Everett; then southeast along the Snohomish River to the

Snoqualmie River; then southeast along the Snoqualmie River to Duvall and State Highway 203; then south on State Highway 203 ((through)) to Fall City; then southwest on Preston-Fall City Road to Preston and Interstate Highway 90; then east on Interstate Highway 90 to State Highway 18; then south on State Highway 18 to the Raging River; then southeast along the Raging River to the City of Seattle Cedar River Watershed; then west, south and east on the Cedar River Watershed to the City of Tacoma Green River Watershed; then south on the Green River Watershed to USFS Road 7110 near Lynn Lake; then southwest on USFS Road 7110 to U.S. Highway 410; then west on U.S. Highway 410 to Enumclaw and State Highway 164; then west on State Highway 164 to Auburn and State Highway 18; then west on State Highway 18 to U.S. Highway 99; then north on U.S. Highway 99 to Buenna and Redondo Beach; then due west to Puget Sound; then ((north along Puget Sound)) west along East Passage and north along Colvos Passage (including Vashon and Maury Islands) to Puget Sound; then north to the mouth of the Snohomish River and the point of beginning. ((See Washington Atlas & Gazetteer and Mt. Baker-Snoqualmie National Forest map))

**GMU 460-SNOQUALMIE (King and Snohomish counties):** Beginning at Monroe on State Highway 203 and U.S. Highway 2; then east on U.S. Highway 2 to Stevens Pass and the Pacific Crest Trail; then south on the Pacific Crest Trail to the City of Seattle Cedar River Watershed; then west on the Cedar River Watershed to the Raging River; then north along the Raging River to State Highway 18; then north on State Highway 18 to Interstate Highway 90; then west on Interstate Highway 90 to the Preston-Fall City Road; then north on the Preston-Fall City Road to State Highway 203; then north on State Highway 203 to Monroe and the point of beginning. ((See Mt. Baker-Snoqualmie National Forest map))

**GMU 466-STAMPEDE (King County):** Beginning on the Pacific Crest Trail (USFS Trail 2000) and the east boundary of the City of Seattle Cedar River Watershed; then south on the Pacific Crest Trail past Blowout Mountain to Pyramid Peak, at Windy Gap; then northwest on USFS Roads 7036 and 7030 to USFS Trail 1172; then northwest on USFS Trail 1172 to the Champion Creek Road (USFS Road 7012); north on Champion Creek Road to the City of Tacoma Green River Watershed Boundary; then north on the Green River Watershed Boundary to the Pacific Crest Trail and the point of beginning. ((See White River Ranger District map and North Bend Ranger District map of the Mt. Baker-Snoqualmie National Forest))

**GMU 472-WHITE RIVER (King and Pierce counties):** Beginning at the lookout at Grass Mountain mainline (USFS Road 7110) and the City of Tacoma Green River Watershed Boundary; then east on the Green River Watershed Boundary and USFS Trail 1172 to USFS Road 7032; then east along USFS Road 7032 to USFS Road 7030; then southeast along USFS Road 7030 and USFS Road 7036 to the Pacific Crest Trail north of Pyramid Peak; then south on the Pacific Crest Trail to the Mount Rainier National Park Boundary at Chinook Pass; then north and west on the park boundary to the Carbon River; then northwest along the Carbon River to Bonneville Power Transmission Line; then northeast along

the transmission line to South Prairie Creek; then north along South Prairie Creek to intersection with Champion ownership line (Section 14, T19N, R6E); then east and north along Champion ownership line to the White River (along west line of Section 6, T19N, R7E); then southeast along the White River to the Bonneville Power Line on the north side of the river near Mud Mountain Dam Road; then northeast on the transmission lines to State Highway 410; then east on State Highway 410 to USFS Road 7110; then north on USFS Road 7110 to the City of Tacoma Green River Watershed and the point of beginning, except Private Lands Wildlife Management Area 401 (Champion). ~~((See Washington Atlas & Gazetteer, U.S. Forest Service White River-Norse Peak Wilderness map, and Champion Timberlands Visitors Recreation map))~~

**GMU 478-MASHEL (Pierce County):** Beginning at the Bonneville Power Transmission Line at the Puyallup River bridge on the Orville Road East; then northeast on the Bonneville Power Transmission Line to the Carbon River; then southeast along the Carbon River to the west boundary of Mt. Rainier National Park; then south on the park boundary to the Nisqually River; then west on the Nisqually River (Pierce-Lewis and Pierce-Thurston county lines) to ~~((Weyerhaeuser 1000 (Main Line); then northeast on the Weyerhaeuser 1000 to Highway 161 (Eatonville-LaGrande Road);))~~ the mouth of the Mashel River; then up the Mashel River to the Highway 161 Bridge (Eatonville-LaGrande Road); then ~~((northeast))~~ north on Highway 161 through Eatonville to Orville Road East (Kapowsin-Eatonville Road); then north on the Orville Road East to the Puyallup River bridge and the point of beginning, except Private Lands Wildlife Management Area 401 (Champion). ~~((See Washington Atlas & Gazetteer, Mt. Baker-Snoqualmie National Forest map, and Champion Timberlands Visitors Recreation map))~~

~~**GMU 480-SOUTH ISLANDS (Pierce County):** All of Anderson, Ketron, McNeil, Gertrude, and Pitt Islands. "Special firearm restrictions for these islands." Hunting is closed on Gertrude, Pitt and McNeil Islands. (See Washington Atlas & Gazetteer))~~

**GMU 484-PUYALLUP (Pierce and King counties):** Beginning at Redondo Junction on the shore of Puget Sound and Redondo Way South; then southeast on Redondo Way South to Pacific Highway South (Old Highway 99); then south on the Pacific Highway South to Auburn and State Highway 18; then east on State Highway 18 to State Highway 164; then southeast on State Highway 164 to Enumclaw and State Highway 410 (Chinook Pass Highway); then east on State Highway 410 to the second set of Bonneville Power Transmission Lines near the Mud Mountain Dam Road; then southwest on the transmission lines to the White River; then northwest along the White River to the Champion ownership line (along west line of Section 6, T19N, R7E); then west and south along the Champion ownership line to South Prairie Creek (Section 14, T19N, R6E); then south along South Prairie Creek to the intersection with the Bonneville Power Line; then southwest on this transmission line to Puyallup River and the Orville Road East; then south on the Orville Road East to State Highway 161; then ~~((south on the Weyerhaeuser 1000 line))~~ down the

Mashel River to the Nisqually River (Pierce-Thurston County line); then northwest along the Nisqually River to Puget Sound; then north along ((the shore of Puget Sound)) Nisqually Reach, Drayton Passage, Pitt Passage, including Anderson Island, McNeil Island and Ketron Island to Redondo and the point of beginning, except Private Lands Wildlife Management Area 401 (Champion). ((See Washington Atlas & Gazetteer, Mt. Baker-Snoqualmie National Forest map, and Champion Timberlands Visitors Recreation map))

**GMU 485-GREEN RIVER (King County):** Beginning at the northwest corner of the Green River Watershed; then east on the boundary between the Green River Watershed and the Cedar River Watershed to the USFS Road 5060; then south on the USFS Road 5060 to the posted boundary of the Green River Watershed; then along the southern boundary of the Green River Watershed over Huckleberry Mountain and Grass Mountain and across the Green River to the northwest corner of the Green River Watershed and the point of beginning. ~~((See White River Ranger District map, and North Bend Ranger District map of the Mt. Baker-Snoqualmie National Forest))~~

**GMU 490-CEDAR RIVER (King County):** Beginning at the Cedar River and the west boundary of the City of Seattle Cedar River Watershed; then north and east on the watershed boundary to the Pacific Crest Trail; then south on the Pacific Crest Trail past Yakima Pass to the boundary of the Cedar River Watershed; then west and north on the Cedar River Watershed Boundary to the Cedar River and the point of beginning. ~~((See Mt. Baker-Snoqualmie National Forest map))~~

**WSR 97-06-045**  
**PERMANENT RULES**  
**FISH AND WILDLIFE**  
**COMMISSION**  
(Wildlife)

[Order 97-28—Filed February 27, 1997, 2:43 p.m.]

Date of Adoption: December 7, 1996.

Purpose: To adopt WAC 232-28-264 1997-98, 1998-99, 1999-2000 Official hunting hours and small game regulations.

Statutory Authority for Adoption: RCW 77.12.040.

Adopted under notice filed as WSR 96-21-158 on October 23, 1996.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-28-264 differs from the proposed version filed with the code reviser in the following specifics:

1. The title of the hunting hour tables on pages 1, 2, and 3 was amended to: OFFICIAL HUNTING HOURS FOR MIGRATORY GAME BIRDS, UPLAND BIRDS AND WILD TURKEYS\*.

2. The single asterisk at the bottom of each table on pages 1, 2, and 3 was amended to: These are the lawful hunting hours (one-half hour before sunrise to sunset) for migratory game birds (duck, goose, coot, snipe, mourning dove, and band-tailed pigeon), upland birds (pheasant, partridge, and quail), and turkey during established seasons.



3. Exception 3 at the bottom of each table was amended to: Bobcat and raccoon are exempt from hunting hour restrictions during established bobcat and raccoon seasons except when that area is open to modern firearm hunting of deer or elk, hunting hours shall be one-half hour before sunrise to one-half hour after sunset.

4. The title of the hunting hour tables on pages 4, 5, and 6 was amended to: OFFICIAL HUNTING HOURS FOR GAME ANIMALS & GAME BIRDS (EXCEPT MIGRATORY AND UPLAND GAME BIRDS)\*.

5. The single asterisk at the bottom of each table on pages 4, 5, and 6 was amended to: These are lawful hunting hours (one-half hour before sunrise to one-half hour after sunset) for all game animals and game birds (except duck, goose, coot, snipe, mourning dove, band-tailed pigeon, pheasant, partridge, quail and turkey), during established seasons.

6. Because Initiative 655 passed banning hound hunting for several species, the rules for hunting many small game animals were amended as follow: "Hound Hunting During Deer and Elk Hunting Seasons." It is unlawful to hunt any wildlife at night or wild animals with dogs (hounds) during the months of September, October, or November in any area open to a center fire rifle deer or elk season. The use of hounds to hunt black bear, cougar, and bobcat is prohibited year around.

7. Bobcat seasons were replaced with:

Bag and Possession Limits: No Limit  
Open Season: Statewide, except closed in GMU 522. Sept. 2, 1997-Mar. 15, 1998; Sept. 8, 1998-Mar. 15, 1999; Sept. 7, 1999-Mar. 15, 2000.

8. The opening day for Valley and Bobwhite Quail in eastern Washington was changed from October 1, 1997 to October 11, 1997.

9. Raccoon seasons were replaced with:

Bag and Possession Limits: No Limit  
OPEN SEASON: Statewide, except CLOSED on Long Island within Willapa National Wildlife Refuge and in GMU 522. Sept. 2, 1997-Mar. 15, 1998; Sept. 8, 1998-Mar. 15, 1999; Sept. 7, 1999-Mar. 15, 2000.

10. Fox seasons were amended with:

Bag and Possession Limits: No Limit  
OPEN SEASON: Statewide, except CLOSED within

the exterior boundaries of the Mount Baker-Snoqualmie, Okanogan, Wenatchee, and Gifford Pinchot National Forests and GMUs 407, 410, and 522. Sept. 2, 1997-Mar. 15, 1998; Sept. 8, 1998-Mar. 15, 1999; Sept. 7, 1999-Mar. 15, 2000.

11. Coyote seasons were amended to:

Bag and Possession Limits: No Limit  
OPEN SEASON: Statewide, year around except CLOSED in GMU 522 and CLOSED from September 15 to November 30 in the Pasayten Wilderness, GMUs 426 and 450, and those portions of GMUs 218, 304, and 448 within the external boundaries of the Mount Baker-Snoqualmie, Okanogan, and Wenatchee National Forests. However, coyote may only be killed and/or pursued with hounds during the following period: Sept. 2, 1997-Mar. 15, 1998; Sept. 8, 1998-Mar. 15, 1999; Sept. 7, 1999-Mar. 15, 2000; except coyote may be hunted year around with hounds in Grant, Adams, Benton, and Franklin counties.

12. Under the Special Restriction for western Washington, Ring-necked Pheasant, steelshot was replaced with non-toxic shot.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.  
December 30, 1996

Lisa Pelly  
for Mitchell S. Johnson  
Chairman

PERMANENT

NEW SECTION

**WAC 232-28-264 1997-98, 1998-99, and 1999-2000 Official hunting hours and small game seasons.**

1997-98 OFFICIAL HUNTING HOURS  
FOR MIGRATORY GAME BIRDS, UPLAND BIRDS, AND WILD TURKEYS\*

September 1, 1997 to January 31, 1998

Dates (Inclusive)	Daylight Savings Time		Western Washington from		Eastern Washington from	
	A.M.	P.M.	A.M.	P.M.	A.M.	P.M.
Mon. Sept. 1 - Sun. Sept. 7	6:00	7:45	5:50	7:30		
Mon. Sept. 8 - Sun. Sept. 14	6:10	7:30	6:00	7:20		
Mon. Sept. 15 - Sun. Sept. 21	6:20	7:15	6:10	7:05		

Mon.	Sept. 22	-	Sun.	Sept. 28	6:30	7:00	6:15	6:50
Mon.	Sept. 29	-	Sun.	Oct. 5	6:40	6:45	6:30	6:35
Mon.	Oct. 6	-	Fri.	Oct. 10	6:45	6:30	6:35	6:25
Opening	Oct. 11**		Sat.		8:00	6:30	Noon	6:15
Weekend**	Oct. 12		Sun.		6:50	6:30	6:40	6:15
Mon.	Oct. 13	-	Sun.	Oct. 19	7:00	6:20	6:50	6:10
Mon.	Oct. 20	-	Sat.	Oct. 25	7:10	6:10	7:00	5:55

Pacific Standard Time

			Sun.	Oct. 26	6:15	5:00	6:00	4:50
Mon.	Oct. 27	-	Sun.	Nov. 2	6:20	4:55	6:15	4:45
Mon.	Nov. 3	-	Sun.	Nov. 9	6:30	4:45	6:20	4:30
Mon.	Nov. 10	-	Sun.	Nov. 16	6:40	4:35	6:30	4:25
Mon.	Nov. 17	-	Sun.	Nov. 23	6:50	4:30	6:40	4:15
Mon.	Nov. 24	-	Sun.	Nov. 30	7:00	4:20	6:50	4:10
Mon.	Dec. 1	-	Sun.	Dec. 7	7:10	4:20	7:00	4:10
Mon.	Dec. 8	-	Sun.	Dec. 14	7:15	4:20	7:05	4:05
Mon.	Dec. 15	-	Sun.	Dec. 21	7:20	4:20	7:10	4:10
Mon.	Dec. 22	-	Sun.	Dec. 28	7:25	4:25	7:15	4:10
Mon.	Dec. 29	-	Sun.	Jan. 4	7:25	4:30	7:15	4:15
Mon.	Jan. 5	-	Sun.	Jan. 11	7:25	4:35	7:15	4:25
Mon.	Jan. 12	-	Sun.	Jan. 18	7:25	4:45	7:10	4:35
Mon.	Jan. 19	-	Sun.	Jan. 25	7:20	4:55	7:05	4:45
Mon.	Jan. 26	-	Sat.	Jan. 31	7:10	5:00	7:00	4:50

\*These are lawful hunting hours (one-half hour before sunrise to sunset) for migratory game birds (duck, goose, coot, snipe, mourning dove, and band-tailed pigeon); upland birds (pheasant, quail, partridge); and turkey during established seasons.

\*\*Opening Day (Oct. 11, 1997; Oct. 17, 1998; and Oct. 16, 1999) - In Eastern Washington, pheasant, quail, duck, goose, coot, and snipe seasons open at noon. In Western Washington, pheasant, quail, duck, goose, coot, and snipe seasons open at 8:00 a.m.

Exceptions:

- 1) Western Washington - Pheasant and quail hunting hours are 8:00 a.m. to 4:00 p.m. in all areas.
- 2) Clark, Cowlitz, Pacific, and Wahkiakum counties - Goose hunting hours are 8:00 a.m. to 4:00 p.m. November-January; and 7:00 a.m. to 4:00 p.m. February-March.
- 3) Bobcat and raccoon are exempt from hunting hour restrictions during established bobcat and raccoon seasons except when that area is open to modern firearm hunting of deer or elk, hunting hours shall be one-half hour before sunrise to one-half hour after sunset.
- 4) Hunting hours for falconry seasons (except migratory game bird seasons) are exempt from these hunting hours, except on designated pheasant release sites.

1998-99 OFFICIAL HUNTING HOURS  
FOR MIGRATORY GAME BIRDS, UPLAND BIRDS, AND WILD TURKEYS\*  
September 1, 1998 to January 31, 1999

Dates (Inclusive)				Western Washington from		Eastern Washington from		
				A.M.	P.M.	A.M.	P.M.	
				Daylight Savings Time				
Tues.	Sept. 1	-	Sun.	Sept. 6	6:00	7:45	5:50	7:35
Mon.	Sept. 7	-	Sun.	Sept. 13	6:10	7:35	6:00	7:20
Mon.	Sept. 14	-	Sun.	Sept. 20	6:20	7:20	6:05	7:05
Mon.	Sept. 21	-	Sun.	Sept. 27	6:30	7:05	6:15	6:50
Mon.	Sept. 28	-	Sun.	Oct. 4	6:40	6:50	6:25	6:35
Mon.	Oct. 5	-	Sun.	Oct. 11	6:45	6:35	6:25	6:25
Mon.	Oct. 12	-	Fri.	Oct. 16	6:55	6:20	6:45	6:10
Opening	Oct. 17**		Sat.		8:00	6:20	Noon	6:05
Weekend**	Oct. 18		Sun.		6:55	6:20	6:45	6:05
Mon.	Oct. 19	-	Sat.	Oct. 24	7:05	6:10	6:55	6:00
				Pacific Standard Time				
			Sun.	Oct. 25	6:10	5:00	6:00	4:50
Mon.	Oct. 26	-	Sun.	Nov. 1	6:20	4:55	6:05	4:45

Mon.	Nov. 2	-	Sun.	Nov. 8	6:30	4:45	6:15	4:35
Mon.	Nov. 9	-	Sun.	Nov. 15	6:40	4:35	6:30	4:25
Mon.	Nov. 16	-	Sun.	Nov. 22	6:50	4:30	6:40	4:15
Mon.	Nov. 23	-	Sun.	Nov. 29	7:00	4:25	6:50	4:10
Mon.	Nov. 30	-	Sun.	Dec. 6	7:10	4:20	6:55	4:10
Mon.	Dec. 7	-	Sun.	Dec. 13	7:15	4:20	7:05	4:05
Mon.	Dec. 14	-	Sun.	Dec. 20	7:20	4:20	7:10	4:10
Mon.	Dec. 21	-	Sun.	Dec. 27	7:25	4:20	7:15	4:10
Mon.	Dec. 28	-	Sun.	Jan. 3	7:25	4:30	7:15	4:15
Mon.	Jan. 4	-	Sun.	Jan. 10	7:25	4:35	7:15	4:25
Mon.	Jan. 11	-	Sun.	Jan. 17	7:25	4:45	7:10	4:30
Mon.	Jan. 18	-	Sun.	Jan. 24	7:20	4:55	7:05	4:40
Mon.	Jan. 25	-	Sat.	Jan. 31	7:10	5:00	7:00	4:50

\*These are lawful hunting hours (one-half hour before sunrise to sunset) for migratory game birds (duck, goose, coot, snipe, mourning dove, and band-tailed pigeon); upland birds (pheasant, quail, partridge); and turkey during established seasons.

\*\*Opening Day (Oct. 11, 1997; Oct. 17, 1998; and Oct. 16, 1999) - In Eastern Washington, pheasant, quail, duck, goose, coot, and snipe seasons open at noon. In Western Washington, pheasant, quail, duck, goose, coot, and snipe seasons open at 8:00 a.m.

Exceptions:

- 1) Western Washington - Pheasant and quail hunting hours are 8:00 a.m. to 4:00 p.m. in all areas.
- 2) Clark, Cowlitz, Pacific, and Wahkiakum counties - Goose hunting hours are 8:00 a.m. to 4:00 p.m. November-January; and 7:00 a.m. to 4:00 p.m. February-March.
- 3) Bobcat and raccoon are exempt from hunting hour restrictions during established bobcat and raccoon seasons except when that area is open to modern firearm hunting of deer or elk, hunting hours shall be one-half hour before sunrise to one-half hour after sunset.
- 4) Hunting hours for falconry seasons (except migratory game bird seasons) are exempt from these hunting hours, except on designated pheasant release sites.

1999-2000 OFFICIAL HUNTING HOURS  
FOR MIGRATORY GAME BIRDS, UPLAND BIRDS, AND WILD TURKEYS\*  
September 1, 1999 to January 31, 2000

Dates (Inclusive)				Western Washington from		Eastern Washington from		
				A.M.	P.M.	A.M.	P.M.	
				Daylight Savings Time				
Wed.	Sept. 1	-	Sun.	Sept. 5	6:00	7:45	5:45	7:35
Mon.	Sept. 6	-	Sun.	Sept. 12	6:05	7:35	5:50	7:20
Mon.	Sept. 13	-	Sun.	Sept. 19	6:15	7:20	6:05	7:10
Mon.	Sept. 20	-	Sun.	Sept. 26	6:25	7:10	6:15	6:50
Mon.	Sept. 27	-	Sun.	Oct. 3	6:35	6:50	6:25	6:40
Mon.	Oct. 4	-	Sun.	Oct. 10	6:45	6:40	6:35	6:25
Mon.	Oct. 11	-	Fri.	Oct. 15	6:50	6:25	6:45	6:15
Opening Weekend**	Oct. 16**	-	Sat.		8:00	6:25	Noon	6:15
Mon.	Oct. 17	-	Sun.		6:50	6:25	6:45	6:15
Mon.	Oct. 18	-	Sun.	Oct. 24	7:05	6:15	6:55	6:00
Mon.	Oct. 25	-	Sat.	Oct. 30	7:15	6:00	7:05	5:45
				Pacific Standard Time				
Sun.	Oct. 31	-	Sun.	Nov. 7	6:25	4:45	6:15	4:35
Mon.	Nov. 8	-	Sun.	Nov. 14	6:35	4:40	6:25	4:25
Mon.	Nov. 15	-	Sun.	Nov. 21	6:50	4:30	6:35	4:20
Mon.	Nov. 22	-	Sun.	Nov. 28	7:00	4:25	6:45	4:10
Mon.	Nov. 29	-	Sun.	Dec. 5	7:05	4:20	6:50	4:10
Mon.	Dec. 6	-	Sun.	Dec. 12	7:10	4:20	7:00	4:05
Mon.	Dec. 13	-	Sun.	Dec. 19	7:20	4:20	7:05	4:05
Mon.	Dec. 20	-	Sun.	Dec. 26	7:25	4:25	7:10	4:10
Mon.	Dec. 27	-	Sun.	Jan. 2	7:30	4:25	7:15	4:15
Mon.	Jan. 3	-	Sun.	Jan. 9	7:30	4:35	7:15	4:20
Mon.	Jan. 10	-	Sun.	Jan. 16	7:25	4:40	7:10	4:30

PERMANENT

Mon.	Jan. 17	-	Sun.	Jan. 23	7:20	4:50	7:05	4:45
Mon.	Jan. 24	-	Mon.	Jan. 31	7:15	5:00	7:00	4:50

\*These are lawful hunting hours (one-half hour before sunrise to sunset) for migratory game birds (duck, goose, coot, snipe, mourning dove, and band-tailed pigeon); upland birds (pheasant, quail, partridge); and turkey during established seasons.

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- 4) Hunting hours for falconry seasons (except migratory game bird seasons) are exempt from these hunting hours, except on designated pheasant release sites.

1997-1998 OFFICIAL HUNTING HOURS  
FOR GAME ANIMALS & GAME BIRDS (EXCEPT MIGRATORY AND UPLAND GAME BIRDS)\*  
September 1, 1997 to January 31, 1998

Dates (Inclusive)				Western Washington from		Eastern Washington from		
				A.M.	to P.M.	A.M.	to P.M.	
				Daylight Savings Time				
Mon.	Sept. 1	-	Sun.	Sept. 7	6:00	8:15	5:50	8:00
Mon.	Sept. 8	-	Sun.	Sept. 14	6:10	8:00	6:00	7:50
Mon.	Sept. 15	-	Sun.	Sept. 21	6:20	7:45	6:10	7:35
Mon.	Sept. 22	-	Sun.	Sept. 28	6:30	7:30	6:15	7:20
Mon.	Sept. 29	-	Sun.	Oct. 5	6:40	7:15	6:30	7:05
Mon.	Oct. 6	-	Fri.	Oct. 10	6:45	7:00	6:35	6:55
Opening	Oct. 11**		Sat.		6:50**	7:00	6:40**	6:45
Weekend**	Oct. 12		Sun.		6:50	7:00	6:40	6:45
Mon.	Oct. 13	-	Sun.	Oct. 19	7:00	6:50	6:50	6:40
Mon.	Oct. 20	-	Sat.	Oct. 25	7:10	6:40	7:00	6:25
				Pacific Standard Time				
			Sun.	Oct. 26	6:15	5:30	6:00	5:20
Mon.	Oct. 27	-	Sun.	Nov. 2	6:20	5:25	6:15	5:15
Mon.	Nov. 3	-	Sun.	Nov. 9	6:30	5:15	6:20	5:00
Mon.	Nov. 10	-	Sun.	Nov. 16	6:40	5:05	6:30	4:55
Mon.	Nov. 17	-	Sun.	Nov. 23	6:50	5:00	6:40	4:45
Mon.	Nov. 24	-	Sun.	Nov. 30	7:00	4:50	6:50	4:40
Mon.	Dec. 1	-	Sun.	Dec. 7	7:10	4:50	7:00	4:40
Mon.	Dec. 8	-	Sun.	Dec. 14	7:15	4:50	7:05	4:35
Mon.	Dec. 15	-	Sun.	Dec. 21	7:20	4:50	7:10	4:40
Mon.	Dec. 22	-	Sun.	Dec. 28	7:25	4:55	7:15	4:40
Mon.	Dec. 29	-	Sun.	Jan. 4	7:25	5:00	7:15	4:45
Mon.	Jan. 5	-	Sun.	Jan. 11	7:25	5:05	7:15	4:55
Mon.	Jan. 12	-	Sun.	Jan. 18	7:25	5:15	7:10	5:05
Mon.	Jan. 19	-	Sun.	Jan. 25	7:20	5:25	7:05	5:15
Mon.	Jan. 26	-	Sat.	Jan. 31	7:10	5:30	7:00	5:20

\*These are lawful hunting hours (one-half hour before sunrise to one-half hour after sunset) for all game animals and game birds (except duck, goose, coot, snipe, mourning dove, band-tailed pigeon, pheasant, quail, partridge and turkey) during established seasons.

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1998-1999 OFFICIAL HUNTING HOURS  
FOR GAME ANIMALS & GAME BIRDS (EXCEPT MIGRATORY AND UPLAND GAME BIRDS)\*  
September 1, 1998 to January 31, 1999

Dates (Inclusive)				Western Washington from			Eastern Washington from		
				A.M.	to	P.M.	A.M.	to	P.M.
Daylight Savings Time									
Tues.	Sept. 1	-	Sun.	Sept. 6	6:00	8:15	5:50	8:05	
Mon.	Sept. 7	-	Sun.	Sept. 13	6:10	8:05	6:00	7:50	
Mon.	Sept. 14	-	Sun.	Sept. 20	6:20	7:50	6:05	7:35	
Mon.	Sept. 21	-	Sun.	Sept. 27	6:30	7:35	6:15	7:20	
Mon.	Sept. 28	-	Sun.	Oct. 4	6:40	7:20	6:25	7:05	
Mon.	Oct. 5	-	Sun.	Oct. 11	6:45	7:05	6:25	6:55	
Mon.	Oct. 12	-	Fri.	Oct. 16	6:55	6:50	6:45	6:40	
Opening	Oct. 17**		Sat.		6:55**	6:50	6:45**	6:35	
Weekend**	Oct. 18		Sun.		6:55	6:50	6:45	6:35	
Mon.	Oct. 19	-	Sat.	Oct. 24	7:05	6:40	6:55	6:30	
Pacific Standard Time									
			Sun.	Oct. 25	6:10	5:30	6:00	5:20	
Mon.	Oct. 26	-	Sun.	Nov. 1	6:20	5:25	6:05	5:15	
Mon.	Nov. 2	-	Sun.	Nov. 8	6:30	5:15	6:15	5:05	
Mon.	Nov. 9	-	Sun.	Nov. 15	6:40	5:05	6:30	4:55	
Mon.	Nov. 16	-	Sun.	Nov. 22	6:50	5:00	6:40	4:45	
Mon.	Nov. 23	-	Sun.	Nov. 29	7:00	4:55	6:50	4:40	
Mon.	Nov. 30	-	Sun.	Dec. 6	7:10	4:50	6:55	4:40	
Mon.	Dec. 7	-	Sun.	Dec. 13	7:15	4:50	7:05	4:35	
Mon.	Dec. 14	-	Sun.	Dec. 20	7:20	4:50	7:10	4:40	
Mon.	Dec. 21	-	Sun.	Dec. 27	7:25	4:50	7:15	4:40	
Mon.	Dec. 28	-	Sun.	Jan. 3	7:25	5:00	7:15	4:45	
Mon.	Jan. 4	-	Sun.	Jan. 10	7:25	5:05	7:15	4:55	
Mon.	Jan. 11	-	Sun.	Jan. 17	7:25	5:15	7:10	5:00	
Mon.	Jan. 18	-	Sun.	Jan. 24	7:20	5:25	7:05	5:10	
Mon.	Jan. 25	-	Sat.	Jan. 31	7:10	5:30	7:00	5:20	

\*These are lawful hunting hours (one-half hour before sunrise to one-half hour after sunset) for all game animals and game birds (except duck, goose, coot, snipe, mourning dove, band-tailed pigeon, pheasant, quail, partridge and turkey) during established seasons.

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- 4) Hunting hours for falconry seasons (except migratory game bird seasons) are exempt from these hunting hours, except on designated pheasant release sites.

PERMANENT

1999-2000 OFFICIAL HUNTING HOURS  
FOR GAME ANIMALS & GAME BIRDS (EXCEPT MIGRATORY AND UPLAND GAME BIRDS)\*  
September 1, 1999 to January 31, 2000

PERMANENT

Dates (Inclusive)				Western Washington from		Eastern Washington from	
				A.M.	P.M.	A.M.	P.M.
<b>Daylight Savings Time</b>							
Wed.	Sept. 1	-	Sun. Sept. 5	6:00	8:15	5:45	8:05
Mon.	Sept. 6	-	Sun. Sept. 12	6:05	8:05	5:50	7:50
Mon.	Sept. 13	-	Sun. Sept. 19	6:15	7:50	6:05	7:40
Mon.	Sept. 20	-	Sun. Sept. 26	6:25	7:40	6:15	7:20
Mon.	Sept. 27	-	Sun. Oct. 3	6:35	7:20	6:25	7:10
Mon.	Oct. 4	-	Sun. Oct. 10	6:45	7:10	6:35	6:55
Mon.	Oct. 11	-	Sun. Oct. 15	6:50	6:55	6:45	6:45
Opening Weekend**	Oct. 16**	-	Sat. Oct. 17	6:50**	6:55	6:45**	6:45
Mon.	Oct. 18	-	Sun. Oct. 24	7:05	6:45	6:55	6:30
Mon.	Oct. 25	-	Sat. Oct. 30	7:15	6:30	7:05	6:15
<b>Pacific Standard Time</b>							
Sun.	Oct. 31	-	Sun. Nov. 7	6:25	5:15	6:15	5:05
Mon.	Nov. 8	-	Sun. Nov. 14	6:35	5:10	6:25	4:55
Mon.	Nov. 15	-	Sun. Nov. 21	6:50	5:00	6:35	4:50
Mon.	Nov. 22	-	Sun. Nov. 28	7:00	4:55	6:45	4:40
Mon.	Nov. 29	-	Sun. Dec. 5	7:05	4:50	6:50	4:40
Mon.	Dec. 6	-	Sun. Dec. 12	7:10	4:50	7:00	4:35
Mon.	Dec. 13	-	Sun. Dec. 19	7:20	4:50	7:05	4:35
Mon.	Dec. 20	-	Sun. Dec. 26	7:25	4:55	7:10	4:40
Mon.	Dec. 27	-	Sun. Jan. 2	7:30	4:55	7:15	4:45
Mon.	Jan. 3	-	Sun. Jan. 9	7:30	5:05	7:15	4:50
Mon.	Jan. 10	-	Sun. Jan. 16	7:25	5:10	7:10	5:00
Mon.	Jan. 17	-	Sun. Jan. 23	7:20	5:20	7:05	5:15
Mon.	Jan. 24	-	Mon. Jan. 31	7:15	5:30	7:00	5:20

\*These are lawful hunting hours (one-half hour before sunrise to one-half hour after sunset) for all game animals and game birds (except duck, goose, coot, snipe, mourning dove, band-tailed pigeon, pheasant, quail, partridge and turkey) during established seasons.

\*\*Opening Day (Oct. 11, 1997; Oct. 17, 1998; and Oct. 16, 1999) - In Eastern Washington, pheasant, quail, duck, goose, coot, and snipe seasons open at noon. In Western Washington, pheasant, quail, duck, goose, coot, and snipe seasons open at 8:00 a.m.

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- 1) Western Washington - Pheasant and quail hunting hours are 8:00 a.m. to 4:00 p.m. in all areas.
- 2) Clark, Cowlitz, Pacific, and Wahkiakum counties - Goose hunting hours are 8:00 a.m. to 4:00 p.m. November-January; and 7:00 a.m. to 4:00 p.m. February-March.
- 3) Bobcat and raccoon are exempt from hunting hour restrictions during established bobcat and raccoon seasons except when that area is open to modern firearm hunting of deer or elk, hunting hours shall be one-half hour before sunrise to one-half hour after sunset.
- 4) Hunting hours for falconry seasons (except migratory game bird seasons) are exempt from these hunting hours, except on designated pheasant release sites.

**Hound Hunting During Deer and Elk Hunting Seasons**

It is unlawful to hunt any wildlife at night or wild animals with dogs (hounds) during the months of September, October, or November in any area open to a center-fire rifle deer or elk season. The use of hounds to hunt black bear, cougar, and bobcat is prohibited year around.

BOBCAT

Bag and Possession Limits: No Limit

OPEN SEASON: Statewide, except CLOSED in GMU 522.

Sept. 2, 1997-Mar. 15, 1998; Sept. 8, 1998-Mar. 15, 1999; Sept. 7, 1999-Mar. 15, 2000.

RACCOON

Bag and Possession Limits: No Limit

OPEN SEASON: Statewide, except CLOSED on Long Island within Willapa National Wildlife Refuge and in GMU 522.

Sept. 2, 1997-Mar. 15, 1998; Sept. 8, 1998-Mar. 15, 1999;  
Sept. 7, 1999-Mar. 15, 2000.

#### FOX

Bag and Possession Limits: No Limit

OPEN SEASON: Statewide, except CLOSED within the exterior boundaries of the Mount Baker-Snoqualmie, Okanogan, Wenatchee, and Gifford Pinchot National Forests and GMUs 407, 410, and 522.

Sept. 2, 1997-Mar. 15, 1998; Sept. 8, 1998-Mar. 15, 1999;  
Sept. 7, 1999-Mar. 15, 2000.

#### COYOTE

Bag and Possession Limits: No Limit

OPEN SEASON: Statewide, year around except CLOSED in GMU 522 and CLOSED from September 15 to November 30 in the Pasayten Wilderness, GMUs 426 and 450, and those portions of GMUs 218, 304, and 448 within the external boundaries of the Mount Baker-Snoqualmie, Okanogan, and Wenatchee National Forests. However, coyote may only be killed and/or pursued with hounds during the following period: Sept. 2, 1997-Mar. 15, 1998; Sept. 8, 1998-Mar. 15, 1999; Sept. 7, 1999-Mar. 15, 2000; except coyote may be hunted year around with hounds in Grant, Adams, Benton, and Franklin counties.

#### FOREST GROUSE (BLUE, RUFFED, AND SPRUCE)

Bag and Possession Limits: Three (3) grouse per day, with a total of nine (9) grouse in possession at any time; straight or mixed bag.

Statewide: Sept. 1-Dec. 31 during 1997, 1998, and 1999; except CLOSED in GMU 522.

#### PTARMIGAN

Season closed statewide.

#### UPLAND BIRDS

##### Eastern Washington

##### Ring-necked Pheasant

Bag and Possession Limits: Three (3) cock pheasants per day, with a total of fifteen (15) cock pheasants in possession at any time.

Noon Oct. 11-Dec. 31, 1997; Noon Oct. 17-Dec. 31, 1998;  
Noon Oct. 16-Dec. 31, 1999.

##### Chukar Partridge

Bag and Possession Limits: Six (6) chukar per day, with a total of eighteen (18) chukar in possession at any time.

Regular Season: Oct. 1, 1997-Jan. 11, 1998; Oct. 1, 1998-Jan. 10, 1999; Oct. 1, 1999-Jan. 9, 2000.

##### Gray (Hungarian) Partridge

Bag and Possession Limits: Six (6) gray partridges per day, with a total of eighteen (18) gray partridges in possession at any time.

Regular Season: Oct. 1, 1997-Jan. 11, 1998; Oct. 1, 1998-Jan. 10, 1999; Oct. 1, 1999-Jan. 9, 2000.

##### Mountain Quail

#### Season closed throughout eastern Washington

##### Valley and Bobwhite Quail

Bag and Possession Limits: Ten (10) quail per day, with a total of thirty (30) quail in possession at any time, straight or mixed bag.

Noon Oct. 11, 1997-Jan. 11, 1998; Noon Oct. 17, 1998-Jan. 10, 1999; Noon Oct. 16, 1999-Jan. 9, 2000.

Yakama Indian Reservation: The 1997-98, 1998-99, 1999-2000 Upland Bird Seasons within the Yakama Indian Reservation shall be the same as the season established by the Yakama Indian Nation.

##### Western Washington

##### Ring-necked Pheasant

Bag and Possession Limits: Two (2) pheasants of either sex per day on designated release sites, EXCEPT two (2) cock pheasants per day on other than designated release sites, with a total of fifteen (15) pheasants in possession at any time.

Early season: Sept. 20-26, 1997; Sept. 26-Oct. 2, 1998; and Sept. 25-Oct. 1, 1999 for juvenile hunters under 15 and senior hunters 65 years of age or older. Juvenile hunters must be accompanied by an adult.

Sept. 27-Nov. 30, 1997; Oct. 3-Nov. 30, 1998; and Oct. 2-Nov. 30, 1999; 8 a.m. to 4 p.m.; except Dungeness Recreation site (Clallam County) starting Oct. 11, 1997; Oct. 17, 1998; Oct. 16, 1999; except CLOSED in GMU 522.

A Western Washington Upland Bird Permit is required to hunt pheasant, quail, and partridge in western Washington, in addition to a current hunting license. Pheasant kills only must be recorded. Upon taking a pheasant, the holder of a Western Washington Upland Bird Permit must immediately enter on the corresponding space the date and location of kill.

There are three options available for the 1997, 1998, 1999 hunting season:

- (1) Full Season Option: Allows the harvest of ten (10) pheasants.
- (2) Juvenile (under 15): Allows the harvest of six (6) pheasants.
- (3) 2-Day Option: Allows the harvest of four (4) pheasants during two consecutive days.

Every person possessing a Western Washington Upland Bird Permit must by December 31, return the permit to the Department of Fish and Wildlife. The number of permits purchased per year is not limited. Hunters may only possess one valid permit at a time.

A hunter shall select one valid option at the time they purchase their Western Washington Upland Bird Permit.

Special Restriction: Nontoxic shot must be used in a shotgun to hunt pheasant on the Skagit Wildlife Area. Hunting is restricted on weekend mornings at Lake Terrell (all units including ARCO and INTELCO), Tennant Lake, Snoqualmie (including Stillwater, Cherry Valley, and Two Rivers segments) and Skagit (including headquarters and Smith Farm segments) Skookumchuck and Scatter Creek wildlife areas. Only hunters with Western Washington

Upland Bird Permits marked "odd" may hunt these sites from 8:00 a.m. until 10:00 a.m. on odd numbered weekend days. Only hunters with Western Washington Upland Bird Permits marked "even" may hunt these sites from 8:00 a.m. until 10:00 a.m. on even numbered weekend days. Hunters that select the two day option, senior hunters 65 years of age or older, and juvenile hunters 14 years of age or younger may hunt during either weekend day morning. Juvenile hunters must be accompanied by an adult with an appropriately marked upland bird permit.

#### Mountain Quail

Bag and Possession Limits: Two (2) mountain quail per day, with a total of four (4) mountain quail in possession at any time.

Oct. 11-Nov. 30, 1997; Oct. 17-Nov. 30, 1998; Oct. 16-Nov. 30, 1999; except CLOSED in GMU 522.

#### Valley and Bobwhite Quail

Bag and Possession Limits: Ten (10) valley or bobwhite quail per day, with a total of thirty (30) valley or bobwhite quail in possession at any time; straight or mixed bag.

Oct. 11-Nov. 30, 1997; Oct. 17-Nov. 30, 1998; Oct. 16-Nov. 30, 1999; except CLOSED in GMU 522.

#### TURKEY

##### **Spring Season**

Gobblers and Turkeys with Visible Beards Only.

Statewide: April 15-May 15, 1997; April 15-May 15, 1998; and April 15-May 15, 1999.

##### **Fall Season**

Either Sex

Klickitat and Skamania counties: Nov. 27-Dec. 1, 1997; Nov. 26-30, 1998; Nov. 25-29, 1999.

Asotin, Columbia, Garfield, and Walla Walla counties: Nov. 27-Dec. 1, 1997; Nov. 26-30, 1998; Nov. 25-29, 1999. Only hunters that successfully complete the Department of Fish and Wildlife's Advanced Hunter Education (AHE) program will be eligible to hunt turkeys during this season. A certification card will be issued to all AHE graduates and must be in possession in addition to a valid hunting license and turkey tag while hunting in this area.

#### OFFICIAL HUNTING HOURS/BAG LIMITS:

Bag and Possession Limit: One turkey per day, with a total of three (3) per year; only one turkey from each subspecies may be killed per year in 1997, 1998 and 1999; Subspecies are defined by county of kill.

Eastern Wild Turkey: All of western Washington excluding Skamania and Klickitat counties.

Rio Grande Wild Turkey: All of eastern Washington excluding Klickitat, Ferry, Pend Oreille, and Stevens counties.

Merriam's Wild Turkey: Skamania, Klickitat, Pend Oreille, Ferry and Stevens counties.

Tag Sale Cutoff: All multiple tags must be purchased by April 14 each year; a single statewide tag may be purchased at any time.

Hunting Hours: One-half hour before sunrise to sunset during spring and fall seasons.

#### SPECIAL REGULATIONS:

1. Turkey season is open for shotgun and bow-and-arrow hunting only.
2. A turkey tag is required for hunting turkey.
3. Each successful hunter must complete and return a game harvest report card to the Department of Fish and Wildlife within ten days after taking a turkey.
4. It is unlawful to use dogs to hunt turkeys.

#### SAGE AND SHARP-TAILED GROUSE

Season Closed Statewide.

#### BIRD DOG TRAINING SEASON

Aug. 1, 1997-Mar. 15, 1998; Aug. 1, 1998-Mar. 15, 1999; and Aug. 1, 1999-Mar. 15, 2000, except from Sept. 27-Nov. 30, 1997, Oct. 3-Nov. 30, 1998, and Oct. 2-Nov. 30, 1999, dog training is prohibited except from 8:00 a.m. to 4:00 p.m. on designated western Washington pheasant release sites.

Dog training may be conducted year around on posted portions of: Region One - Espanola (T 24 N, R 40 E, E 1/2 of Sec. 16); Region Two - Wahluke Wildlife Area north of Highway 24; Region Three - South L.T. Murray Wildlife Area; Region Four - Fort Lewis Military Base, Skagit Wildlife Area, Lake Terrell Wildlife Area, and Snoqualmie Wildlife Area; Region Six - Scatter Creek Wildlife Area.

#### CANADA GOOSE SEPTEMBER SEASON

Early September Canada Goose season for Clark, Cowlitz, Pacific, and Wahkiakum counties.

Bag and Possession Limits: Three (3) Canada geese per day with a total of six (6) in possession at any time.

Sept. 1-15, 1997; Sept. 1-15, 1998; Sept. 1-15, 1999.

Open Area: Clark, Cowlitz, Pacific, and Wahkiakum counties.

Early September Canada Goose season for the remainder of western Washington and all of eastern Washington.

Bag and Possession Limits: Three (3) Canada geese per day with a total of six (6) in possession at any time.

September 6-12, 1997; September 8-14, 1998; September 7-13, 1999.

Open Area: Statewide, except Clark, Cowlitz, Pacific, and Wahkiakum counties.

#### BAND-TAILED PIGEON

Closed Season Statewide.

#### MOURNING DOVE

Bag and possession limits: Ten (10) mourning doves per day with a total of twenty (20) mourning doves in possession at any time.

Statewide: Sept. 1-15, 1997; Sept. 1-15, 1998; and Sept. 1-15, 1999; except CLOSED in GMU 522.

#### RABBIT AND HARE

Cottontail, Snowshoe Hare (or Washington Hare), and Jackrabbit.



**Bag and Possession Limits:** Five (5) rabbits or hares per day, with a total of fifteen (15) in possession at any time; straight or mixed bag.

**Statewide:** Sept. 1, 1997-Mar. 15, 1998; Sept. 1, 1998-Mar. 15, 1999; Sept. 1, 1999-Mar. 15, 2000; except CLOSED in GMU 522.

CROWS

**Bag and possession limits:** No limits

**Statewide:** Oct. 1, 1997-Jan. 31, 1998; Oct. 1, 1998-Jan. 31, 1999; Oct. 1, 1999-Jan. 31, 2000.

FALCONRY SEASONS

Upland Game Bird - Falconry

**Daily bag:** Two (2) pheasants (either sex), six (6) partridge, five (5) quail, and three (3) forest grouse (blue, ruffed, spruce) per day.

**Statewide:** Sept. 1, 1997-Mar. 15, 1998; Sept. 1, 1998-Mar. 15, 1999; Sept. 1, 1999-Mar. 15, 2000.

Mourning Dove - Falconry

**Daily Bag:** Three (3) mourning doves per day straight bag or mixed bag with snipe, coots, ducks, and geese during established seasons.

**Statewide:** Sept. 1-15 and Oct. 1-Dec. 31, 1997; Sept. 1-15 and Oct. 1-Dec. 31, 1998; and Sept. 1-15 and Oct. 1-Dec. 31, 1999.

Cottontail and Hare - Falconry

**Daily bag:** Five (5) rabbits or hares per day; straight or mixed bag.

**Statewide:** Aug. 1, 1997-Mar. 15, 1998; Aug. 1, 1998-Mar. 15, 1999; Aug. 1, 1999-Mar. 15, 2000, for cottontail, snowshoe hare (or Washington hare), white-tailed and black-tailed jackrabbits.

from the proposed version filed with the code reviser in the following specifics:

1. Dates for Hunt Numbers 1001, 1002, and 1003 were changed from Oct. 11-28 to Oct. 13-28.
2. Hunts "Threeforks B" and "49 Degrees North B" were eliminated.
3. The "A" letter following hunts "Threeforks" and "49 Degrees North" were deleted.
4. Dates for hunts Mica Peak, Cheney A, and Roosevelt A were changed from Nov. 8-16 to Oct. 13-28.
5. The Prescott hunt was relabeled Prescott A.
6. The "A" was deleted from the Blue Creek Hunt.
7. The following new hunt was added: Marengo B, Nov. 8-16, Antlerless Only in GMU 163.
8. Dates for the Blue Mtns. Foothills A and B hunts and West Okanogan and East Okanogan hunts were changed from Dec. 8-15 to Nov. 10-25.
9. The boundary description of West Okanogan was amended to include GMUs 209, 218-242.
10. The letter "A" following the Wannacut hunt was dropped.
11. The dates for hunts Wannacut, Sinlahekin A, Chewuch A, Pearrygin A, Gardner A, and Pogue A were changed to Oct. 20-29.
12. The date for the Chiliwist A hunt was changed to Nov. 10-25.
13. The following new hunt was added: Saint Andrews, Oct. 11-19, Antlerless Only, GMU 254.
14. The letter "A" was added to the Entiat hunt.
15. Hunts Guemes Island A and B were deleted.
16. The ending date for the two Green River hunts was changed from Oct. 28 to Oct. 24.
17. The Green River A hunt was changed from either sex to 2 pt. min. or antlerless.
18. The ending date for all other western Washington hunts was changed Oct. 28 to Oct. 31.
19. The hunts Stella and Yale from the deer muzzle-loader permit table were transferred to the modern firearm permit table with a double asterisk that reads: Firearm restriction area.
20. The special restrictions for Marble, West Klickitat, East Klickitat and Grayback were changed to 2 pt. min. or antlerless.
21. The hunts Hoko, Sol Duc, Goodman, and Clearwater were deleted.
22. The hunt number sequence was redone to account for added and deleted hunts.
23. The "Any Buck Permits" table was replaced by separate tables for Modern Firearm, Archery and Muzzle-loader permit hunters. Also, the two sentences under the title describing the hunt opportunity were deleted.
24. The following three tables were inserted to replace the any buck permits tables:

**WSR 97-06-046  
PERMANENT RULES  
FISH AND WILDLIFE  
COMMISSION  
(Wildlife)**

[Order 97-29—Filed February 27, 1997, 2:47 p.m.]

**Date of Adoption:** December 19, 1996.

**Purpose:** To adopt WAC 232-28-265 1997-98 Deer and elk permit hunting seasons.

**Statutory Authority for Adoption:** RCW 77.12.040.

**Adopted under notice filed as WSR 96-21-159 on October 23, 1996.**

**Changes Other than Editing from Proposed to Adopted Version:** The adopted version of WAC 232-28-265 differs

MODERN FIREARM BUCK HUNTS (Only Modern Firearm tag holders may apply.)

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description
1075	Sinlahekin B	Nov. 8-13	3 Pt. Min.	GMU 215
1076	Chewuch B	Nov. 8-13	3 Pt. Min.	GMU 218
1077	Pearrygin B	Nov. 8-13	3 Pt. Min.	GMU 224
1078	Gardner B	Nov. 8-13	3 Pt. Min.	GMU 231
1079	Pogue B	Nov. 8-13	3 Pt. Min.	GMU 233
1080	Chiliwist B	Nov. 8-13	3 Pt. Min.	GMU 239

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1081	Manson A	Nov. 8-13	3 Pt. Min.	GMU 300
1082	Chiwawa A	Nov. 8-13	3 Pt. Min.	GMU 304
1083	Entiat A	Nov. 8-13	3 Pt. Min.	GMU 308
1084	Mission A	Nov. 8-13	3 Pt. Min.	GMU 314
1085	Swakane A	Nov. 8-13	3 Pt. Min.	GMU 316
1086	Teanaway A	Nov. 8-13	3 Pt. Min.	GMU 335
1087	Taneum A	Nov. 8-13	3 Pt. Min.	GMU 336
1088	Naches A	Nov. 8-13	3 Pt. Min.	GMU 346
1089	Nile A	Nov. 8-13	3 Pt. Min.	GMU 352
1090	Bumping A	Nov. 8-13	3 Pt. Min.	GMU 356
1091	Bethel A	Nov. 8-13	3 Pt. Min.	GMU 360
1092	Rimrock A	Nov. 8-13	3 Pt. Min.	GMU 364
1093	Cowiche A	Nov. 8-13	3 Pt. Min.	GMU 368
1094	Kiona A	Nov. 8-13	3 Pt. Min.	GMU 372

DEER MUZZLELOADER ONLY HUNTS (Only Muzzleloader tag holders may apply.)

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description
1095	Sinlahekin C	Nov. 15-20	3 Pt. Min.	GMU 215
1096	Chewuch C	Nov. 15-20	3 Pt. Min.	GMU 218
1097	Pearrygin C	Nov. 15-20	3 Pt. Min.	GMU 224
1098	Gardner C	Nov. 15-20	3 Pt. Min.	GMU 231
1099	Pogue C	Nov. 15-20	3 Pt. Min.	GMU 233
1100	Chiliwist C	Nov. 15-20	3 Pt. Min.	GMU 239
1101	Manson B	Nov. 15-20	3 Pt. Min.	GMU 300
1102	Chiwawa B	Nov. 15-20	3 Pt. Min.	GMU 304
1103	Chiwawa C	Nov. 1-20	Antlerless Only	GMU 304
1104	Entiat C	Nov. 15-20	3 Pt. Min.	GMU 308
1105	Mission B	Nov. 15-20	3 Pt. Min.	GMU 314
1106	Swakane B	Nov. 15-20	3 Pt. Min.	GMU 316
1107	Teanaway B	Nov. 15-20	3 Pt. Min.	GMU 335
1108	Taneum B	Nov. 15-20	3 Pt. Min.	GMU 336
1109	Naches B	Nov. 15-20	3 Pt. Min.	GMU 346
1110	Nile B	Nov. 15-20	3 Pt. Min.	GMU 352
1111	Bumping B	Nov. 15-20	3 Pt. Min.	GMU 356
1112	Bethel B	Nov. 15-20	3 Pt. Min.	GMU 360
1113	Rimrock B	Nov. 15-20	3 Pt. Min.	GMU 364
1114	Cowiche B	Nov. 15-20	3 Pt. Min.	GMU 368
1115	Kiona B	Nov. 15-20	3 Pt. Min.	GMU 372

DEER ARCHERY ONLY BUCK HUNTS (Only Archery tag holders may apply.)

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description
1116	Chewuch D	Nov. 26-Dec. 8	3 Pt. Min.	GMU 218
1117	Pearrygin D	Nov. 26-Dec. 8	3 Pt. Min.	GMU 224
1118	Gardner D	Nov. 26-Dec. 8	3 Pt. Min.	GMU 231
1119	Chiliwist D	Nov. 26-Dec. 8	3 Pt. Min.	GMU 239
1120	Chiwawa D	Nov. 26-Dec. 8	3 Pt. Min.	GMU 304
1121	Entiat D	Nov. 26-Dec. 8	3 Pt. Min.	GMU 308
1122	Mission C	Nov. 26-Dec. 8	3 Pt. Min.	GMU 314
1123	Teanaway C	Nov. 26-Dec. 8	3 Pt. Min.	GMU 335
1124	Taneum C	Nov. 26-Dec. 8	3 Pt. Min.	GMU 336
1125	Bumping C	Nov. 26-Dec. 8	3 Pt. Min.	GMU 356
1126	Bethel C	Nov. 26-Dec. 8	3 Pt. Min.	GMU 360
1127	Cowiche C	Nov. 26-Dec. 8	3 Pt. Min.	GMU 368
1128	Kiona C	Nov. 26-Dec. 8	3 Pt. Min.	GMU 372

25. The hunts labeled "Limited Entry Only Buck Hunts" were replaced by separate hunts for modern firearm, muzzleloader and archery. The Naneum unit was dropped from hunts for each user group. The following hunts were adopted:

MODERN FIREARM LIMITED ENTRY ONLY BUCK HUNTS (Only Modern Firearm tag holders may apply.)

Deer hunting in the units listed below will be limited to permit only hunting.

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description
1129	Alta A	Nov. 8-23	3 Pt. Min.	GMU 242
1130	Desert A	Nov. 8-23	3 Pt. Min.	GMU 290

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1131	Quilomene A	Nov. 8-23	3 Pt. Min.	GMU 329
1132	West Bar A	Nov. 8-23	3 Pt. Min.	GMU 330
1133	Umtanum A	Nov. 8-23	3 Pt. Min.	GMU 342
1134	Alkali A	Nov. 8-23	3 Pt. Min.	GMU 371

**MUZZLELOADER LIMITED ENTRY ONLY BUCK HUNTS (Only Muzzleloader tag holders may apply.)**

Deer hunting in the units listed below will be limited to permit only hunting.

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description
1135	Alta B	Oct. 1-10	3 Pt. Min.	GMU 242
1136	Desert B	Oct. 1-10	3 Pt. Min.	GMU 290
1137	Quilomene B	Oct. 1-10	3 Pt. Min.	GMU 329
1138	West Bar B	Oct. 1-10	3 Pt. Min.	GMU 330
1139	Umtanum B	Oct. 1-10	3 Pt. Min.	GMU 342
1140	Alkali B	Oct. 1-10	3 Pt. Min.	GMU 371

**ARCHERY LIMITED ENTRY ONLY BUCK HUNTS (Only Archery tag holders may apply.)**

Deer hunting in the units listed below will be limited to permit only hunting.

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description
1141	Alta C	Sept. 1-15	3 Pt. Min.	GMU 242
1142	Desert C	Sept. 1-15	3 Pt. Min.	GMU 290
1143	Quilomene C	Sept. 1-15	3 Pt. Min.	GMU 329
1144	West Bar C	Sept. 1-15	3 Pt. Min.	GMU 330
1145	Umtanum C	Sept. 1-15	3 Pt. Min.	GMU 342
1146	Alkali C	Sept. 1-15	3 Pt. Min.	GMU 371

26. The hunts labeled Deer Muzzleloader Only for Stella and Yale were transferred to modern firearm as described previously.

27. Under Youth Hunter Opportunity, the hunts Prescott B and Marengo B were deleted.

28. Under Youth Hunter Opportunity hunts, the hunts Blue Mountains Foothills C and D, and Big Bend B were changed from either sex to 3 pt. min. or antlerless.

29. The dates for hunts Toutle, Wind River, Satsop and Skookumchuck B under Youth Hunter Opportunity were changed from Oct. 18-28 to Oct. 18-31.

30. The hunts Cheney, Roosevelt B and Almota under Advanced Hunter Education Program were deleted.

31. The hunt Wenatchee B was changed from either sex to 3 pt. min. or antlerless.

32. Under Special Hunts for Persons of Disability, the Threeforks hunt was dropped and the Skookumchuck C hunt added for Oct. 11-31, either sex, in GMU 667.

33. Under hunts for persons of disability, the Big Bend C hunt was dropped from antlerless to 3 pt. min. or antlerless.

34. The date for the Entiat C hunt changed from Nov. 1-15 to Nov. 1-14.

35. The dates for the Margaret, Skookumchuck and Bear River were changed from Oct. 18-31 to Oct. 11-31.

36. The Title Deer Private Lands Wildlife Management Permit Opportunities was changed to Private Lands Wildlife Management Area Deer Permit Opportunities.

37. Under the Wilson Creek area, the sentence "There will be 30 hunters (Wilson A below) authorized to participate in a special hunt for which an access fee will be charged" was deleted. The next sentence was amended by adding "Wilson B."

38. The hunt sequence for all the Wilson Creek hunts was rearranged so the hunt numbers and letter designations were amended.

39. The permit number for Wilson A was set at 30 and the permit number for Wilson B was set at 2.

40. Hunts on Champion's Kapowsin Tree Farm were amended by putting the buck hunts in the hunt table instead of listing in paragraph format. The following hunt table was adopted for Champion's Kapowsin Tree Farm:

**Champion's Kapowsin Tree Farm**

Hunt No.	Hunt Name	Permit Number	Permit Season	Special Restrictions	Boundary Description
*	Kapowsin North/Buck	14**	Nov. 8-23	Buck Only (Auction/Raffle)	PLWMA 401A North
*	Kapowsin Central/Buck	28**	Nov. 8-23	Buck Only (Auction/Raffle)	PLWMA 401B Central
*	Kapowsin South/Buck	8**	Nov. 8-23	Buck Only (Auction/Raffle)	PLWMA 401C South
1169	Kapowsin North	50	Dec. 12-16	Antlerless Only, Senior Hunters (Age 65+)	PLWMA 401A North
1170	Kapowsin Central	100	Dec. 12-16	Antlerless Only	PLWMA 401B Central
1171	Kapowsin South	100	Dec. 13, 14, 20, 21	Antlerless Only, Youth or Persons of Disability Only	PLWMA 401C South

\* No hunt number because hunter must contact Champion for auction/raffle permit opportunity.

\*\*Only hunters possessing a valid deer tag (any 1997 deer tag) are eligible for Champion buck permits. Persons interested in these deer permits should contact Champion Pacific Timberlands, Inc., 31716 Camp 1 Road, Orting, WA 98360. For more information, please call Champion at (206) 879-4200.

41. Hunts on Merrill and Ring's Pysht Tree Farm were rewritten for consistent format with the other Private Lands Management Areas. The adopted hunts were:

**Merrill and Ring's Pysht Tree Farm**

An access fee will be charged by the landowner for hunting on the Pysht Tree Farm. Pysht North A is archery only, all other hunts are open to any legal weapon hunters.

Hunt No.	Hunt Name	Permit Number	Permit Season	Special Restrictions	Boundary Description
*	Pysht North A	15**	Sept. 15-30	Raffle, Archery, Antlerless Only	PLWMA 600A North
*	Pysht North B	40**	Oct. 19-31	Raffle, Antlerless Only	PLWMA 600A North
*	Pysht North C	30**	Nov. 10-24	Raffle, 3 Pt. Min. or Antlerless	PLWMA 600B North
*	Pysht South A	40**	Oct. 19-31	Raffle, Antlerless Only	PLWMA 600B South

\*No hunt number because hunter must contact Merrill and Ring for raffle permit opportunity.

\*\*Only hunters possessing a valid deer tag (any 1997 deer tag) are eligible for Merrill and Ring permits. Persons interested in these permits should contact Merrill and Ring, 11 Pysht River Rd., Clallam Bay, WA 98326. For more information, please call Merrill and Ring at (360) 963-2378.

42. Modern Firearm Elk Permit hunts were changed extensively. The elk tag prefix letters "G" were changed to "P" throughout the permit tables.

43. The Peola A hunt was added Oct. 29-Nov. 2, Antlerless Only, BP or BM, GMU 178. The dates for Northeast A, Naneum A, Quilomene A, Taneum, Manastash, Umtanum, Little Naches A, Nile, Bumping A, Bethel A, Rimrock A and Cowiche A, were changed to Oct. 29-Nov. 2.

44. The hunts Wenaha A, Wenatchee Mtns. and Little Naches B were added as Oct. 1-10, 3 pt. bull min. in the corresponding GMUs: 169, 302 and 335, and 346.

45. The hunts White River A, Nov. 12-16, Antlerless Only, WP or WM, GMU 472 and Green River A, Nov. 8-12, Antlerless Only, WP or WM, GMU 485 were added.

46. The name cow was deleted from the Margaret and Toutle hunts.

47. The dates for hunts Lincoln, Willapa Hills, Packwood, Winston A, Margaret A, Ryderwood A, Coweeman A, Toutle A, Marble A, Lewis River A, Washougal, Siouxon A, Wind River, West Klickitat, Grayback, Minot Peak and Williams Creek were changed to Nov. 12-16.

48. The following Modern Firearm Elk hunts were added: Carlton, Oct. 1-10; West Goat Rocks, Oct. 1-10; and Mt. Adams, Oct. 1-10.

49. The Skookumchuck antlerless hunt was dropped.

50. Under Advanced Hunt Education hunts, the Margaret hunt was renamed Margaret B and changed from any elk to 3 pt. minimum or antlerless.

51. The Quinault Ridge hunt was changed from Oct. 1-9 to Oct. 1-10, and from any elk to 3 pt. minimum or antlerless.

52. The Skookumchuck hunt was changed from Oct. 1-8 to Oct. 1-10, and from either sex to spike bull or antlerless.

53. A new hunt was added for Advanced Hunter Education as follows: Cathlamet Sept. 1-14, Nov. 26-Dec. 8, archery only, antlerless only, any elk tag with the hunt area being the Cathlamet Big Game Closure in Wahkiakum County.

54. The hunts labeled "Any Bull Permits" available to hunters form [from] all user groups was amended by providing separate hunts for modern firearm, archery and muzzleloader hunters. The following permit tables replace this section:

**MODERN FIREARM BULL PERMITS (Only Modern Firearm tag holders may apply.)**

**Special Restriction: 3 Pt. Min.**

Hunt No.	Hunt Name	Permit Season	Elk Tag Prefix	Boundary Description
2059	Blue Creek A	Oct. 20-Nov. 2	BP	GMU 154
2060	Dayton A	Oct. 20-Nov. 2	BP	GMU 162
2061	Tucannon A	Oct. 20-Nov. 2	BP	GMU 166
2062	Wenaha B	Oct. 20-Nov. 2	BP	GMU 169
2063	Mtn. View A	Oct. 20-Nov. 2	BP	GMU 172
2064	Peola B	Oct. 20-Nov. 2	BP	GMU 178
2065	Grande Ronde A	Oct. 20-Nov. 2	BP	GMU 186
2066	Naneum B	Oct. 20-Nov. 2	CP	GMU 328
2067	Quilomene B	Oct. 20-Nov. 2	CP	GMU 329

2068	Peaches Ridge A	Oct. 20-Nov. 2	YP	GMUs 336, 346
2069	Observatory A	Oct. 20-Nov. 2	YP	GMUs 340, 342
2070	Goose Prairie A	Oct. 20-Nov. 2	YP	GMUs 352, 356
2071	Bethel B	Oct. 20-Nov. 2	YP	GMU 360
2072	Rimrock B	Oct. 20-Nov. 2	YP	GMU 364
2073	Cowiche B	Oct. 20-Nov. 2	YP	GMU 368
2074	Winston B	Nov. 3-16	WP	GMU 520
2075	Coweeman B	Nov. 3-16	WP	GMU 550
2076	Lewis River B	Nov. 3-16	WP	GMU 560

**MUZZLELOADER BULL PERMITS (Only Muzzleloader tag holders may apply.)**

**Special Restriction: 3 Pt. Min.**

Hunt No.	Hunt Name	Permit Season	Elk Tag Prefix	Boundary Description
2077	Blue Creek B	Oct. 1-10	BM	GMU 154
2078	Dayton B	Oct. 1-10	BM	GMU 162
2079	Tucannon B	Oct. 1-10	BM	GMU 166
2080	Wenaha C	Oct. 1-10	BM	GMU 169
2081	Mtn. View B	Oct. 1-10	BM	GMU 172
2082	Peola C	Oct. 1-10	BM	GMU 178
2083	Grande Ronde B	Oct. 1-10	BM	GMU 186
2084	Naneum C	Oct. 1-10	CM	GMU 328
2085	Quilomene C	Oct. 1-10	CM	GMU 329
2086	Peaches Ridge B	Oct. 1-10	YM	GMUs 336, 346
2087	Observatory B	Oct. 1-10	YM	GMUs 340, 342
2088	Goose Prairie B	Oct. 1-10	YM	GMUs 352, 356
2089	Bethel C	Oct. 1-10	YM	GMU 360
2090	Rimrock C	Oct. 1-10	YM	GMU 364
2091	Cowiche C	Oct. 1-10	YM	GMU 368
2092	Winston C	Oct. 1-10	WM	GMU 520
2093	Coweeman C	Oct. 1-10	WM	GMU 550
2094	Lewis River C	Oct. 1-10	WM	GMU 560

**ARCHERY BULL PERMITS (Only Archery tag holders may apply.)**

**Special Restrictions: 3 Pt. Min.**

Hunt No.	Hunt Name	Permit Season	Elk Tag Prefix	Boundary Description
2095	Blue Creek C	Sept. 1-14	BA	GMU 154
2096	Dayton C	Sept. 1-14	BA	GMU 162
2097	Tucannon C	Sept. 1-14	BA	GMU 166
2098	Wenaha D	Sept. 1-14	BA	GMU 169
2099	Mtn. View C	Sept. 1-14	BA	GMU 172
2100	Peola D	Sept. 1-14	BA	GMU 178
2101	Grande Ronde C	Sept. 1-14	BA	GMU 186
2102	Naneum D	Sept. 1-14	CA	GMU 328
2103	Quilomene D	Sept. 1-14	CA	GMU 329
2104	Peaches Ridge C	Sept. 1-14	YA	GMUs 336, 346
2105	Observatory C	Sept. 1-14	YA	GMUs 340, 342
2106	Goose Prairie C	Sept. 1-14	YA	GMUs 352, 356
2107	Bethel D	Sept. 1-14	YA	GMU 360
2108	Rimrock D	Sept. 1-14	YA	GMU 364
2109	Cowiche D	Sept. 1-14	YA	GMU 368
2110	Winston D	Sept. 1-14	WA	GMU 520
2111	Coweeman D	Sept. 1-14	WA	GMU 550
2112	Lewis River D	Sept. 1-14	WA	GMU 560

55. The section Limited Entry Only Bull Hunts was also amended to provide a separate hunt table for modern firearm, archery and muzzleloader. The following tables replace the Limited Entry Only Bull Hunts.

**MODERN FIREARM LIMITED ENTRY ONLY BULL HUNTS (Only Modern Firearm tag holders may apply.)**

Elk hunting in the units listed below will be limited to permit hunting only.

In the two watershed areas, GMUs 157 and 485, all hunters must hunt at the same time and archers and muzzleloaders must wear hunter orange.

PERMANENT

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2113	Watershed A*	Nov. 1-9	3 Pt. Bull or Antlerless	BP	GMU 157
2114	White River B	Nov. 3-16	Spike Only	WP	GMU 472
2115	White River C	Nov. 3-16	3 Pt. Min.	WP	GMU 472
2116	Green River B*	Nov. 8-12	3 Pt. Min. or Antlerless	WP	GMU 485
2117	Margaret C	Nov. 3-16	3 Pt. Min.	WP	GMU 524
2118	Toutle B	Nov. 3-16	3 Pt. Min.	WP	GMU 556
2119	Dickey A	Nov. 3-16	3 Pt. Min.	WP	GMU 602
2120	Olympic A	Nov. 3-16	3 Pt. Min.	WP	GMU 621

\*Permit season for archery and muzzleloader is the same as modern firearm.

MUZZLELOADER LIMITED ENTRY ONLY BULL HUNTS (Only Muzzleloader tag holders may apply.)  
Elk hunting in the units listed below will be limited to permit hunting only.

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2121	Watershed B*	Nov. 1-9	3 Pt. Bull or Antlerless	BM	GMU 157
2122	White River D	Oct. 1-10	Spike Only	WM	GMU 472
2123	White River E	Oct. 1-10	3 Pt. Min.	WM	GMU 472
2124	Green River C*	Nov. 8-12	3 Pt. Min. or Antlerless	WM	GMU 485
2125	Margaret D	Oct. 1-10	3 Pt. Min.	WM	GMU 524
2126	Toutle C	Oct. 1-10	3 Pt. Min.	WM	GMU 556
2127	Dickey B	Oct. 1-10	3 Pt. Min.	WM	GMU 602
2128	Olympic B	Oct. 1-10	3 Pt. Min.	WM	GMU 621

\*Permit season in Mill Creek and Green River Watersheds is the same as modern firearm and hunters must wear hunter orange.

ARCHERY LIMITED ENTRY ONLY BULL HUNTS (Only Archery tag holders may apply.)  
Elk hunting in the units listed below will be limited to permit hunting only.

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2129	Watershed C*	Nov. 1-9	3 Pt. Bull or Antlerless	BP	GMU 157
2130	White River F	Sept. 1-14	Spike Only	WA	GMU 472
2131	White River G	Sept. 1-14	3 Pt. Min.	WA	GMU 472
2132	Green River D*	Nov. 8-12	3 Pt. Min. or Antlerless	WA	GMU 485
2133	Margaret E	Sept. 1-14	3 Pt. Min.	WA	GMU 524
2134	Toutle D	Sept. 1-14	3 Pt. Min.	WA	GMU 556
2135	Dickey C	Sept. 1-14	3 Pt. Min.	WA	GMU 602
2136	Olympic C	Sept. 1-14	3 Pt. Min.	WA	GMU 621

\*Permit season in Mill Creek and Green River Watersheds is the same as modern firearm and hunters must wear hunter orange.

56. As with deer, the Private Lands Wildlife Management permit opportunities hunts were rewritten to include bull permits in the tables and date changes for the permit hunts. Also Champion's name was changed to Champion Pacific Timberlands. The following Champion hunts were adopted:

PRIVATE LANDS WILDLIFE MANAGEMENT AREA PERMIT OPPORTUNITIES

Champion (PLWMA 401) Kapowsin Tree Farm

Champion Application Bull Permits

Only hunters possessing a valid elk tag (any 1997 elk tag) and meeting the special restrictions noted for each hunt are eligible for Champion access permits on PLWMA 401.

Hunt No.	Hunt Name	Permit No.	Permit Season	Special Restrictions	Boundary Descriptions
2137	Kapowsin Bull North A	2	Sept. 13-24	Any Tag, Any Bull	PLWMA 401A North
*	Kapowsin Bull North B	2	Sept. 13-24	Auction/Raffle Any Bull, Any Tag	PLWMA 401A North
*	Kapowsin Bull Central	3	Sept. 13-24	Auction/Raffle Any Bull, Any Tag	PLWMA 401B Central

Permanent

PERMANENT

* 2138	Kapowsin Bull South	3	Sept. 13-24	Auction/Raffle Any Bull, Any Tag	PLWMA 401C South
2139	Kapowsin North	10	Nov. 24-Dec. 8	Muzzleloader Only, Antlerless Only	PLWMA 401A
2140	Kapowsin Central	5	Nov. 24-Dec. 8	Muzzleloader Only, Antlerless Only	PLWMA 401B
	Kapowsin South	5	Nov. 24-Dec. 8	Muzzleloader Only, Antlerless Only	PLWMA 401C

\*No hunt number because hunter must contact Champion for auction/raffle permit opportunity. Champion Pacific Timberland Inc., 31716 Camp 1 Road, Orting, Washington 98360. For more information, please call Champion at (206) 879-4200.

A new hunt was added for Merrill and Ring's Pysht Tree farm. The following was adopted:

**Merrill and Ring PLWMA 600 Pysht Tree Farm**

Hunt No.	Hunt Name	Permit No.	Permit Season	Special Restrictions	Boundary Description
*	Pysht	2	Sept. 1-14	Raffle, Any Bull/Tag	PLWMA 600

\*No hunt number because hunter must contact Merrill and Ring for raffle permit opportunity. Merrill and Ring Tree Farm, 11 Pysht River Rd., Clallam Bay, WA 98326. For more information please call Merrill and Ring at (360) 963-2378.

57. Under special hunts for Persons of Disability, the "G" tag required was changed to "P" tag.

58. The dates for the Quilomene E and Manastash B hunts were changed to Nov. 1-7.

59. The date of the Green River E hunt was changed to Nov. 8-12.

60. The muzzleloader only hunts Cle Elum A and B as well as Mashel were dropped.

61. The Stella hunt was changed to spike bull or antlerless.

62. The Elwha and Fall River hunts were dropped.

63. The Poacher Reward hunts were deleted in this WAC.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making:

MODERN FIREARM PERMIT HUNTS (Muzzleloaders may apply.)  
Use the FOUR DIGIT HUNT NUMBER on your application.

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description
1027	Sherman	Oct. 13-28	Whitetail, Antlerless Only	GMU 101
1028	Kelly Hill	Oct. 13-28	Whitetail, Antlerless Only	GMU 105
1029	Threeforks	Oct. 13-28	Whitetail, Antlerless Only	GMU 109
1030	Selkirk	Oct. 13-28	Whitetail, Antlerless Only	GMU 113
1031	49 Degrees North	Oct. 13-28	Whitetail, Antlerless Only	GMU 117
1032	Huckleberry	Oct. 13-28	Whitetail, Antlerless Only	GMU 121
1033	Mt. Spokane	Oct. 13-28	Whitetail, Antlerless Only	GMU 124
1034	Mica Peak	Oct. 13-28	Whitetail, Antlerless Only	GMU 127
1035	Cheney	Oct. 13-28	Antlerless Only	GMU 130

New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

December 30, 1996

Lisa Pelly

for Mitchell S. Johnson  
Chairman

NEW SECTION

**WAC 232-28-265 1997-98 Deer and elk permit hunting seasons.**

**SPECIAL DEER PERMIT HUNTING SEASONS**

(Open to Permit Holders Only)

Hunters must purchase a hunting license and deer tag prior to purchase of a permit application. Only modern firearm deer tag holders and muzzleloader deer tag holders may apply for the following permit hunts.

**PERMIT QUOTAS**

1997 Permit quotas are unknown at this time. Permit quotas may be greater or less than permits authorized in 1996 depending on winter survival. Please do not call department offices for permit quotas. Quotas will be established at the April 1997, Fish and Wildlife Commission meeting.

PERMANENT

1036	Roosevelt	Oct. 13-28	Antlerless Only	GMU 133
1037	Harrington	Nov. 8-16	Antlerless Only	GMU 136
1038	Step toe	Nov. 8-16	Antlerless Only	GMU 139
1039	Almota	Nov. 8-16	Antlerless Only	GMU 142
1040	Mayview	Nov. 8-16	Antlerless Only	GMU 145
1041	Prescott A	Nov. 8-16	Antlerless Only	GMU 149
1042	Blue Creek	Nov. 8-16	Whitetail, Antlerless Only	GMU 154
1043	Dayton	Nov. 8-16	Whitetail, Antlerless Only	GMU 162
1044	Marengo A	Nov. 8-16	Whitetail, Antlerless Only	GMU 163
1045	Marengo B	Nov. 8-16	Antlerless Only	GMU 163
1046	Peola	Nov. 8-16	Antlerless Only	GMU 178
1047	Couse	Nov. 8-16	Whitetail, Antlerless Only	GMU 181
1048	Blue Mtns. Foothills A	Nov. 10-25	Whitetail, 3 Pt. Min. or Antlerless	GMUs 149, 154, 162-166
1049	Blue Mtns. Foothills B	Nov. 10-25	Whitetail, 3 Pt. Min. or Antlerless	GMUs 145, 172-181
1050	East Okanogan	Nov. 10-25	Whitetail, Either Sex	GMU 204
1051	West Okanogan	Nov. 10-25	Whitetail, Either Sex	GMUs 209, 218-242
1052	Wannacut	Oct. 20-29	Antlerless Only	GMU 209
1053	Sinlahekin B	Oct. 20-29	Whitetail, Antlerless Only	GMU 215
1054	Chewuch B	Oct. 20-29	Antlerless Only	GMU 218
1055	Pearygin B	Oct. 20-29	Antlerless Only	GMU 224
1056	Gardner B	Oct. 20-29	Antlerless Only	GMU 231
1057	Pogue B	Oct. 20-29	Antlerless Only	GMU 233
1058	Chiliwist B	Nov. 10-25	Whitetail, Either Sex	GMU 239
1059	Big Bend A	Oct. 11-19	Antlerless Only	GMU 248
1060	Saint Andrews	Oct. 11-19	Antlerless Only	GMU 254
1061	Badger	Oct. 11-19	Antlerless Only	GMU 266
1062	Moses Coulee	Oct. 11-19	Antlerless Only	GMU 269
1063	Beezley	Oct. 11-19	Antlerless Only	GMU 272
1064	Kahlotus	Oct. 11-19	Antlerless Only	GMU 284
1065	Lake Sacajawea	Oct. 11-19	Antlerless Only	Deer Area 030
1066	Entiat B	Nov. 1-12	Antlerless Only	GMUs 306, 308
1067	Wenatchee A	Nov. 1-15	Antlerless Only	Portion of GMU 314*
1068	Green River A	Oct. 18-24	2 Pt. Min. or Antlerless	GMU 485
1069	Green River B	Oct. 18-24	Antlerless Only	GMU 485
1070	Lincoln	Oct. 18-31	Either Sex	GMU 501
1071	Stella	Oct. 18-31	Either Sex	GMU 504**
1072	Mossyrock	Oct. 18-31	Either Sex	GMU 505
1073	Willapa Hills	Oct. 18-31	Either Sex	GMU 506
1074	Stormking	Oct. 18-31	Either Sex	GMU 510
1075	South Rainier	Oct. 18-31	Either Sex	GMU 513
1076	Packwood	Oct. 18-31	Either Sex	GMU 516
1077	Winston	Oct. 18-31	Either Sex	GMU 520
1078	Ryderwood	Oct. 18-31	Either Sex	GMU 530
1079	Coweeman	Oct. 18-31	Either Sex	GMU 550
1080	Yale	Oct. 18-31	Either Sex	GMU 554**
1081	Marble	Oct. 18-31	2 Pt. Min. or Antlerless	GMU 558
1082	Lewis River	Oct. 18-31	Either Sex	GMU 560
1083	Washougal	Oct. 18-31	Either Sex	GMU 568
1084	Siouxon	Oct. 18-31	Either Sex	GMU 572
1085	West Klickitat	Oct. 18-31	2 Pt. Min. or Antlerless	GMU 578
1086	East Klickitat	Oct. 18-31	2 Pt. Min. or Antlerless	GMU 582
1087	Grayback	Oct. 18-31	2 Pt. Min. or Antlerless	GMU 588
1088	Pysh	Oct. 18-31	Either Sex	GMU 603
1089	Olympic	Oct. 18-31	Either Sex	GMU 621
1090	Coyle	Oct. 18-31	Either Sex	GMU 624
1091	Mason Lake	Oct. 18-31	Either Sex	GMU 633
1092	Skokomish	Oct. 18-31	2 Pt. Min. or Antlerless	GMU 636
1093	Wynoochee	Oct. 18-31	Either Sex	GMU 648
1094	North River	Oct. 18-31	Either Sex	GMU 658



1095	Minot Peak	Oct. 18-31	Either Sex	GMU 660
1096	Capitol Peak	Oct. 18-31	Either Sex	GMU 663
1097	Deschutes	Oct. 18-31	Either Sex	GMU 666
1098	Skookumchuck A	Oct. 18-31	Either Sex	GMU 667
1099	Fall River	Oct. 18-31	Either Sex	GMU 672
1100	Williams Creek	Oct. 18-31	Either Sex	GMU 673

\*Successful applicants will be mailed a map of the hunt boundary.

\*\*Firearm restriction area.

**MODERN FIREARM BUCK HUNTS (Only Modern Firearm tag holders may apply.)**

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description
1001	Sinlahekin A	Nov. 8-13	3 Pt. Min.	GMU 215
1002	Chewuch A	Nov. 8-13	3 Pt. Min.	GMU 218
1003	Pearygin A	Nov. 8-13	3 Pt. Min.	GMU 224
1004	Gardner A	Nov. 8-13	3 Pt. Min.	GMU 231
1005	Pogue A	Nov. 8-13	3 Pt. Min.	GMU 233
1006	Chiliwist A	Nov. 8-13	3 Pt. Min.	GMU 239
1009	Manson A	Nov. 8-13	3 Pt. Min.	GMU 300
1010	Chiwawa A	Nov. 8-13	3 Pt. Min.	GMU 304
1011	Entiat A	Nov. 8-13	3 Pt. Min.	GMU 308
1012	Mission A	Nov. 8-13	3 Pt. Min.	GMU 314
1013	Swakane A	Nov. 8-13	3 Pt. Min.	GMU 316
1016	Teaway A	Nov. 8-13	3 Pt. Min.	GMU 335
1017	Taneum A	Nov. 8-13	3 Pt. Min.	GMU 336
1019	Little Naches A	Nov. 8-13	3 Pt. Min.	GMU 346
1020	Nile A	Nov. 8-13	3 Pt. Min.	GMU 352
1021	Bumping A	Nov. 8-13	3 Pt. Min.	GMU 356
1022	Bethel A	Nov. 8-13	3 Pt. Min.	GMU 360
1023	Rimrock A	Nov. 8-13	3 Pt. Min.	GMU 364
1024	Cowiche A	Nov. 8-13	3 Pt. Min.	GMU 368
1026	Kiona A	Nov. 8-13	3 Pt. Min.	GMU 372

**DEER MUZZLELOADER ONLY HUNTS (Only Muzzleloader tag holders may apply.)**

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description
1101	Sinlahekin C	Nov. 15-20	3 Pt. Min.	GMU 215
1102	Chewuch C	Nov. 15-20	3 Pt. Min.	GMU 218
1103	Pearygin C	Nov. 15-20	3 Pt. Min.	GMU 224
1104	Gardner C	Nov. 15-20	3 Pt. Min.	GMU 231
1105	Pogue C	Nov. 15-20	3 Pt. Min.	GMU 233
1106	Chiliwist C	Nov. 15-20	3 Pt. Min.	GMU 239
1109	Manson B	Nov. 15-20	3 Pt. Min.	GMU 300
1110	Chiwawa B	Nov. 15-20	3 Pt. Min.	GMU 304
1111	Chiwawa C	Nov. 1-20	Antlerless Only	GMU 304
1112	Entiat C	Nov. 15-20	3 Pt. Min.	GMU 308
1113	Mission B	Nov. 15-20	3 Pt. Min.	GMU 314
1114	Swakane B	Nov. 15-20	3 Pt. Min.	GMU 316
1117	Teaway B	Nov. 15-20	3 Pt. Min.	GMU 335
1118	Taneum B	Nov. 15-20	3 Pt. Min.	GMU 336
1120	Little Naches B	Nov. 15-20	3 Pt. Min.	GMU 346
1121	Nile B	Nov. 15-20	3 Pt. Min.	GMU 352
1122	Bumping B	Nov. 15-20	3 Pt. Min.	GMU 356
1123	Bethel B	Nov. 15-20	3 Pt. Min.	GMU 360
1124	Rimrock B	Nov. 15-20	3 Pt. Min.	GMU 364
1125	Cowiche B	Nov. 15-20	3 Pt. Min.	GMU 368
1127	Kiona B	Nov. 15-20	3 Pt. Min.	GMU 372

**DEER ARCHERY ONLY BUCK HUNTS (Only Archery tag holders may apply.)**

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description
1128	Chewuch D	Nov. 26-Dec. 8	3 Pt. Min.	GMU 218
1129	Pearygin D	Nov. 26-Dec. 8	3 Pt. Min.	GMU 224
1130	Gardner D	Nov. 26-Dec. 8	3 Pt. Min.	GMU 231

1131	Chiliwist D	Nov. 26-Dec. 8	3 Pt. Min.	GMU 239
1134	Chiwawa D	Nov. 26-Dec. 8	3 Pt. Min.	GMU 304
1135	Entiat D	Nov. 26-Dec. 8	3 Pt. Min.	GMU 308
1136	Mission C	Nov. 26-Dec. 8	3 Pt. Min.	GMU 314
1139	Teanaway C	Nov. 26-Dec. 8	3 Pt. Min.	GMU 335
1140	Taneum C	Nov. 26-Dec. 8	3 Pt. Min.	GMU 336
1142	Bumping C	Nov. 26-Dec. 8	3 Pt. Min.	GMU 356
1143	Bethel C	Nov. 26-Dec. 8	3 Pt. Min.	GMU 360
1144	Cowiche C	Nov. 26-Dec. 8	3 Pt. Min.	GMU 368
1146	Kiona C	Nov. 26-Dec. 8	3 Pt. Min.	GMU 372

MODERN FIREARM LIMITED ENTRY ONLY BUCK HUNTS (Only Modern Firearm tag holders may apply.)  
Deer hunting in the units listed below will be limited to permit only hunting.

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description
1007	Alta A	Nov. 8-23	3 Pt. Min.	GMU 242
1008	Desert A	Nov. 8-23	3 Pt. Min.	GMU 290
1014	Quilomene A	Nov. 8-23	3 Pt. Min.	GMU 329
1015	West Bar A	Nov. 8-23	3 Pt. Min.	GMU 330
1018	Umtanum A	Nov. 8-23	3 Pt. Min.	GMU 342
1025	Alkali A	Nov. 8-23	3 Pt. Min.	GMU 371

MUZZLELOADER LIMITED ENTRY ONLY BUCK HUNTS (Only Muzzleloader tag holders may apply.)  
Deer hunting in the units listed below will be limited to permit only hunting.

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description
1107	Alta B	Oct. 1-10	3 Pt. Min.	GMU 242
1108	Desert B	Oct. 1-10	3 Pt. Min.	GMU 290
1115	Quilomene B	Oct. 1-10	3 Pt. Min.	GMU 329
1116	West Bar B	Oct. 1-10	3 Pt. Min.	GMU 330
1119	Umtanum B	Oct. 1-10	3 Pt. Min.	GMU 342
1126	Alkali B	Oct. 1-10	3 Pt. Min.	GMU 371

ARCHERY LIMITED ENTRY ONLY BUCK HUNTS (Only Archery tag holders may apply.)  
Deer hunting in the units listed below will be limited to permit only hunting.

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description
1132	Alta C	Sept. 1-15	3 Pt. Min.	GMU 242
1133	Desert C	Sept. 1-15	3 Pt. Min.	GMU 290
1137	Quilomene C	Sept. 1-15	3 Pt. Min.	GMU 329
1138	West Bar C	Sept. 1-15	3 Pt. Min.	GMU 330
1141	Umtanum C	Sept. 1-15	3 Pt. Min.	GMU 342
1145	Alkali C	Sept. 1-15	3 Pt. Min.	GMU 371

YOUTH HUNTER OPPORTUNITY

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description
1158	Blue Mtns. Foothills D	Oct. 11-19	3 Pt. Min. or Antlerless	GMUs 149, 154,162-166
1159	Blue Mtns. Foothills E	Oct. 11-19	3 Pt. Min. or Antlerless	GMUs 145, 172-181
1160	Big Bend C	Oct. 11-19	3 Pt. Min. or Antlerless	GMU 248
1161	Toutle	Oct. 11-31	Either Sex	GMU 556
1162	Wind River	Oct. 11-31	2 Pt. Min. or Antlerless	GMU 574
1163	Satsop	Oct. 11-31	Either Sex	GMU 651
1164	Skookumchuck C	Oct. 11-31	Either Sex	GMU 667

SENIOR HUNTER OPPORTUNITY

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description
1156	Prescott B	Oct. 11-19	3 Pt. Min. or Antlerless	GMU 149
1157	Marengo C	Oct. 11-19	3 Pt. Min. or Antlerless	GMU 163

ADVANCED HUNTER EDUCATION (AHE) PROGRAM

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description
1147	Wenatchee B	Nov.15-23	3 Pt. Min. or Antlerless	Portion of GMU 314*
1148	Mt. Adams	Oct. 1-10	2 Pt. Min. or Antlerless	Elk Area 059

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\*Successful applicants will be mailed a map of the hunt boundary.

**SPECIAL HUNTS FOR PERSONS OF DISABILITY**

Hunters must purchase a hunting license and modern firearm or muzzleloader deer tag prior to purchase of a special hunting season permit application. Only those hunters with a Washington Disabled Hunter Permit may apply for these permits.

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description
1149	Blue Mtn. Foothills C	Nov. 10-25	3 Pt. Min. or Antlerless	GMUs 149, 154, 162-166
1150	Big Bend B	Oct. 11-19	3 Pt. Min. or Antlerless	GMU 248
1151	Entiat E	Nov. 1-14	Antlerless Only	GMU 308
1152	Green River C	Oct. 18-24	Antlerless Only	GMU 485
1153	Margaret	Oct. 11-31	Antlerless Only	GMU 524
1154	Skookumchuck B	Oct. 11-31	Either Sex	GMU 667
1155	Bear River	Oct. 11-31	2 Pt. Min. or Antlerless	GMU 681

**PRIVATE LANDS WILDLIFE MANAGEMENT AREA DEER PERMIT OPPORTUNITIES**

**Wilson Creek Area**

Only hunters possessing appropriate deer tags and meeting the special restrictions noted for each hunt are eligible for permits on PLWMA 201. You may apply for buck permits (Wilson A and B) by contacting the manager at (509) 345-0121. Other applications for Wilson Creek Area must be made through the normal application process. Access for Hunts D, E and F are for one day, scheduled by the manager. There are no access fees for hunts C, D, E, and F but the manager or his representative will accompany all deer hunters on these hunts. All hunters shall have a valid hunting license, deer tag, and written authorization from the manager to participate in these hunts. All other hunting regulations apply.

Hunt No.	Hunt Name	Permit Number	Permit Season	Special Restrictions	Boundary Description
*	Wilson A	30	Oct. 1-Dec. 31	Buck Only (Access Fee)	PLWMA 201
*	Wilson B	2	Sept. 1-30	Archery, Buck Only (Access fee)	PLWMA 201
1168	Wilson C	3	Oct. 1-Dec. 31	Buck Only, Youth Hunters Only**	PLWMA 201
1169	Wilson D	50	Oct. 1-Dec. 31	Antlerless Only, Youth Hunters Only**	PLWMA 201
1170	Wilson E	10	Oct. 1-Dec. 31	Antlerless Only, Persons of Disability Only	PLWMA 201
1171	Wilson F	10	Oct. 1-Dec. 31	Antlerless Only, AHE Hunters Only	PLWMA 201

\* No hunt number because hunter must contact manager, David Stevens, for access.

\*\*Applicants must be 16 years old or younger by opening date of the permit season and must be accompanied by an adult during the hunt.

**Champion's Kapowsin Tree Farm**

Hunt No.	Hunt Name	Permit Number	Permit Season	Special Restrictions	Boundary Description
*	Kapowsin North/Buck	14**	Nov. 8-23	Buck Only (Auction/Raffle)	PLWMA 401A North
*	Kapowsin Central/Buck	28**	Nov. 8-23	Buck Only (Auction/Raffle)	PLWMA 401B Central
*	Kapowsin South/Buck	8**	Nov. 8-23	Buck Only (Auction/Raffle)	PLWMA 401C South
1165	Kapowsin North	50	Dec. 12-16	Antlerless Only, Senior Hunters (Age 65+)	PLWMA 401A North
1166	Kapowsin Central	100	Dec. 12-16	Antlerless Only	PLWMA 401B Central
1167	Kapowsin South	100	Dec. 13, 14, 20, 21	Antlerless Only, Youth or Persons of Disability Only	PLWMA 401C South

\* No hunt number because hunter must contact Champion for auction/raffle permit opportunity.

\*\*Only hunters possessing a valid deer tag (any 1997 deer tag) are eligible for Champion buck permits. Persons interested in these deer permits should contact Champion Pacific Timberlands, Inc., 31716 Camp 1 Road, Orting, WA 98360. For more information, please call Champion at (206) 879-4200.

**Merrill and Ring's Pysht Tree Farm**

An access fee will be charged by the landowner for hunting on the Pysht Tree Farm. Pysht North A is archery only, all other hunts are open to any legal weapon hunters.

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Hunt No.	Hunt Name	Permit Number	Permit Season	Special Restrictions	Boundary Description
*	Pysht North A	15**	Sept. 15-30	Raffle, Archery, Antlerless Only	PLWMA 600A North
*	Pysht North B	40**	Oct. 19-31	Raffle, Antlerless Only	PLWMA 600A North
*	Pysht North C	30**	Nov. 10-24	Raffle, 3 Pt. Min. or Antlerless	PLWMA 600A North
*	Pysht South A	40**	Oct. 19-31	Raffle, Antlerless Only	PLWMA 600B South

\*No hunt number because hunter must contact Merrill and Ring for raffle permit opportunity.

\*\*Only hunters possessing a valid deer tag (any 1997 deer tag) are eligible for Merrill and Ring permits. Persons interested in these permits should contact Merrill and Ring, 11 Pysht River Rd., Clallam Bay, WA 98326. For more information, please call Merrill and Ring at (360) 963-2378.

#### SPECIAL ELK PERMIT HUNTING SEASONS

(Open to Permit Holders Only)

Permit hunters may hunt only with a weapon in compliance with their tag. Applicants must have purchased the proper tag for these hunts (see Elk Tag Prefix required to apply for each hunt).

#### MODERN FIREARM PERMIT HUNTS

Use the FOUR DIGIT HUNT NUMBER on your application.

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2027	Northeast	Oct. 29-Nov. 2	Antlerless Only	BP or BM	GMU 109, 113, 117, 124 east of SR 395
2028	Mica A, Cheney	Oct. 11-Nov. 2	Antlerless Only	BP or BM	GMU 127-130
2029	Wenaha B	Oct. 1-10	3 Pt. Bull Min.	BP or BM	GMU 169
2030	Peola B	Oct. 29-Nov. 2	Antlerless Only	BP or BM	GMU 178
2031	Wenatchee Mtns.	Oct. 1-10	3 Pt. Bull Min.	CP, CM, YP or YM	GMUs 302, 335
2032	Naneum B	Oct. 29-Nov. 2	Antlerless Only	CP or CM	GMU 328
2033	Shushuskin A	Nov. 15-Dec. 15	Antlerless Only	CP or CM	Elk Area 031
2034	Malaga A	Sept. 1-Oct. 3	Antlerless Only	CP or CM	Elk Area 032
2035	Malaga B	Nov. 7-Dec. 31	Antlerless Only	CP or CM	Elk Area 032
2036	Peshastin A	Sept. 1-Oct. 3	Antlerless Only	CP or CM	Elk Area 033
2037	Peshastin B	Nov. 7-Dec. 31	Either Sex	CP or CM	Elk Area 033
2038	Brushy	Sept. 20-22	Antlerless Only	CP or CM	Elk Area 035
2039	Quilomene B	Oct. 29-Nov. 2	Antlerless Only	CP or CM	GMU 329
2040	West Bar A	Oct. 22	Antlerless Only	CP or CM	GMU 330
2041	West Bar B	Oct. 23	Antlerless Only	CP or CM	GMU 330
2042	West Bar C	Oct. 24	Antlerless Only	CP or CM	GMU 330
2043	Taneum	Oct. 29-Nov. 2	Antlerless Only	YP or YM	GMU 336
2044	Manastash A	Oct. 29-Nov. 2	Antlerless Only	YP or YM	GMU 340
2045	Umtanum	Oct. 29-Nov. 2	Antlerless Only	YP or YM	GMU 342
2046	Little Naches A	Oct. 29-Nov. 2	Antlerless Only	YP or YM	GMU 346
2047	Little Naches B	Oct. 1-10	3 Pt. Bull Min.	YP or YM	GMU 346
2048	Nile	Oct. 29-Nov. 2	Antlerless Only	YP or YM	GMU 352
2049	Bumping	Oct. 29-Nov. 2	Antlerless Only	YP or YM	GMU 356
2050	Bethel B	Oct. 29-Nov. 2	Antlerless Only	YP or YM	GMU 360
2051	Rimrock B	Oct. 29-Nov. 2	Antlerless Only	YP or YM	GMU 364
2052	Cowiche B	Oct. 29-Nov. 2	Antlerless Only	YP or YM	GMU 368
2053	White River C	Nov. 12-16	Antlerless Only	WP or WM	GMU 472
2054	Green River B	Nov. 8-12	Antlerless Only	WP or WM	GMU 485
2055	Lincoln	Nov. 12-16	Antlerless Only	WP or WM	GMU 501
2056	Willapa Hills	Nov. 12-16	Antlerless Only	WP or WM	GMU 506
2057	Packwood	Nov. 12-16	Antlerless Only	WP or WM	GMU 516
2058	Winston B	Nov. 12-16	Antlerless Only	WP or WM	GMU 520
2059	Margaret B	Nov. 12-16	Antlerless Only	WP or WM	GMU 524
2060	Ryderwood	Nov. 12-16	Antlerless Only	WP or WM	GMU 530
2061	Coweeman B	Nov. 12-16	Antlerless Only	WP or WM	GMU 550
2062	Toutle B	Nov. 12-16	Antlerless Only	WP or WM	GMU 556
2063	Marble	Nov. 12-16	Antlerless Only	WP or WM	GMU 558
2064	Carlton	Oct. 1-10	3 Pt. Bull Min.	WP or WM	Elk Area 057

2065	West Goat Rocks	Oct. 1-10	3 Pt. Bull Min.	WP or WM	Elk Area 058
2066	Mt. Adams	Oct. 1-10	3 Pt. Bull Min.	WP or WM	Elk Area 059
2067	Lewis River B	Nov. 12-16	Antlerless Only	WP or WM	GMU 560
2068	Washougal	Nov. 12-16	Antlerless Only	WP or WM	GMU 568
2069	Siouxon	Nov. 12-16	Antlerless Only	WP or WM	GMU 572
2070	Wind River	Nov. 12-16	Antlerless Only	WP or WM	GMU 574
2071	West Klickitat	Nov. 12-16	Antlerless Only	WP or WM	GMU 578
2072	Grayback	Nov. 12-16	Antlerless Only	WP or WM	GMU 588
2073	Minot Peak	Nov. 12-16	Antlerless Only	WP or WM	GMU 660
2074	Williams Creek	Nov. 12-16	Antlerless Only	WP or WM	GMU 673
2075	Curtis	Dec. 20-31	Antlerless Only	WP or WM	Elk Area 050
2076	Boistfort A	Jan. 1-15, 1998	Antlerless Only	WP or WM	Elk Area 054
2077	East Valley	Jan. 1-15, 1998	Antlerless Only	WP or WM	Elk Area 055

**ADVANCED HUNTER EDUCATION (AHE) PROGRAM**

Hunters with any elk tag are eligible to apply for these hunts.

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description
2137	Shushuskin B	Dec. 16- Jan. 15, 1998	Antlerless Only	Elk Area 031
2138	Margaret E	Oct. 1-10	3 Pt. Min. or Antlerless	GMU 524
2139	Quinault Ridge	Oct. 1-10	3 Pt. Min. or Antlerless	GMU 638
2140	Skookumchuck	Oct. 1-10	Spike bull or Antlerless Only	GMU 667
2141	South Bank A	Jan. 1-15, 1998	Antlerless Only	Elk Area 062
2142	South Bank B	Jan. 16-31, 1998	Antlerless Only	Elk Area 062
2143	Cathlamet	Sep. 1-14, Nov. 26-Dec. 8	Archery Only, Antlerless Only, Any Elk Tag	Cathlamet Big Game Closure in Wahkiakum County

**MODERN FIREARM BULL PERMITS (Only Modern Firearm tag holders may apply.)**

**Special Restriction: 3 Pt. Min.**

Hunt No.	Hunt Name	Permit Season	Elk Tag Prefix	Boundary Description
2001	Blue Creek A	Oct. 20-Nov. 2	BP	GMU 154
2003	Dayton A	Oct. 20-Nov. 2	BP	GMU 162
2004	Tucannon A	Oct. 20-Nov. 2	BP	GMU 166
2005	Wenaha A	Oct. 20-Nov. 2	BP	GMU 169
2006	Mtn. View A	Oct. 20-Nov. 2	BP	GMU 172
2007	Peola A	Oct. 20-Nov. 2	BP	GMU 178
2008	Grande Ronde A	Oct. 20-Nov. 2	BP	GMU 186
2009	Naneum A	Oct. 20-Nov. 2	CP	GMU 328
2010	Quilomene A	Oct. 20-Nov. 2	CP	GMU 329
2011	Peaches Ridge A	Oct. 20-Nov. 2	YP	GMUs 336, 346
2012	Observatory A	Oct. 20-Nov. 2	YP	GMUs 340, 342
2013	Goose Prairie A	Oct. 20-Nov. 2	YP	GMUs 352, 356
2014	Bethel A	Oct. 20-Nov. 2	YP	GMU 360
2015	Rimrock A	Oct. 20-Nov. 2	YP	GMU 364
2016	Cowiche A	Oct. 20-Nov. 2	YP	GMU 368
2020	Winston A	Nov. 3-16	WP	GMU 520
2022	Coweeman A	Nov. 3-16	WP	GMU 550
2024	Lewis River A	Nov. 3-16	WP	GMU 560

**MUZZLELOADER BULL PERMITS (Only Muzzleloader tag holders may apply.)**

**Special Restriction: 3 Pt. Min.**

Hunt No.	Hunt Name	Permit Season	Elk Tag Prefix	Boundary Description
2078	Blue Creek B	Oct. 1-10	BM	GMU 154
2080	Dayton B	Oct. 1-10	BM	GMU 162
2081	Tucannon B	Oct. 1-10	BM	GMU 166
2082	Wenaha C	Oct. 1-10	BM	GMU 169
2083	Mtn. View B	Oct. 1-10	BM	GMU 172
2084	Peola C	Oct. 1-10	BM	GMU 178
2085	Grande Ronde B	Oct. 1-10	BM	GMU 186
2086	Naneum C	Oct. 1-10	CM	GMU 328

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2087	Quilomene C	Oct. 1-10	CM	GMU 329
2088	Peaches Ridge B	Oct. 1-10	YM	GMUs 336, 346
2089	Observatory B	Oct. 1-10	YM	GMUs 340, 342
2090	Goose Prairie B	Oct. 1-10	YM	GMUs 352, 356
2091	Bethel C	Oct. 1-10	YM	GMU 360
2092	Rimrock C	Oct. 1-10	YM	GMU 364
2093	Cowiche C	Oct. 1-10	YM	GMU 368
2097	Winston C	Oct. 1-10	WM	GMU 520
2099	Coweeman C	Oct. 1-10	WM	GMU 550
2101	Lewis River C	Oct. 1-10	WM	GMU 560

**ARCHERY BULL PERMITS (Only Archery tag holders may apply.)**

**Special Restrictions: 3 Pt. Min.**

Hunt No.	Hunt Name	Permit Season	Elk Tag Prefix	Boundary Description
2111	Blue Creek D	Sept. 1-14	BA	GMU 154
2113	Dayton C	Sept. 1-14	BA	GMU 162
2114	Tucannon C	Sept. 1-14	BA	GMU 166
2115	Wenaha D	Sept. 1-14	BA	GMU 169
2116	Mtn. View C	Sept. 1-14	BA	GMU 172
2117	Peola D	Sept. 1-14	BA	GMU 178
2118	Grande Ronde C	Sept. 1-14	BA	GMU 186
2119	Naneum D	Sept. 1-14	CA	GMU 328
2120	Quilomene D	Sept. 1-14	CA	GMU 329
2121	Peaches Ridge C	Sept. 1-14	YA	GMUs 336, 346
2122	Observatory C	Sept. 1-14	YA	GMUs 340, 342
2123	Goose Prairie C	Sept. 1-14	YA	GMUs 352, 356
2124	Bethel D	Sept. 1-14	YA	GMU 360
2125	Rimrock D	Sept. 1-14	YA	GMU 364
2126	Cowiche D	Sept. 1-14	YA	GMU 368
2130	Winston D	Sept. 1-14	WA	GMU 520
2132	Coweeman D	Sept. 1-14	WA	GMU 550
2134	Lewis River D	Sept. 1-14	WA	GMU 560

**MODERN FIREARM LIMITED ENTRY ONLY BULL HUNTS (Only Modern Firearm tag holders may apply.)**

Elk hunting in the units listed below will be limited to permit hunting only.

In the two watershed areas, GMUs 157 and 485, all hunters must hunt at the same time and archers and muzzleloaders must wear hunter orange.

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2002	Watershed A*	Nov. 1-9	3 Pt. Bull or Antlerless	BP	GMU 157
2017	White River A	Nov. 3-16	Spike Only	WP	GMU 472
2018	White River B	Nov. 3-16	3 Pt. Min.	WP	GMU 472
2019	Green River A*	Nov. 8-12	3 Pt. Min. or Antlerless	WP	GMU 485
2021	Margaret A	Nov. 3-16	3 Pt. Min.	WP	GMU 524
2023	Toutle A	Nov. 3-16	3 Pt. Min.	WP	GMU 556
2025	Dickey A	Nov. 3-16	3 Pt. Min.	WP	GMU 602
2026	Olympic A	Nov. 3-16	3 Pt. Min.	WP	GMU 621

\*Permit season for archery and muzzleloader is the same as modern firearm.

**MUZZLELOADER LIMITED ENTRY ONLY BULL HUNTS (Only Muzzleloader tag holders may apply.)**

Elk hunting in the units listed below will be limited to permit hunting only.

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2079	Watershed B*	Nov. 1-9	3 Pt. Bull or Antlerless	BM	GMU 157
2094	White River D	Oct. 1-10	Spike Only	WM	GMU 472
2095	White River E	Oct. 1-10	3 Pt. Min.	WM	GMU 472
2096	Green River C*	Nov. 8-12	3 Pt. Min. or Antlerless	WM	GMU 485
2098	Margaret C	Oct. 1-10	3 Pt. Min.	WM	GMU 524

2100	Toutle C	Oct. 1-10	3 Pt. Min.	WM	GMU 556
2102	Dickey B	Oct. 1-10	3 Pt. Min.	WM	GMU 602
2103	Olympic B	Oct. 1-10	3 Pt. Min.	WM	GMU 621

\*Permit season in Mill Creek and Green River Watersheds is the same as modern firearm and hunters must wear hunter orange.

**ARCHERY LIMITED ENTRY ONLY BULL HUNTS (Only Archery tag holders may apply.)**

Elk hunting in the units listed below will be limited to permit hunting only.

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2112	Watershed C*	Nov. 1-9	3 Pt. Bull or Antlerless	BA	GMU 157
2127	White River F	Sept. 1-14	Spike Only	WA	GMU 472
2128	White River G	Sept. 1-14	3 Pt. Min.	WA	GMU 472
2129	Green River D*	Nov. 8-12	3 Pt. Min. or Antlerless	WA	GMU 485
2131	Margaret D	Sept. 1-14	3 Pt. Min.	WA	GMU 524
2133	Toutle D	Sept. 1-14	3 Pt. Min.	WA	GMU 556
2135	Dickey C	Sept. 1-14	3 Pt. Min.	WA	GMU 602
2136	Olympic C	Sept. 1-14	3 Pt. Min.	WA	GMU 621

\*Permit season in Mill Creek and Green River Watersheds is the same as modern firearm and hunters must wear hunter orange.

**PRIVATE LANDS WILDLIFE MANAGEMENT AREA PERMIT OPPORTUNITIES**

Champion (PLWMA 401) Kapowsin Tree Farm  
Champion Application Bull Permits

Only hunters possessing a valid elk tag (any 1997 elk tag) and meeting the special restrictions noted for each hunt are eligible for Champion access permits on PLWMA 401.

Hunt No.	Hunt Name	Permit No.	Permit Season	Special Restrictions	Boundary Descriptions
2152	Kapowsin Bull North A	2	Sept. 13-24	Any Tag, Any Bull	PLWMA 401A North
*	Kapowsin Bull North B	2	Sept. 13-24	Auction/Raffle Any Bull, Any Tag	PLWMA 401A North
*	Kapowsin Bull Central A	3	Sept. 13-24	Auction/Raffle Any Bull, Any Tag	PLWMA 401B Central
*	Kapowsin Bull South A	3	Sept. 13-24	Auction/Raffle Any Bull, Any Tag	PLWMA 401C South
2153	Kapowsin North C	10	Nov. 24-Dec. 8	Muzzleloader Only, Antlerless Only	PLWMA 401A
2154	Kapowsin Central B	5	Nov. 24-Dec. 8	Muzzleloader Only, Antlerless Only	PLWMA 401B
2155	Kapowsin South B	5	Nov. 24-Dec. 8	Muzzleloader Only, Antlerless Only	PLWMA 401C

\*No hunt number because hunter must contact Champion for auction/raffle permit opportunity. Champion Pacific Timberland Inc., 31716 Camp 1 Road, Orting, Washington 98360. For more information, please call Champion at (206) 879-4200.

Merrill and Ring PLWMA 600 Pysht Tree Farm

Hunt No.	Hunt Name	Permit No.	Permit Season	Special Restrictions	Boundary Description
*	Pysht	2	Sept. 1-14	Raffle, Any Bull/Tag	PLWMA 600

\*No hunt number because hunter must contact Merrill and Ring for raffle permit opportunity. Merrill and Ring Tree Farm, 11 Pysht River Rd., Clallam Bay, WA 98326. For more information please call Merrill and Ring at (360) 963-2378.

**SPECIAL HUNTS FOR PERSONS OF DISABILITY**

Hunters must purchase a hunting license and modern firearm or muzzleloader elk tag prior to purchase of a special hunting season permit application. Note elk tag required. Only those hunters with a Washington Disabled Hunter Permit may apply.

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2144	Quilomene E	Nov. 1-7	Antlerless Only	CP or CM	GMU 329
2145	Manastash B	Nov. 1-7	Antlerless Only	YP or YM	GMU 340
2146	Little Naches C	Oct. 1-10	Antlerless Only	YP or YM	GMU 346
2147	Green River E	Nov. 8-12	Antlerless Only	WP or WM	GMU 485
2148	Centralia Mine A	Nov. 22-23	Antlerless Only	Any Elk Tag	Portion of GMU 667*

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2150	Centralia Mine B	Nov. 29-30	Either Sex	Any Elk Tag	Portion of GMU 667*
2151	South Bank C	Dec. 10-20	Antlerless Only	Any Elk Tag	Elk Area 062

\*Successful applicants will be mailed a map of the hunt boundary.

**MUZZLELOADER ONLY**

Hunters must purchase a hunting license and muzzleloader elk tag prior to purchase of a special hunting season permit application. Note the elk tag required for each hunt.

Hunt No.	Hunt Name	Permit Season	Special Restrictions	Elk Tag Prefix	Boundary Description
2104	Blue Creek C	Dec. 1-Jan. 31, 1998	Antlerless Only	BM	GMU 154
2105	Couse	Dec. 1-Jan. 31, 1998	Antlerless Only	BM	GMU 181
2106	Stella	Nov. 26-Dec. 15	Spike or Antlerless Only	WM	GMU 504
2107	Boistfort B	Jan. 16-31, 1998	Antlerless Only	WM	Elk Area 054
2108	Yale	Nov. 26-Dec. 15	Either Sex	WM	GMU 554
2109	Toledo	Jan. 2-16, 1998	Antlerless Only	WM	Elk Area 029
2110	North River	Nov. 26-Dec. 15	Antlerless Only	WM	GMU 658

**WSR 97-06-047  
PERMANENT RULES  
FISH AND WILDLIFE  
COMMISSION  
(Wildlife)**

[Order 97-30—Filed February 27, 1997, 2:51 p.m.]

Date of Adoption: December 7, 1996.

Purpose: To amend WAC 232-28-240 1997-98, 1998-99, 1999-2000 Deer and bear hunting seasons and regulations.

Citation of Existing Rules Affected by this Order: Amending WAC 232-28-240.

Statutory Authority for Adoption: RCW 77.12.040.

Adopted under notice filed as WSR 96-21-153 on October 23, 1996.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-28-240 differs from the proposed version filed with the code reviser in the following specifics:

1. GMU 437 replaced GMU 433 under 2 point GMUs.

All 100, 200, 300 GMUs except closed in GMUs 157, 203, 301, 302, and permit only in GMUs 242, 290, 329, 330, 342, and 371	Sept. 1-5	Sept. 1-7	Sept. 1-6	Mule Deer and Blacktail Deer-3 pt. min. in all open units; Whitetail Deer-buck only except 3 pt. min. in GMUs 127-186, and 231
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All 100, 200, 300 GMUs except closed in GMUs 157, 203, 301, 302, and permit only in GMUs 242, 290, 329, 330, 342, and 371	Sept. 6-15	Sept. 8-15	Sept. 7-15	Mule Deer and Blacktail Deer-3 pt. min. or antlerless in all open 100, 200, and 300 units; Whitetail Deer-either sex except 3 pt. min. or antlerless GMUs 127-186, and 231
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2. The "3 Point GMUs" section was amended as follows: "Mule Deer and Blacktail Deer in all 100, 200, 300 units and GMU 450; Whitetail Deer in GMUs 127, 130, 133, 136, 139, 142, 145, 149, 154, 162, 163, 166, 169, 172, 175, 178, 181, 186, 203 and 231."

3. On page 2, the eastern Washington modern firearm seasons in the middle of the page were amended by replacing GMU 306 with 342 and by deleting GMU 328 from the closed GMUs (left side); and amending the Legal Deer description as follows: "Mule Deer and Blacktail Deer - 3 point minimum in all open units in GMUs 100, 200, 300; 3 pt. min. or antlerless in GMU 281.

4. An asterisk was inserted after buck only\* in the legal deer description for GMUs 101-142. The asterisk footnote at the bottom of the page was retained.

5. On page 3, GMU 433 was deleted from "Legal Deer" in the 400, 500, 600 late buck season and the 3 pt. min. in GMU 450 was retained.

6. On page 4, the Early Archery deer season was amended as follows:

PERMANENT



All 100, 200, 300  
GMUs except closed  
in GMU 157 and  
permit only in GMUs  
242, 290, 329, 330,  
342, and 371

Sept. 16-30

Sept. 16-30

Sept. 16-30

Whitetail only,  
either sex except  
3 pt. min. or  
antlerless in  
GMUs 127, 130,  
133, 136, 139,  
142, 145, 149,  
154, 162, 163,  
166, 169, 172,  
175, 178, 181,  
186, and 231

7. Bow Area 802, Early Archery deer season dates, were changed to Sept. 2-30, 1997, Sept. 1-30, 1998, Sept. 1-30, 1999.

8. Under Late Archery deer seasons, GMU 101 was changed to Nov. 10-Dec. 15 for 1997, 1998, and 1999 for Whitetail only, either sex.

9. Lake [late] archery deer seasons for GMUs 105, 117, 121, 124, 127, 145, and 178 were changed to Nov. 26 to Dec. 15, 1997, Nov. 25 to Dec. 15, 1998 and Nov. 24 to Dec. 15, 1999.

10. GMU 181 was deleted from late archery.

11. For GMUs 209, 215, 233, 272, 300, 316, 346, 352, and 364 the legal deer description was changed from "either sex" to "Mule and Blacktail Deer-3 pt. min. or antlerless: Whitetail-either sex."

12. GMUs 418, 426, 440, 448, and 480 were deleted from late archery hunts.

13. The dates for 400, 500, and 600 open units and Bow Area 802 was changed to Nov. 26-Dec. 15, 1997, Nov. 25-Dec. 15, 1998, and Nov. 24-Dec. 15, 1999.

14. For Bow Areas 806, 807 the legal deer was changed from either sex to Mule Deer and Blacktail Deer-3 pt. min. or antlerless and the dates changed to Nov. 26-Dec. 8, 1997, Nov. 25-Dec. 8, 1998 and Nov. 24-Dec. 8, 1999.

15. Dates for the extended late archery season were changed to Nov. 26-Dec. 31, 1997, Nov. 25-Dec. 31, 1998 and Nov. 24-Dec. 31, 1999.

16. Under Early Muzzleloader Deer GMUs the legal deer was changed from "buck only" to "Mule Deer and Blacktail Deer - 3 pt. min.; Whitetail Deer - Any buck."

17. GMUs 454 and 484 were changed to either sex.

18. Dates for the late muzzleloader deer hunt in GMUs 113, 136, 139, 172, 181, 410, 501, 504, 550, 564, 582, 602, 633, 651, 666, 684, 478, and Muzzleloader Area 926 were changed to Nov. 26-Dec. 15, 1997, Nov. 25-Dec. 15, 1998, Nov. 24-Dec. 15, 1999.

19. The legal deer for the late muzzleloader in GMUs 136, 139, 172 and 181 was changed from 3 pt. min. to Whitetail-3 pt. min.

20. The legal deer for late muzzleloader in GMU 651 and 684 was changed from Buck Only to either sex.

21. The date for the late muzzleloader in GMU 578 was changed to Nov. 26-Dec. 8, 1997, Nov. 25-Dec. 8, 1998 and Nov. 24-Dec. 8, 1999.

22. Dates for Firearm Restricted Deer Hunts Open to All Hunters in GMU 410 was changed to Oct. 11-31, 1997, Oct. 17-31, 1998 and Oct. 16-31, 1999.

23. Dates for GMU 564 were changed to Nov. 26-Dec. 31, 1997, Nov. 25-Dec. 31, 1998, and Nov. 24-Dec. 31, 1999.

24. Dates for GMU 627 were changed to Oct. 11-31, 1997, Oct. 17-31, 1998, and Oct. 16-31, 1999.

25. The double asterisk footnote at the bottom of the Firearm Restricted Deer Hunts was amended by deleting "For information call Bill Kaling at 360-396-5353."

26. Dates for the archery deer season on Champion (PLWMA 401) Kapowsin Tree Farm were changed to Sept. 1-12 and Sept. 28-Oct. 9, 1997, Sept. 1-11, and Sept. 28-Oct. 29, 1998 and Sept. 1-10 and Sept. 28-Oct. 9, 1999.

27. Modern firearm seasons on Kapowsin Tree Farm were changed to Oct. 11-26, 1997, Oct. 10-25, 1998, and Oct. 9-24, 1999. The legal deer for modern firearm hunters was changed from spike only to 2 pt. min.

28. The muzzleloader seasons on Kapowsin Tree Farm were changed to Nov. 26-Dec. 7, 1997, Nov. 25-Dec. 6, 1998, and Nov. 24-Dec. 5, 1999.

29. The title "Pysht Tree Farm (PLWMA 603)" was changed to "Merrill and Ring (PLWMA 600) Pysht Tree Farm."

30. On Merrill and Ring's Pysht Tree Farm the Sept. 1-14, 1997, 1998, and 1999 archery seasons was deleted. The Sept. 15-30 archery season Special Restrictions was changed to Either Sex, South Unit 600B; Antlerless Only, North Unit 600A. The dates for the November-December archery season was changed to Nov. 26-Dec. 31, 1997, Nov. 25-Dec. 31, 1998, and Nov. 24-Dec. 31, 1999.

31. The modern firearm seasons on Pysht Tree Farm were changed to Oct. 11-31 and Nov. 20-23, 1997, Oct. 17-31 and Nov. 19-22, 1998, and Oct. 16-31 and Nov. 18-21, 1999.

32. On Merrill and Ring's Pysht Tree Farm the dates for the muzzleloader season were changed to Oct. 1-9, 1997, 1998, and 1999.

33. On Merrill and Ring's Pysht Tree Farm the North Unit is 600A and the South Unit is 600B.

34. Under Black bear, all pursuit only seasons and descriptions were deleted.

35. The following new sections were added:

Bag Limit: One (1) black bear. Except if a damage bear tag is purchased and a damage season is hunted, then two (2) black bear may be taken.

License and Tag Requirements: A valid hunting license and unaltered, unnotched bear tag(s) are required to hunt black bear.

Bear Tag Information: A hunter may purchase one (1) damage bear tag and one (1) general bear tag. A damage bear tag allows a hunter to take one (1) bear during the damage season in a damage area, but is not valid during the general season. A general bear tag may be used in a damage season and during the general season to take one (1) bear.

PERMANENT

Tag Sale Deadline: Damage bear tags must be purchased, and are only valid prior to August 1, 1997.

General bear tags must be purchased by midnight of the day preceding modern firearm deer season opener. Actual dates are: Oct. 10, 1997; Oct. 16, 1998; Oct. 15, 1999.

Use of Bait and Hounds: The use of bait and hounds for hunting black bear is prohibited state-wide.

36. Under Damage Seasons, GMU 615 was added for hunts July 15-31, 1997, 1998, and 1999.

37. The Eastern Washington bear season was changed to Aug. 1-Nov. 6, 1997, Aug. 1-Nov. 6, 1998 and Aug. 1-Nov. 6, 1999.

38. The Western Washington bear season was changed to Aug. 1-Nov. 13, 1997; Aug. 1-Nov. 12, 1998; Aug. 1-Nov. 11, 1999, except Sept. 2-Nov. 13, 1997; Sept. 8-Nov. 12, 1998, and Sept. 7-Nov. 11, 1999 in Bow Area 802. Closed in GMUs 485 and 522.

39. The remainder of the Bear section down to Tooth Submittal was deleted.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

December 30, 1996

Lisa Pelly

for Mitchell S. Johnson  
Chairman

AMENDATORY SECTION (Amending Order 96-133, filed 8/29/96, effective 9/29/96)

WAC 232-28-240 ((1994-95, 1995-96, 1996-97)) 1997-98, 1998-99, 1999-2000 Deer and bear hunting seasons and regulations.

GMUs	((1994)) 1997 Dates	((1995)) 1998 Dates	((1996)) 1999 Dates	Legal Deer
203, 301, 302, 450	Sept. 15-25	Sept. 15-25	Sept. 15-25	3 pt. min.
Deer Areas 010, 040, 060	Sept. 15-25	Sept. 15-25	Sept. 15-25	3 pt. min.

General Modern Firearm Deer Seasons

Tag Required: Deer hunter must have a current, valid, unaltered, unnotched modern firearm deer tag on his/her person.

DEER

Bag Limit: One (1) deer per hunter during an annual (July 1-March 31) hunting season. The Fish and Wildlife Commission may authorize two doe permits for damage areas. Any multiple doe permits will be identified by special permit.

Hunting Method: Hunters must select one of the hunting methods (modern firearm, archery, muzzleloader).

Buck Deer Seasons: Open only to the taking of male deer with visible antlers (buck fawns illegal).

Definition: Visible antler is a horn-like growth projecting above the hairline.

Branched Antler Restriction GMUs: APPLIES TO ALL HUNTERS DURING ANY OPEN SEASON! Buck deer taken in these GMUs must meet minimum antler point requirements. Minimum antler point requirements are antler points on one sid only. Antler points include eye guards but all antler points must be at least one inch long. The following GMUs have 2 or 3 point minimum requirements on buck deer taken.

2 Point GMUs: ((433)) 437, 478, 558, 574, ((576, 584, 586)) 578, 582, 588, 636, 681, and GMU 485 (by permit only).

3 point GMUs: Mule Deer and Blacktail Deer in all 100, 200, 300 units and GMU 450; Whitetail Deer in GMUs 127, 130, 133, 136, 139, 142, 145, ((148, 151)) 149, 154, ((160, 164)) 162, 163, 166, 169, 172, 175, 178, 181, ((184, 185)) 186, 203, and 231((, 306, 328, 329, 330, 342, and 450)).

Modern Firearm Deer Seasons

Tag Required: Deer hunter must have a current, valid, unaltered, unnotched modern firearm deer tag on his/her person.

Hunting Method: Modern firearm deer tag hunters may use rifle, handgun, shotgun, bow or muzzleloader, but only during modern firearm seasons.

High Buck Hunt

Tag Required: Deer hunter must have a current, valid, unaltered, unnotched modern firearm deer tag on his/her person.

PERMANENT

GMUs	((1994)) 1997 Dates	((1995)) 1998 Dates	((1996)) 1999 Dates	Legal Deer
<del>((Northeastern 100-124 (See late buck for extended whitetail season):</del>	<del>Oct. 15-31</del>	<del>Oct. 14-31</del>	<del>Oct. 12-31</del>	<del>Buck only*</del>
<del>Southeastern 127-185 Except closed in 157</del>	<del>Oct. 15-23</del>	<del>Oct. 14-22</del>	<del>Oct. 12-20</del>	<del>3 pt. min.*</del>
<del>Okanogan &amp; Chelan 200-209, 239-242</del>	<del>Oct. 15-31</del>	<del>Oct. 14-27</del>	<del>Oct. 12-25</del>	<del>Buck only except 3 pt. min. in GMU 203</del>
<del>215-233</del>			<del>Oct. 12-205</del>	<del>Buck only except 3 pt. min. in GMU 231</del>
<del>300-316</del>	<del>Oct. 15-31</del>	<del>Oct. 14-31</del>	<del>Oct. 12-31</del>	<del>Buck only except 3 pt. min. in GMU 306</del>
<del>Columbia Basin 248-278**, 284</del>	<del>Oct. 15-21</del>	<del>Oct. 14-20</del>	<del>Oct. 12-18</del>	<del>Buck only</del>
<del>281</del>	<del>Oct. 15-23</del>	<del>Oct. 14-22</del>	<del>Oct. 12-20</del>	<del>Either sex</del>
<del>Coloekum and Central 334</del>	<del>Oct. 15-25</del>	<del>Oct. 14-25</del>	<del>Oct. 12-25</del>	<del>Buck only</del>
<del>328, 329, 330, 342</del>			<del>Oct. 12-18</del>	<del>3 pt. min.</del>
<del>371</del>			<del>Oct. 12-20</del>	<del>Buck only</del>
<del>335-340, 346-368, 372))</del>	<del>Oct. 15-31</del>	<del>Oct. 14-31</del>	<del>Oct. 12-31</del>	<del>Buck only</del>
<del>Eastern All of eastern Washington except closed in GMUs 157, 242, 290, 329, 330, 342, and 371.</del>	<del>Oct. 11-19</del>	<del>Oct. 17-25</del>	<del>Oct. 16-24</del>	<del>Mule Deer and Blacktail Deer 3 pt. min. in all open units in GMUs 100, 200, 300; 3 pt. min. or Antlerless in GMU 281.</del>
<del>GMUs 101-142</del>	<del>Oct. 11-28</del>	<del>Oct. 17-28</del>	<del>Oct. 16-28</del>	<del>Whitetail buck only* except 3 pt. min. in GMUs 127-142.</del>
<del>Western (405***-572, 580, 601-) 407- 684. Closed in GMU 522. Permit only in GMU 485.</del>	<del>Oct. ((15-31)) 11-31</del>	<del>Oct. ((14-31)) 17-31</del>	<del>Oct. ((12-31)) 16-31</del>	<del>Buck only except either sex in GMUs 410((-480,)) and 564; and 2 pt. min. in GMUs ((433)) 437, 478, 558, 574, 578, 582, 588, 636, and 681; and 3 pt. min. in GMU 450.</del>
<del>((574, 576, 584, 586, 588))</del>	<del>Oct. 15-Nov. 6</del>	<del>Oct. 14-Nov. 14</del>	<del>Oct. 12-Nov. 6</del>	<del>2 pt. min.</del>

PERMANENT

\*Hunters meeting the requirements of disabled, senior or youth may hunt antlerless whitetail during the general buck season in GMUs 105-142.

~~(\*\*Except by permit only in that portion of GMU 278 north of O'Sullivan Road and east of Beverly Road.~~

~~\*\*\*Modern firearm deer hunting on Guemes Island is by permit only.\*\*)~~

Late Buck Season

Tag Required: Deer hunter must have a current, valid, unaltered, unnotched modern firearm deer tag on his/her person.

GMUs	<del>((1994))</del> 1997 Dates	<del>((1995))</del> 1998 Dates	<del>((1996))</del> 1999 Dates	Legal Deer
105-124	Nov. <del>((1-20))</del> <u>7-23</u>	Nov. <del>((1-19))</del> <u>7-22</u>	Nov. <del>((1-24))</del> <u>7-21</u>	Whitetail buck only
<u>127-142</u>	<u>Nov. 7-23</u>	<u>Nov. 7-22</u>	<u>Nov. 7-21</u>	<u>Whitetail buck only,</u> <u>3 pt. min.</u>
All 400, 500, & 600 Except closed in: GMUs <del>((480))</del> <u>418,</u> <u>426, 437, 448, 450,</u> <u>485, 522, 574,</u> <del>((576, 580, 584, <del>586;))</del> <u>578, 582, and</u> <u>588.</u></del>	Nov. <del>((17-20))</del> <u>20-23</u>	Nov. <del>((16-19))</del> <u>19-22</u>	Nov. <del>((21-24))</del> <u>18-21</u>	Buck only except 2 pt. min. in GMUs <del>((433;))</del> 478, 558, 636, and 681 <del>((and 3 pt.</del> <del>min. in GMU 450))</del> and either sex in GMU <u>410 and 564</u>

Archery Deer Seasons

Tag Required: Deer hunter must have a current valid, unaltered, unnotched archery deer tag on his/her person.

Special Notes: Archery tag holders can only hunt with archery equipment during archery seasons.

Early Archery

GMUs	<del>((1994))</del> 1997 Dates	<del>((1995))</del> 1998 Dates	<del>((1996))</del> 1999 Dates	Legal Deer
<del>((100-118, 121, 124, <del>215, 233, 300, 316</del></del>	<del>Sept. 1-14</del>	<del>Sept. 1-14</del>	<del>Sept. 1-14</del>	<del>Buck only</del>
<del>127, 130-133</del>	<del>Sept. 15-30</del>	<del>Sept. 15-30</del>	<del>Sept. 15-30</del>	<del>Either sex</del>
<del>136-154, 160-169, <del>175-185, 231, 306</del></del>	<del>Sept. 1-14</del>	<del>Sept. 1-14</del>	<del>Sept. 1-14</del>	<del>3 pt. min.</del>
<del>200, 206, 218, 224, <del>239, 248-272, <del>278*, 281-284, <del>308, 335-340, <del>352, 356, <del>364, 371, 372, <del>405-426, 440, <del>442, 454-472, 490, <del>504, 505, 510, 512, <del>514, 516, 520, 524, <del>530, 550, 554, 556, <del>560, 568, 572, 580, <del>601, 602, 607, 615, <del>618, 621, 627**, 633, <del>638, 642-658, 663, <del>667, 669, 678</del></del></del></del></del></del></del></del></del></del></del></del></del></del></del></del>	<del>Sept. 15-30</del>	<del>Sept. 15-30</del>	<del>Sept. 15-30</del>	<del>3 pt. min. or</del> <del>antlerless</del>
<del>433, 478, 558, 574, <del>576, 584, 586, 588, <del>681</del></del></del>	<del>Sept. 1-14</del>	<del>Sept. 1-14</del>	<del>Sept. 1-14</del>	<del>3 pt. min.</del>
<del>328, 329, 330</del>	<del>Sept. 15-30</del>	<del>Sept. 15-30</del>	<del>Sept. 15-30</del>	<del>2 pt. min. or</del> <del>antlerless</del>
<del>334, 480</del>	<del>Sept. 1-14</del>	<del>Sept. 1-14</del>	<del>Sept. 1-14</del>	<del>3 pt. min.</del>
	<del>Sept. 15-30</del>	<del>Sept. 15-30</del>	<del>Sept. 15-30</del>	<del>Buck only</del> <del>Either sex</del>

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<del>203, 301, 302, 450</del>	<del>Sept. 15-30</del>	<del>Sept. 15-30</del>	<del>Sept. 15-30</del>	<del>3 pt. min. or antlerless</del>
<del>172</del>	<del>Sept. 1-14 Sept. 15-30</del>	<del>Sept. 1-14 Sept. 15-30</del>	<del>Sept. 1-14 Sept. 15-30</del>	<del>3 pt. min. 3 pt. min. or antlerless</del>
<del>119, 242, 304, 360, 448, 484, 564, 603, 612, 624, 666, 672, 684</del>	<del>Sept. 1-14 Sept. 15-30</del>	<del>Sept. 1-14 Sept. 15-30</del>	<del>Sept. 1-14 Sept. 15-30</del>	<del>Buck only Either sex</del>
<del>636</del>	<del>Sept. 1-14 Sept. 15-30</del>	<del>Sept. 1-14 Sept. 15-30</del>	<del>Sept. 1-14 Sept. 15-30</del>	<del>2 pt. min. 2 pt. min. or antlerless</del>
<del>660</del>	<del>Sept. 1-14 Sept. 15-30</del>	<del>Sept. 1-14 Sept. 15-30</del>	<del>Sept. 1-14 Sept. 15-30</del>	<del>2 pt. min. 2 pt. min. or antlerless</del>
<del>501, 506</del>	<del>Sept. 1-14 Sept. 15-30</del>	<del>Sept. 1-14 Sept. 15-30</del>	<del>Sept. 1-14 Sept. 15-30</del>	<del>Buck only Either sex))</del>
<u>All 100, 200, 300 GMUs except closed in GMUs 157, 203, 301, 302 and permit only in GMUs 242, 290, 329, 330, 342, and 371</u>	<u>Sept. 1-5</u>	<u>Sept. 1-7</u>	<u>Sept. 1-6</u>	<u>Mule Deer and Blacktail Deer-3 pt. min. in all open units; Whitetail Deer-buck only except 3 pt. min. in GMUs 127-186, and 231</u>
<u>All 100, 200, 300 GMUs except closed in GMUs 157, 203, 301, 302 and permit only in GMUs 242, 290, 329, 330, 342, and 371</u>	<u>Sept. 6-15</u>	<u>Sept. 8-15</u>	<u>Sept 7-15</u>	<u>Mule Deer and Blacktail Deer-3 pt. min. or antlerless in all open 100, 200, and 300 units; Whitetail Deer-either sex except 3 pt. min. or antlerless GMUs 127-186, and 231</u>
<u>All 100, 200, 300 GMUs except closed in GMU 157 and permit only in GMUs 242, 290, 329, 330, 342, and 371</u>	<u>Sept. 16-30</u>	<u>Sept. 16-30</u>	<u>Sept. 16-30</u>	<u>Whitetail only, either sex except 3 pt. min. or antlerless in GMUs 127, 130, 133, 136, 139, 142, 145, 149, 154, 162, 163, 166, 169, 172, 175, 178, 181, 186, and 231</u>
<u>All 400, 500, 600* GMUs except closed in GMUs 450, 485, and 522</u>	<u>Sept. 1-30</u>	<u>Sept. 1-30</u>	<u>Sept. 1-30</u>	<u>Either sex, except 2 pt. min. or antlerless in GMUs 437, 478, 558, 574, 578, 582, 588, 636, and 681</u>
<u>GMUs 203, 301, 302, 450, and Deer Areas 010, 040, 060</u>	<u>Sept. 15-30</u>	<u>Sept. 15-30</u>	<u>Sept. 15-30</u>	<u>3 pt. min. or antlerless</u>

PERMANENT

Bow Area 802	Sept. <del>((1-14))</del> <u>2-30</u>	Sept. <del>((1-14))</del> <u>1-30</u>	Sept. <del>((1-14))</del> <u>1-30</u>	<del>((Buck-only))</del> <u>Either sex</u> Either sex
	Sept. 15-30	Sept. 15-30	Sept. 15-30	

~~((\*)Except closed in that part of GMU 278 (Wahluke) north of O'Sullivan Road and east of Beverly Road.~~

~~(\*)~~\* Bangor Submarine Base within GMU 627 is open for archers with disabilities by permit from the Navy. For information on this hunt, call Tom Jones at (360) 396-5097. Special Restrictions: Must be U.S. citizen, and hunting is open on weekends only.

Late Archery

GMUs	<del>((1994))</del> <u>1997</u> Dates	<del>((1995))</del> <u>1998</u> Dates	<del>((1996))</del> <u>1999</u> Dates	Legal Deer
<del>((103))</del>	<del>Nov. 14-Dec. 15</del>	<del>Nov. 14-Dec. 15</del>	<del>Nov. 14-Dec. 15</del>	<del>Whitetail only, either sex</del>
<del>118, 121, 124</del>	<del>Nov. 23-Dec. 15</del>	<del>Nov. 22-Dec. 15</del>	<del>Nov. 27-Dec. 15</del>	<del>Whitetail only; either sex))</del>
<u>101</u>	<u>Nov. 10-Dec. 15</u>	<u>Nov. 10-Dec. 15</u>	<u>Nov. 10-Dec. 15</u>	<u>Whitetail only, either sex</u>
<u>105, 117, 121, 124</u>	<u>Nov. 26-Dec. 15</u>	<u>Nov. 25-Dec. 15</u>	<u>Nov. 24-Dec. 15</u>	<u>Whitetail only, either sex</u>
<del>127, ((166))</del>	<del>((Nov. 23-Dec. 15</del>	<del>Nov. 22-Dec. 15</del>	<del>Nov. 27-Dec. 15))</del>	<del>3 pt. min. or antlerless</del>
<u>145, 178, 181</u>	<u>Nov. 26-Dec. 15</u>	<u>Nov. 25-Dec. 15</u>	<u>Nov. 24-Dec. 15</u>	
<del>209, 215, 233, ((242,))</del>	<del>((Nov. 23-Dec. 8</del>	<del>Nov. 22-Dec. 8</del>	<del>Nov. 27-Dec. 8</del>	<del>Either sex))</del>
<del>272, 300, ((304,))</del>	<del>Nov. 26-Dec. 8</del>	<del>Nov. 25-Dec. 8</del>	<del>Nov. 24-Dec. 8</del>	<del>Mule Deer and Blacktail Deer- 3 pt. min. or antlerless; Whitetail Deer- either sex</del>
<del>316, 346, 352, 364</del>				
<del>558, ((584)) 582, 588, 636, 681</del>	<del>((Nov. 23-Dec. 15</del>	<del>Nov. 22-Dec. 15</del>	<del>Nov. 27-Dec. 15))</del>	<del>2 pt. min or antlerless</del>
	<u>Nov. 26-Dec. 15</u>	<u>Nov. 25-Dec. 15</u>	<u>Nov. 24-Dec. 15</u>	
<del>((417, 418, 426, 440, 448,)) 460, 466, ((480,)) 510, ((512, 514)) 513, 516, 520, 524, 530, 556, 560, 572, 601, 607, 612, 615, 618, 638, 648, ((669, 678)) 673</del>	<del>Nov. 23-Dec. 15</del>	<del>Nov. 22-Dec. 15</del>	<del>Nov. 27-Dec. 15</del>	<del>Either sex</del>
<del>450</del>	<del>((Nov. 23-Dec. 15</del>	<del>Nov. 22-Dec. 15</del>	<del>Nov. 27-Dec. 15))</del>	<del>3 pt. min</del>
	<u>Nov. 26-Dec. 15</u>	<u>Nov. 25-Dec. 15</u>	<u>Nov. 24-Dec. 15</u>	

Bow Areas	<del>((1994))</del> <u>1997</u> Dates	<del>((1995))</del> <u>1998</u> Dates	<del>((1996))</del> <u>1999</u> Dates	Legal Deer
802	<del>((Nov. 23-Dec. 15</del>	<del>Nov. 22-Dec. 15</del>	<del>Nov. 27-Dec. 15))</del>	Either sex
	<u>Nov. 26-Dec. 15</u>	<u>Nov. 25-Dec. 15</u>	<u>Nov. 24-Dec. 15</u>	
806, 807	<del>((Nov. 23-Dec. 8</del>	<del>Nov. 22-Dec. 8</del>	<del>Nov. 27-Dec. 8</del>	<del>Either sex))</del>
	<u>Nov. 26-Dec. 8</u>	<u>Nov. 25-Dec. 8</u>	<u>Nov. 24-Dec. 8</u>	<u>Mule deer and Blacktail deer - 3 pt. min. or Antlerless</u>
<del>((820))</del>	<del>Dec. 24 Jan. 8, 1995</del>	<del>Dec. 24 Jan. 8, 1996</del>	<del>Dec. 24 Jan. 8, 1997</del>	<del>Either sex))</del>

Extended Late Archery

GMUs	<del>((1994))</del> <u>1997</u> Dates	<del>((1995))</del> <u>1998</u> Dates	<del>((1996))</del> <u>1999</u> Dates	Legal Deer
<del>((405)) 407, 410, ((442,)) 454, 484, 505, 506, 564, 568,</del>	<del>((Nov. 23-Dec. 31</del>	<del>Nov. 22-Dec. 31</del>	<del>Nov. 27-Dec. 31))</del>	Either sex
	<u>Nov. 26-Dec. 31</u>	<u>Nov. 25-Dec. 31</u>	<u>Nov. 24-Dec. 31</u>	

PERMANENT

603, 624, 627(\*),  
642, 660, 663, 666,  
667, 672((and Deer  
Areas 041 and 042))

((433)) 437                      (~~Nov. 23-Dec. 31~~   ~~Nov. 22-Dec. 31~~   ~~Nov. 27-Dec. 31~~)                      2 pt. min. or  
   Nov. 26-Dec. 31                      Nov. 25-Dec. 31                      Nov. 24-Dec. 31                      antlerless

((~~\* Submarine Base Bangor within GMU 627 is open for archers with disabilities by permit from the Navy. For information on this hunting opportunity call Tom James at (206) 396-5097. Special restrictions: U.S. citizenship is required by the Navy.~~))

Muzzleloader Deer Seasons

Tag Required: Deer hunter must have a current, valid, unaltered, unnotched muzzleloader deer tag on his/her person.

Hunting Method: Muzzleloader only.

Special Notes: Muzzleloader tag holders can only hunt during muzzleloader seasons and must hunt with muzzleloader equipment. Muzzleloader deer tag holders may apply for all either sex, antlerless only, and branched antler deer special hunting permits except on Private Lands Wildlife Management Area 201.

High Buck Hunt

GMUs	((1994)) <u>1997</u> Dates	((1995)) <u>1998</u> Dates	((1996)) <u>1999</u> Dates	Legal Deer
203, 301, 302, 450	Sept. 15-25	Sept. 15-25	Sept. 15-25	3 pt. min.
Deer Areas 010, 040, 060	Sept. 15-25	Sept. 15-25	Sept. 15-25	3 pt. min.

~~(Early Muzzleloader)~~

GMUs	<del>1994 Dates</del>	<del>1995 Dates</del>	<del>1996 Dates</del>	<del>Legal Deer</del>
<del>119, 242, 564, 666</del>	<del>Oct. 1-12</del>	<del>Oct. 1-11</del>	<del>Oct. 1-9</del>	<del>Either sex</del>
<del>506</del>	<del>Oct. 6-12</del>	<del>Oct. 5-11</del>	<del>Oct. 3-9</del>	<del>Buck only</del>
<del>209</del>	<del>Sept. 29-Oct. 12</del>	<del>Sept. 28-Oct. 11</del>	<del>Sept. 26-Oct. 9</del>	<del>Either sex</del>
<del>302, 368</del>	<del>Sept. 29-Oct. 12</del>	<del>Sept. 28-Oct. 11</del>	<del>Sept. 26-Oct. 9</del>	<del>Buck only</del>
<del>304, 360, 484, 603, 612, 624, 672</del>	<del>Oct. 1-12</del>	<del>Oct 1-11</del>	<del>Oct. 1-9</del>	<del>Buck only</del>

Late Muzzleloader

GMUs	1994 Dates	1995 Dates	1996 Dates	Legal Deer
113	Nov. 23-Dec. 8	Nov. 22-Dec. 8	Nov. 27-Dec. 8	Whitetail only; either sex
130, 133, 136, 139, 181	Nov. 23-Dec. 8	Nov. 22-Dec. 8	Nov. 27-Dec. 8	3 pt. min. or antlerless
304	Nov. 12-20	Nov. 11-19	Nov. 10-18	Buck only
410	Nov. 23-Dec. 15	Nov. 22-Dec. 15	Nov. 27-Dec. 15	Either sex
478	Nov. 23-Dec. 15	Nov. 22-Dec. 15	Nov. 27-Dec. 15	2 pt. min. or antlerless
501, 504, 550	Nov. 23-Dec. 15	Nov. 22-Dec. 15	Nov. 27-Dec. 15	Either sex
580	Nov. 23-Dec. 15	Nov. 22-Dec. 15	Nov. 27-Dec. 15	Buck only
576, 586	Nov. 23-Dec. 15	Nov. 22-Dec. 15	Nov. 27-Dec. 15	2 pt. min.
602, 633, 651, 684	Nov. 23-Dec. 15	Nov. 22-Dec. 15	Nov. 27-Dec. 15	Either sex
666	Nov. 23-Dec. 31	Nov. 22-Dec. 31	Nov. 27-Dec. 31	Either sex

Muzzleloader Area

925	Dec. 1-31	Dec. 1-31	Dec. 1-31	Antlerless only
926	Nov. 24-Dec. 15	Nov. 24-Dec. 15	Nov. 24-Dec. 15	Either sex))

PERMANENT

Early Muzzleloader

<u>GMUs</u>	<u>1997 Dates</u>	<u>1998 Dates</u>	<u>1999 Date</u>	<u>Legal Deer</u>
<u>109, 117, 209, 300 304, 316, 336, 352, 360, 407, 410, 520, 530, 564, 568, 603, 612, 624, 672</u>	<u>Oct. 4-10</u>	<u>Oct. 10-16</u>	<u>Oct. 9-15</u>	<u>Mule Deer and Blacktail Deer- 3 pt. min.; Whitetail Deer- any buck</u>
<u>454, 484, and 666</u>	<u>Oct. 4-10</u>	<u>Oct. 10-16</u>	<u>Oct. 9-15</u>	<u>Either sex</u>

Late Muzzleloader

<u>GMUs</u>	<u>1997 Dates</u>	<u>1998 Dates</u>	<u>1999 Dates</u>	<u>Legal Deer</u>
<u>113</u>	<u>Nov. 26-Dec. 15</u>	<u>Nov. 25-Dec. 15</u>	<u>Nov. 24-Dec. 15</u>	<u>Whitetail, buck only</u>
<u>136, 139, 172, 181</u>	<u>Nov. 26-Dec. 15</u>	<u>Nov. 25-Dec. 15</u>	<u>Nov. 24-Dec. 15</u>	<u>Whitetail, 3 pt. min.</u>
<u>410, 501, 504, 564, 651, 666, 684</u>	<u>Nov. 26-Dec. 15</u>	<u>Nov. 25-Dec. 15</u>	<u>Nov. 24-Dec. 15</u>	<u>Either sex</u>
<u>478</u>	<u>Nov. 26-Dec. 15</u>	<u>Nov. 25-Dec. 15</u>	<u>Nov. 24-Dec. 15</u>	<u>2 pt. min.</u>
<u>550, 582, 602, 633</u>	<u>Nov. 26-Dec. 15</u>	<u>Nov. 25-Dec. 15</u>	<u>Nov. 24-Dec. 15</u>	<u>Buck only</u>
<u>578</u>	<u>Nov. 26-Dec. 8</u>	<u>Nov. 25-Dec. 8</u>	<u>Nov. 24-Dec. 8</u>	<u>2 pt. min.</u>

Muzzleloader Area

<u>925</u>	<u>Dec. 1-31</u>	<u>Dec. 1-31</u>	<u>Dec. 1-31</u>	<u>Antlerless only</u>
<u>926</u>	<u>Nov. 26-Dec. 15</u>	<u>Nov. 25-Dec. 15</u>	<u>Nov. 24-Dec. 8</u>	<u>Either sex</u>

Firearm Restricted Deer Hunts Open To All Deer Hunters

Tag Required: Deer hunter must have a current, valid, unaltered, unnotched modern firearm, archery or muzzleloader deer tag on his/her person.

Hunting Method: Must use weapon in compliance with tag. Firearm restrictions apply in some GMUs.

<u>GMUs</u>	<u>Weapon Permitted</u>	<u>((1994)) 1997 Dates</u>	<u>((1995)) 1998 Dates</u>	<u>((1996)) 1999 Dates</u>	<u>Legal Deer</u>
<u>410 ((<del>&amp;</del> <del>480</del>))</u>	<u>Archery, Shotgun, Muzzleloader</u>	<u><del>((Oct. 15-31</del> <u>Oct. 11-31</u></u>	<u><del>Oct. 14-31</del> <u>Oct. 17-31</u></u>	<u><del>Oct. 12-31))</del> <u>Oct. 16-31</u></u>	<u>Either sex</u>
<u>564</u>	<u>Archery, Shotgun, Muzzleloader</u>	<u><del>((Nov. 17-Dec. 31))</del> <u>Nov. 26-Dec. 31</u></u>	<u>Nov. <del>((16))</del>-Dec. 31</u>	<u><del>((Nov. 21-Dec. 31))</del> <u>Nov. 24-Dec. 31</u></u>	<u>Either sex</u>
<u>627*</u>	<u>Archery, Shotgun, Muzzleloader</u>	<u><del>((Oct. 15-31</del> <u>Oct. 11-31</u></u>	<u><del>Oct. 14-31</del> <u>Oct. 17-31</u></u>	<u><del>Oct. 12-31))</del> <u>Oct. 16-31</u></u>	<u>Either sex</u>

Deer Area

<u>062**</u>	<u>Archery, Shotgun, Muzzleloader</u>	<u>Sept. 1-Dec. 31</u>	<u>Sept. 1-Dec. 31</u>	<u>Sept. 1-Dec. 31</u>	<u>Either sex</u>
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\*Only that portion of GMU 627 (Kitsap) on Vashon and Maury Islands.

\*\*Restricted Access: ~~((For information call Bill Kaling at (360) 396-5353))~~ Indian Island.

Private Lands Wildlife Management Opportunities

~~((Kapowsin Tree Farm (PLWMA 401 - Champion))~~  
Champion (PLWMA 401) Kapowsin Tree Farm

PERMANENT



Hunting Method	<del>((1994 Open Season 1997 Dates</del>	<del>1995 Open Season 1998 Dates</del>	<del>1996 Open Season 1999 Dates</del>	Special Restrictions
Archery	<del>((Sept. 1-14 Sept. 1-12 (Sept. 15-30 Sept. 28-Oct. 9</del>	<del>Sept. 1-14 Sept. 1-11 Sept. 30-Oct. 11)) Sept. 28-Oct. 9</del>	<del>Sept. 1-13)) Sept. 1-10 Sept. 28-Oct. 9</del>	either sex  either sex
Modern Firearm General	<del>((Oct. 15-31 Oct. 11-26</del>	<del>Oct. 14-31 Oct. 10-25</del>	<del>Oct. 12-27)) Oct. 9-24</del>	2 pt. min.
Muzzleloader	<del>((Nov. 23-Dec. 8 Nov. 26-Dec. 7</del>	<del>Nov. 22-Dec. 8 Nov. 25-Dec. 6</del>	<del>Nov. 27-Dec. 8 Nov. 24-Dec. 5</del>	2 pt. min.) Antlerless only

Merrill and Ring (PLWMA 600) Pysht Tree Farm

Hunting Method	1997 Dates	1998 Dates	1999 Dates	Special Restrictions
Archery	Sept. 15-30	Sept. 15-30	Sept. 15-30	Antlerless only: North Unit 600A - Either sex: South Unit 600B
	Nov. 26-Dec. 31	Nov. 25-Dec. 31	Nov. 24-Dec. 31	Antlerless only: North Unit 600A - Either sex: South Unit 600B
Modern Firearm	Oct. 11-31	Oct. 17-31	Oct. 16-31	Buck only: South Unit 600B
	Nov. 20-23	Nov. 19-22	Nov. 18-21	Buck only: South Unit 600B
Muzzleloader	Oct. 1-9	Oct. 1-9	Oct. 1-9	Antlerless only: North Unit 600A - Buck only: South Unit 600B

BLACK BEAR

Bag Limit: ~~((Fall General--))~~ One (1) black bear. Except if a damage bear tag is purchased and a damage season is hunted, then two (2) black bear may be taken.

License and Tag Requirements: A valid hunting license and unaltered, unnotched bear tag(s) are required to hunt black bear.

Bear Tag Information: A hunter may purchase one (1) damage bear tag and one (1) general bear tag. A damage bear tag allows a hunter to take one (1) bear during the damage season in a damage area, but is not valid during the general season. A general bear tag may be used in a damage season and during the general season to take one (1) bear.

Tag Sale Deadline: Damage bear tags must be purchased, and are only valid prior to August 1, 1997. General bear tags must be purchased by midnight of the day preceding modern firearm deer season opener. Actual dates are: ((Oct. 14, 1994; Oct. 13, 1995; Oct. 11, 1996;)) Oct. 10, 1997; Oct. 16, 1998; Oct. 15, 1999.

Use of Bait and Hounds: The use of bait and hounds for hunting black bear is prohibited state-wide.

~~((PURSUIT-ONLY SEASON~~

~~It is lawful to pursue or tree black bears during established pursuit only seasons, provided any bear pursued or treed is NOT killed or injured. Hunters participating in a pursuit only season for black bear must have a valid hound stamp, and hunting license. A bear tag is not required to pursue black bear during the pursuit only season.~~

~~Aug. 1-31, 1994, 1995, and 1996, in GMUs 100-111, GMU 113 outside of Selkirk Grizzly Bear Recovery Zone[\*], GMUs 118-124 and GMUs 200 and 206.~~

~~OPEN SEASON  
(Bear may be killed.))~~

BLACK BEAR SEASONS

Damage:  
July 15-31, 1997; July 15-31, 1998; July 15-31, 1999 in PLWMA's 401 and 600, and in GMUs 454, 484, 501, 505, 506, 520, 530, 564, 568, 601, 603, 615, 627, 642, 648, and 667. Also in GMUs 558 and 572 except closed on the Gifford Pinchot National Forest and on Washington Department of Natural Resource lands.

General:  
Eastern Washington

PERMANENT

((Sept. 7-Oct. 31, 1994, Sept. 6-Oct. 31, 1995, Sept. 4-Oct. 31, 1996, EXCEPT Sept. 7-Nov. 6, 1994; Sept. 6-Nov. 5, 1995; Sept. 4-Nov. 10, 1996 in GMUs 145-154, 160-185.))  
Aug. 1-Nov. 6, 1997; Aug. 1-Nov. 6, 1998; Aug. 1-Nov. 6, 1999.

#### Western Washington

((Aug. 1-Oct. 31, 1994; Aug. 1-Oct. 31, 1995; Aug. 1-Oct. 31, 1996, EXCEPT Sept. 1-Oct. 31, 1994, Sept. 1-Oct. 31, 1995, and Sept. 1-Oct. 31, 1996, in Bow Area 802 and July 13-Sept. 7 and Sept. 26-Oct. 31 in PLWMA 401. CLOSED in GMUs 485 and 522.)) Aug. 1-Nov. 13, 1997; Aug. 1-Nov. 12, 1998; Aug. 1-Nov. 11, 1999, EXCEPT Sept. 2-Nov. 13, 1997; Sept. 8-Nov. 12, 1998; and Sept. 7-Nov. 11, 1999 in Bow Area 802. CLOSED in GMUs 485 and 522.

((The following regulations apply to the practice of HUNTING BLACK BEAR WITH BAIT.

**Definition of Bait:** A bait shall be defined as any substance placed with the intent of attracting bear.

**Bait Types:** It is unlawful to hunt bear with the aid of any bait other than unprocessed plant and plant parts including fruit, inedible parts of legally obtained food fish, game fish, and game animals; carcasses of legally trapped furbearing animals (hide removed); carcasses of unclassified fish and unclassified wildlife, and parts of domestic livestock carcasses.

Baits may not contain paper, cardboard, plastic, glass, aluminum, tin, steel, or styrofoam, or other packaging materials.

All other baits are illegal.

**Placement of Bait:** Baits for black bear may not be placed in an area until five days prior to the start of that area's established bear harvest season.

A bait may not be placed within fifty yards of any body of water (lake, pond, reservoir, stream, river, and spring), and not within two hundred yards of any road open to vehicular traffic or publicly maintained trail.

A bait may not be placed within one-half mile of any publicly designated administrative site, campground, picnic area, landfill or dump site, and not within one-quarter mile of any permanent residence or seasonal dwelling (except that private landowners may bait on their property within one-quarter mile of their own residence or seasonal dwelling when such baiting does not violate any of the aforementioned distance requirements with adjacent landholders).

**Bait Containers:** Bait must be contained within an excavated pit, or within a confine constructed of materials located at the site. Such containment structures might include, but not be restricted to, log cubbies, rock piles and stumps. Containers may also be used to hold bait, but if used, must be securely fastened (to tree, ground, post, etc.).

Any items used to contain or to fasten bait containment materials such as metal drums, nails, screws, bolts, rope, reinforcing rod, and spikes shall be removed from the area within 48 hours of the close of the bear harvest season. Excavated pits shall be filled and the area returned to pre-baiting condition. Tree stands and materials used to construct and erect tree stands shall be removed within the same

48-hour period (except that tree stands may be left on private property with landowner's permission).

All hunters who hunt bear with bait shall affix their bear tag number at their bear baiting sites in such a manner that it remains conspicuous and legible for the duration of the bear season.

#### BAIT AND/OR HOUND HUNTING CLOSURES AND RESTRICTIONS

##### Selkirk Grizzly Bear Recovery Zone

[\*] Use of hounds and bait to hunt black bear prohibited in that part of GMU 113 within the Selkirk Grizzly Bear Recovery Zone: (Pend Oreille County): Defined as beginning at the junction of the Canadian-Washington border and State Route 31 by Boundary Lake; then east along the Canadian border to the Idaho border; then south along the Idaho-Washington border to the ridge top between Bath Creek and Lamb Creek at Section 1, Township 35 North, Range 45 East; then west along said ridge top to USFS Road 310; then west along USFS Road 310 to the peak of Gleason Mountain; then west along USFS Trail 162 to Hungry Mountain; then south and west along the ridge top between Fourth of July Creek and Middle Creek to the mouth of LeClere Creek; then north along the ridge top between the Pend Oreille River and the West Branch LeClere Creek (Dry Canyon Ridge) to Sullivan Lake Road; then north and east along Sullivan Lake Road to Sullivan Lake; then north along the east shoreline of Sullivan Lake to Sullivan Lake Road; then north and west along Sullivan Lake Road to State Route 31; then north along State Route 31 to the point of beginning. (See Washington Atlas & Gazetteer or Colville National Forest map.)

Hunters using bait to hunt black bear outside of the Selkirk Grizzly Bear Recovery Zone but within GMUs 105, 108, 111, or 113, are required to be an AHE graduate or to obtain a bait hunter education certificate from the Washington Department of Fish and Wildlife.

##### North Cascades Grizzly Bear Recovery Zone (Zone)

The use of hounds and bait to hunt black bear is prohibited in the North Cascades National Park Complex and in all portions of GMUs 203, 218, 224, 231, 242, 300, 301, 302, 304, 306, 308, 314, 316, 328, 335, 426, 440, and 450. The use of hounds and bait to hunt black bear is also prohibited within those portions of GMUs 215, 233, 239, 417, 418, 433, 448, and 460 that lie within the North Cascades Grizzly Bear Recovery Zone (Okanogan, Chelan, Kittitas, King, Snohomish, Skagit, and Whatcom counties). For the purposes of this regulation, the Zone boundaries are defined as beginning at the junction of the Canadian-Washington border at the Nighthawk Port of Entry. South and East on the Similkameen Road to the Loomis Oroville Road. South on the Loomis Oroville Road to the Town of Loomis. South from the Town of Loomis on the Sinlahekin Road to Coneonully. South and West on the West Fork (Salmon Creek) Road to the Okanogan National Forest Boundary. East and South on the Okanogan National Forest Boundary; crossing U.S. Hwy. 20 and South of Loup Loup Summit. Continuing on the Okanogan National Forest boundary South and West to Vinton Road. Vinton Road South and West to Carlton at State Hwy. 153. State Hwy. 153 South and East to Pateros to U.S. Hwy 97. South on U.S. Hwy. 97 to the Okanogan County/Chelan County Line. West on the county

~~line to the exterior boundary of the Wenatchee National Forest. West on the Wenatchee National Forest boundary, crossing Lake Chelan to South Lakeshore Drive. South on South Lakeshore Drive to U.S. Hwy. Alt. 97. South and West on U.S. Hwy. Alt. 97 to its intersection with U.S. Hwys. 2 and 97 at Sunnyslope. South and East on State Hwy. 285 to the Columbia River. South and East along the Columbia River to U.S. Interstate 90 at Vantage. West on U.S. Interstate 90 to the exterior boundary of the Mount Baker Snoqualmie National Forest at Garcia. North on the Mount Baker Snoqualmie National Forest Boundary to U.S. Hwy. 2 at the Skykomish River. U.S. Hwy. 2 west to the Kellog Lake Road. Kellog Lake Road North and West to Sultan Basin Road. Sultan Basin Road North and East to Olney Pass to Williamson Creek Road. North and East on the Williamson Creek Road to the Mount Baker Snoqualmie National Forest Boundary. West and North on the Mount Baker Snoqualmie National Forest Boundary to Pilehuck Mountain. North on the Mount Baker Snoqualmie National Forest Boundary to the South Fork Stilliguamish River. Continuing North on the Mount Baker Snoqualmie National Forest Boundary to Boulder Falls. North and East on Forest Road 2010 to French Creek. North on French Creek to the North Fork Stilliguamish River. West on the North Fork Stilliguamish River to Dicks Creek and the Mount Baker Snoqualmie National Forest Boundary. North on the Mount Baker Snoqualmie National Forest Boundary to Cumberland Creek. Cumberland Creek West and North to the Skagit River. The Skagit River East to Grandy Creek. North and East on Grandy Creek to Baker Lake Road. Baker Lake Road North and East to the Whateom County/Skagit County Line. West on the Whateom County/Skagit County Line to the Mount Baker Snoqualmie National Forest Boundary at Howard Creek. West and North on the Mount Baker Snoqualmie National Forest Boundary to the Canadian-Washington border. East on the Canadian-Washington border to the point of origin. (See Washington Atlas and Gazetteer)~~

~~Hunters using bait to hunt black bear outside the North Cascades Grizzly Bear Recovery Zone but within GMUs 215, 233, 239, 417, 418, 433, 448, and 460, are required to be an AHE graduate or to obtain a bait hunter education certificate from the Washington Department of Fish and Wildlife.~~

~~Use of bait and hounds to hunt black bear is prohibited in Walla Walla and Columbia counties outside of the Umatilla National Forest.~~

~~[HOUND HUNTING CLOSURES]~~

~~Use of hounds is prohibited in GMU 684, and Bow Area 802:))~~

**TOOTH SUBMITTAL**

Bear: Each hunter who takes a bear must submit the small premolar tooth behind the canine tooth of upper or lower jaw for age determination. Tooth envelopes are available from Department of Fish and Wildlife regional offices.

**REPORT CARDS**

Each successful hunter must fill out and return a Game Harvest Report Card to the Department of Fish and Wildlife within ten days after taking a deer or bear.

Reviser's note: The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 97-06-048  
PERMANENT RULES  
FISH AND WILDLIFE  
COMMISSION  
(Wildlife)**

[Order 97-36—Filed February 27, 1997, 2:54 p.m.]

Date of Adoption: December 7, 1996.

Purpose: To amend WAC 232-28-02203 Game management units (GMUs)—Special game areas—Boundary descriptions—Region three.

Citation of Existing Rules Affected by this Order: Amending WAC 232-28-02203.

Statutory Authority for Adoption: RCW 77.12.040.

Adopted under notice filed as WSR 96-21-170 on October 23, 1996.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

December 30, 1996

Lisa Pelly  
for Mitchell S. Johnson  
Chairman

**AMENDATORY SECTION** (Amending WSR 96-04-027, filed 2/1/96, effective 3/3/96)

**WAC 232-28-02203 Game management units (GMUs)—Special game areas—Boundary descriptions—Region three.**

**GMU 300-MANSON (Chelan County):** Beginning at the town of Chelan to Lake Chelan; then northwest along the north shore of Lake Chelan to the Stehekin River; then northwest along the Stehekin River to the ridge between Rainbow Creek and Boulder Creek; then north on the ridge to McAlester Mountain on the Lake Chelan Wilderness Boundary; then southeast on the Wilderness Boundary along the Sawtooth Ridge separating the Chelan and Methow-Twisp River drainages to Fox Peak and USFS Road 8020; then southeast on USFS Road 8020 to the Anatoine Creek Road (USFS Road 8140); then southeast on the Anatoine Creek Road to Apple Acres Road; then northeast on Apple Acres Road to U.S. Highway 97; then northeast on U.S. Highway 97 to Wells Dam and the Columbia River; then southwest along the Columbia River (Chelan-Douglas

County line) to the Chelan River; then northwest along the Chelan River to the town of Chelan and the point of beginning. ~~((See Wenatchee National Forest map and Washington Atlas & Gazetteer))~~

**GMU 301-CLARK (Chelan County):** Beginning where the Stehekin River flows into Lake Chelan; then southeast along the south shore of Lake Chelan to the south boundary of the Chelan National Recreation Area Boundary (south of Riddle Creek); then southwest on the Recreation Area Boundary to the Glacier Peak Wilderness Boundary; then south, west, and north on the wilderness boundary to the Pacific Crest Trail at Kodak Peak; then north on the Pacific Crest Trail to North Cascades National Park; then north and east on the North Cascades National Park boundary to Hock Mountain; then south along the Lake Chelan Wilderness Boundary to McAlester Mountain; then southwest on the ridge between Rainbow Creek and Boulder Creek to the Stehekin River and the point of beginning. ~~((See Wenatchee National Forest map and the Glacier Peak Wilderness Forest map))~~

**GMU 302-ALPINE (Kittitas and Chelan counties):** Beginning on the Pacific Crest Trail and the Alpine Lakes Wilderness Boundary near Josephine Lake (south of Stevens Pass); then east, south and west on the wilderness boundary to the Pacific Crest Trail near Kendall Peak; then north on the Pacific Crest Trail to the Alpine Lakes Wilderness Boundary and the point of beginning. ~~((See Wenatchee National Forest map and the Alpine Lakes Wilderness map))~~

**GMU 304-CHIWAHA (Chelan County):** Beginning on the Pacific Crest Trail and the Glacier Peak Wilderness Boundary at Kodak Peak; then southeast and north on the wilderness boundary to the Entiat River; then southeast along the Entiat River to Ardenvoir and the Mad River Road (USFS Road 5700); then northwest on the Mad River Road to the USFS Road 5800; then southwest on USFS Road 5800 at French Corral and Eagle Creek Road (USFS Road 7520); then southwest on the Eagle Creek Road to State Highway 209 north of Leavenworth; then north on State Highway 209 to State Highway 207 near Lake Wenatchee; then south on State Highway 207 to U.S. Highway 2 at Coles Corner; then west on U.S. Highway 2 to the Pacific Crest Trail at Stevens Pass; then north on the Pacific Crest Trail to Kodak Peak and the point of beginning. ~~((See Wenatchee National Forest map))~~

**GMU 306-SLIDE RIDGE (Chelan County):** Beginning at the Lake Chelan National Recreation Boundary on the south shore of Lake Chelan near Riddle Creek; then southeast along the south shore of Lake Chelan to Twenty-five Mile Creek; then southwest along Twenty-five Mile Creek to the Slide Ridge Road (USFS Road 8410); then south on the Slide Ridge Road to Stormy Mountain and Trail 1448; then northwest on Trail 1448 to Fourmile Ridge Trail 1445; then west on the Fourmile Ridge Trail to Fox Creek; then southwest along Fox Creek to the Entiat River; then northwest along the Entiat River to the Glacier Peak Wilderness Boundary; then north on the wilderness boundary to Lake Chelan, the Lake Chelan National Recreation Boundary and the point of beginning. ~~((See Wenatchee National Forest map))~~

**GMU 308-ENTIAT (Chelan County):** Beginning at Twenty-five Mile Creek on the south shore of Lake Chelan;

then southeast along Lake Chelan and the Chelan River to the Columbia River; then southwest along the Columbia River to the mouth of the Entiat River; then northwest along the Entiat River to Fox Creek; then northeast along Fox Creek to the Fourmile Ridge Trail 1445; then east on the Fourmile Ridge Trail to Trail 1448; then southeast on Trail 1448 to Stormy Mountain and the Slide Ridge Road (USFS Road 8410); then north on the Slide Ridge Road to Twenty-five Mile Creek; then north along Twenty-five Mile Creek to Lake Chelan and the point of beginning. ~~((See Wenatchee National Forest map))~~

**GMU 314-MISSION (Kittitas and Chelan counties):** Beginning at the Black Pine Creek Horse Camp near the Alpine Lakes Wilderness Boundary and Icicle Creek; then east along Icicle Creek to the Wenatchee River; then south and east along the Wenatchee and Columbia Rivers to the mouth of Colockum Creek; then west along Colockum Creek and the Colockum Pass Road (WDFW Road 10) to the Naneum Ridge Road (WDFW Road 9); then northwest on the Naneum Ridge Road to Wenatchee Mountain; then northwest along the ridge past Mission Peak to the Liberty-Beehive Road (USFS Road 9712); then northwest on the Liberty-Beehive Road to USFS Road 9716; then north on USFS Road 9716 to U.S. Highway 97 at Swank Pass; then northwest on the Kittitas-Chelan County line and Trail 1226 to the Alpine Lakes Wilderness Boundary at Navaho Peak; then north on the Alpine Lakes Wilderness Boundary to Icicle Creek and the point of beginning. ~~((See Wenatchee National Forest map and Department of Fish and Wildlife Naneum Green Dot map))~~

**GMU 316-SWAKANE (Chelan County):** Beginning at Stevens Pass on U.S. Highway 2; then east on U.S. Highway 2 to Coles Corner and State Highway 207; then north on State Highway 207 to State Highway 209 near Lake Wenatchee; then southeast on State Highway 209 to the Eagle Creek Road (USFS Road 7520); then northeast on Eagle Creek Road to French Corral and USFS Road 5800; then northeast on USFS Road 5800 to the Mad River Road (USFS Road 5700); then southeast on the Mad River Road to Ardenvoir and the Entiat River; then southeast along the Entiat River to the Columbia River; south along the Columbia River to the Wenatchee River; then northwest along the Wenatchee River to Leavenworth and Icicle Creek; then south and northwest along Icicle Creek to the Alpine Lakes Wilderness Boundary; then north on the Alpine Lakes Wilderness Boundary to the Pacific Crest Trail near Josephine Lake; then north on the Pacific Crest Trail to Stevens Pass and the point of beginning. ~~((See Wenatchee National Forest map))~~

**GMU 328-NANEUM (Kittitas and Chelan counties):** Beginning at Swauk Pass on U.S. Highway 97 and USFS Road 9716; then east on USFS Road 9716 to the Liberty-Beehive Road (USFS 9712); then east on the Liberty-Beehive Road to the west boundary of Section 22 (T21N, R19E); then southeast along the ridge past Mission Peak to Wenatchee Mountain and Naneum Ridge Road (WDFW Road 9); then southeast on the Naneum Ridge Road to the Colockum Pass Road (WDFW Road 10); then south on the Colockum Pass Road to the East Highline Canal; then northwest along the East Highline Canal to the Lower Green Canyon Road; then south on the Lower Green Canyon Road to U.S. Highway 97; then north on U.S. Highway 97 to

Swauk Pass and the point of beginning. ~~((See Wenatchee National Forest map and Department of Fish and Wildlife Naneum Green Dot map))~~

**GMU 329-QUILOMENE (Kittitas and Chelan counties):** Beginning on the Columbia River at the mouth of Colockum Creek; then south along the Columbia River to Davies Canyon; then west along Davies Canyon to Road 14; then south and west on Road 14 to the boundary sign in the northwest quarter of Section 17 (T20N, R22E); then south to the boundary sign on Road 14 along the section lines between Sections 17, 18, 19 and 20; then east on Road 14 to Road 14.14; then east on Road 14.14 and north along the stock fence to the northern point of Cape Horn; then south along the top of the cliff and southeast to Road 14.14; then south on Roads 14.14, 14.17 and 14 to Tekison Creek; then south along Tekison Creek to the Columbia River; then south along the Columbia River to Vantage and Interstate Highway 90; then west on Interstate Highway 90 to the East Highline Canal; then north on the East Highline Canal to the Colockum Pass Road (Road 10); then north on the Colockum Pass Road to Colockum Creek; then northeast along Colockum Creek to the Columbia River and the point of beginning. ~~((See Department of Fish and Wildlife Naneum Green Dot map))~~

**GMU 330-WEST BAR (Kittitas County):** Beginning on the Columbia River and Davies Canyon; then southeast along the Columbia River to the mouth of the Tekison Creek; then northwest along Tekison Creek to Road 14; then north on Road 14, 14.17, and 14.14 to the top of the Cape Horn Cliffs; then north along the top of the cliff to the north end of Cape Horn; then southwest along the stock fence to Road 14.14; then west on Road 14.14 to Road 14 to the boundary sign between Sections 19 and 20 (T20N, R22S); then north on a line between Sections 19, 20 and 17, 18 to the boundary sign on Road 14 in the northwest quarter of Section 17; then east and north along Road 14 to Davies Canyon; then east along Davies Canyon to the Columbia River and the point of beginning. ~~((See Department of Fish and Wildlife Naneum Green Dot map))~~

**GMU 334-ELLENSBURG (Kittitas County):** Beginning on U.S. Highway 97 and the Lower Green Canyon Road; then north on the Lower Green Canyon Road to the East Highline Canal; then east and south along the canal past Interstate 90 to the pump station; then south and west along the north branch of the canal to State Highway 821 and the Yakima River; then north along the Yakima River to the Damon Road; then south on Damon Road and Shushuskin Canyon to the South Branch Extension Canal; then west along the canal to the Bradshaw Road; then west along Bradshaw Road to the elk fence; then west and north along the elk fence to Taneum Creek; then east along Taneum Creek to the Yakima River; then northeast along the Yakima River to the Thorp Highway; then east on the Thorp Highway and State Highway 10 to U.S. Highway 97; then north along U.S. Highway 97 to the Lower Green Canyon Road and the point of beginning. ~~((See Wenatchee National Forest map and the Department of Fish and Wildlife map (This is a Kittitas County Closure area for highpower rifle hunting of both deer and elk. Contact Kittitas County for more details.))~~

**GMU 335-TEANAWAY (Kittitas County):** Beginning at Snoqualmie Pass on the Pacific Crest Trail; then north on the

Pacific Crest Trail to the Alpine Lakes Wilderness Boundary; then east on the Alpine Wilderness Boundary to the Chelan-Kittitas County line; then southeast on the county line and Trail 1226 to Swauk Pass and U.S. Highway 97; then south on U.S. Highway 97 to State Highway 10; then northwest on State Highways 10, 970, 903 to Cle Elum and Interstate 90; then west on Interstate 90 to Snoqualmie Pass and the Pacific Crest Trail and the point of beginning. ~~((See Wenatchee National Forest map))~~

**GMU 336-TANEUM (Kittitas County):** Beginning at the Pacific Crest Trail and Interstate 90 at Snoqualmie Pass; then east on Interstate 90 to Cle Elum and State Highway 903; then east on State Highways 903, 970 and 10 to the Thorp Highway; then southeast on the Thorp Highway to the Thorp Highway Bridge and the Yakima River; then southwest along the Yakima River (upstream) to Taneum Creek; then west along Taneum Creek to the South Fork Taneum Creek; then west along the South Fork Taneum Creek to Trail 1367; then west on Trail 1367 to Trail 1363; then south on Trail 1363 and south along Peaches Ridge to Trail 1388; then west on Trail 1388 to Blowout Mountain on the Pacific Crest Trail; then north on the Pacific Crest Trail to Snoqualmie Pass and the point of beginning. ~~((See Wenatchee National Forest map))~~

**GMU 340-MANASTASH (Kittitas County):** Beginning at Quartz Mountain and Peaches Ridge (Trail 1363); then north and east on Trail 1363 to Trail 1367; then southeast on Trail 1367 to the South Fork Taneum Creek; then east along the South Fork Taneum Creek to Taneum Creek; then east along Taneum Creek to the elk fence; then southeast along the elk fence to Bradshaw Road; then east on Bradshaw Road to the South Branch Highline Canal; then southeast along the South Branch Highline Canal to the Wenas-Ellensburg Road (at Shushuskin Canyon); then north on the Wenas-Ellensburg Road to the Damon Road; then north on the Damon Road to the Yakima River; then south along the Yakima River to Umtanum Creek; then west along Umtanum Creek to the Wenas-Ellensburg Road; then west on the Wenas-Ellensburg Road to Ellensburg Pass and the Observatory Road (Section 6, T16N, R17E); then north on the Observatory Road to Manastash Ridge (Section 20, T17N, R17E, W.M.); then northwest along the Manastash Ridge to USFS Trail 694 (T17N, R15E, NW 1/4 of Section 12) near the USFS fence; then northwest on ORV Trail 694 to ORV Trail 688 near Rocky Saddle; then northwest on ORV Trail 688 to USFS Trail 1388; then northwest on Trail 1388 to Quartz Mountain and Peaches Ridge Trail and the point of beginning. ~~((See Wenatchee National Forest map))~~

**GMU 342-UMTANUM (Kittitas and Yakima counties):** Beginning at Manastash Ridge at the junction of Forest Road 1701; then east along the Manastash Ridge to the Observatory Road in Section 20, T17N, R17E, W.M.; then south on the Observatory Road to the Wenas-Ellensburg Road near Ellensburg Pass (Section 6, T16N, R17E, W.M.); then east on the Wenas-Ellensburg Road to Umtanum Creek; then east along the Umtanum Creek to the Yakima River; then south along the Yakima River to Yakima and U.S. Highway 12; then northwest on U.S. Highway 12 to State Highway 410; then northwest on State Highway 410 to USFS Road 1701; then north on USFS Road 1701 to the point of beginning. ~~((See Wenatchee National Forest map and Washington State Atlas & Gazetteer))~~

**GMU 346-LITTLE NACHES (Yakima and Kittitas counties):** Beginning at Blowout Mountain and the USFS Road 1388; then east on USFS Road 1388 to USFS ORV Trail 688 to Rocky Saddle; then east on USFS ORV Trail 694 to USFS Road 1701 near the USFS fence (T17N, R15E, NW 1/4 of Section 12); then south on USFS Road 1701 to State Highway 410; then northwest and southwest on State Highway 410 to the Pacific Crest Trail near Chinook Pass; then north on the Pacific Crest Trail to Blowout Mountain and the point of beginning. ((~~See Wenatchee National Forest map~~)))

**GMU 352-NILE (Yakima County):** Beginning on the Bumping Lake Road and State Highway 410; then east and south on State Highway 410 to Nile and USFS Road 1500; then west on USFS Road 1500 to the McDaniel Lake Road (USFS Road 1502); then west on the McDaniel Lake Road to the North Fork and the South Fork of Rattlesnake Creek; then along the North Fork Rattlesnake Creek to the USFS Richmond Mine Trail 973; then north on the Richmond Mine Trail 973 to the Bumping Lake Road; then north on the Bumping Lake Road to State Highway 410 and the point of beginning. ((~~See Wenatchee National Forest map~~)))

**GMU 356-BUMPING (Yakima County):** Beginning on the Pacific Crest Trail and State Highway 410 at Chinook Pass; then northeast on State Highway 410 to the Bumping Lake Road; then southwest on the Bumping Lake Road to the USFS Richmond Mine Trail 973; then southeast on the Richmond Mine Trail 973 to the North Fork Rattlesnake Creek; then southeast along the North Fork Rattlesnake Creek to the McDaniel Lake Road (USFS Road 1502); then southeast on the McDaniel Lake Road to USFS Road 1500; then south on USFS Road 1500 to State Highway 12; then west on Highway 12 to the Pacific Crest Trail at White Pass; then north on the Pacific Crest Trail to Chinook Pass and the point of beginning. (Lands within the boundary of Mt. Rainier National Park along the Pacific Crest Trail are not open to hunting.) ((~~See Wenatchee National Forest Recreation map~~)))

**GMU 360-BETHEL (Yakima County):** Beginning on USFS Road 1500 and Highway 410 at Nile; then southeast on Highway 410 to Highway 12; then southwest on Highway 12 to USFS Road 1500; then north and east on USFS Road 1500 to Nile and the point of beginning. ((~~See Wenatchee National Forest Recreation map~~)))

**GMU 364-RIMROCK (Yakima County):** Beginning on the Pacific Crest Trail and Highway 12 at White Pass; then east on Highway 12 to Windy Point and the Jump Off Road (USFS 1302); then southwest on Jump Off Road to Jump Off Lookout; then south on Divide Ridge Crest to Darland Mountain and to the Darland Mountain Road and the north boundary of the Yakima Indian Reservation; then west on the Yakima Indian Reservation boundary to the Pacific Crest Trail; then north on the Pacific Crest Trail to Highway 12 at White Pass and the point of beginning. ((~~See Wenatchee National Forest Recreation map~~)))

**GMU 366-RIMROCK-COWICHE (Yakima County):** GMUs 364 (Rimrock) and 368 (Cowiche). ((~~See Wenatchee National Forest Recreation map~~)))

**GMU 368-COWICHE (Yakima County):** Beginning on Highway 12 and Jump Off Road near Windy Point; then northeast and southeast on Highway 12 to the Yakima River;

then south along the Yakima River to the Yakima Indian Reservation boundary south of Union Gap; then west on the reservation boundary to Darland Mountain; then north on the crest of Divide Ridge to the Jump Off Lookout and the Jump Off Road (USFS Road 1302); then northeast on the Jump Off Road to Highway 12 and the point of beginning. ((~~See Wenatchee National Forest Recreation map~~)))

**GMU 371 ALKALI (Kittitas and Yakima counties):** Beginning one mile south of Thrall and Highway 821 at the Yakima River and the East High Canal; then east and north along the East High Canal to Interstate Highway 90; then east on Interstate Highway 90 to Vantage and the Columbia River; then south along the Columbia River to Priest Rapids Dam and the Yakima Training Center (YTC) boundary; then south and west along the YTC boundary to the main gate at Firing Center Road; then west along Firing Center Road and Harrison Road to the Yakima River; then north along the Yakima River to the East High Canal and the point of beginning. ((~~See Washington Atlas & Gazetteer~~)))

**GMU 372 KIONA (Benton and Yakima counties):** Beginning at Priest Rapids Dam and the Columbia River; then east and south along the Columbia River (Yakima, Grant, Benton, and Walla Walla County line) to the Alderdale Road; then north on the Alderdale Road to the Klickitat-Yakima County line; then west on the county line to the Yakima Indian Reservation boundary; then northeast on the reservation boundary to the Mabton-Sunnyside Road; then north on the Mabton-Sunnyside Road to the Yakima River; then northwest along the Yakima River to Harrison Road; then east along Harrison Road and Firing Center Road to the main gate of the Yakima Training Center (YTC); then south and east along the YTC boundary to Priest Rapids Dam and the Columbia River and the point of beginning. The Hanford Nuclear Reservation is closed to all unauthorized public entry. ((~~See Washington Atlas & Gazetteer~~)))

**WSR 97-06-049**  
**PERMANENT RULES**  
**FISH AND WILDLIFE**  
**COMMISSION**  
(Wildlife)

[Order 97-35—Filed February 27, 1997, 2:57 p.m.]

Date of Adoption: December 7, 1996.

Purpose: To amend WAC 232-28-02202 Game management units (GMUs)—Special game areas—Boundary descriptions—Region two.

Citation of Existing Rules Affected by this Order: Amending WAC 232-28-02202.

Statutory Authority for Adoption: RCW 77.12.040.

Adopted under notice filed as WSR 96-21-169 on October 23, 1996.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-28-02202 differs from the proposed version filed with the code reviser in the following specifics:

1. The following exception was added at the end of GMU 272 (Beezley) description: "EXCEPT Private Lands Wildlife Management Area 201, Wilson Creek."

2. Lines 3, 4, 5, 6, and 7 of GMU 278 (Wahluke) were amended as follows: ". . . east on Interstate 90 to Road R

SW (Beverly-Burke Road) then south along Road R SW to Road 7 SW (Frenchman Hills Road); then east along Road 7 SW to State Highway 262 (O'Sullivan Dam Road); then east along State Highway 262 ((the Grant Adams County line; then south and west along the Grant Adams County line)) to State Highway 17; then ((south)) north on State Highway 17 to Interstate 90; then east on Interstate 90 to the Grant-Adams County line; then south and east on Grant-Adams County line to State Highway 17; then south on State Highway 17 to State Highway 26; . . ."

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

December 30, 1996

Lisa Pelly

for Mitchell S. Johnson  
Chairman

**AMENDATORY SECTION** (Amending Order 95-121, filed 9/1/95, effective 10/2/95)

**WAC 232-28-02202 Game management units (GMUs)—Special game areas—Boundary descriptions—Region two.**

~~((GMU 200-TUNK (Okanogan and Ferry counties): Beginning at Tonasket and State Highway 20; then east on State Highway 20 to Republic and State Highway 21; then south on State Highway 21 to the north boundary of the Colville Indian Reservation; then west on the reservation boundary to the Okanogan River; then north along the Okanogan River to Tonasket and the point of beginning. ((See Okanogan National Forest Travel Plan)))~~

**GMU 203-PASAYTEN (Okanogan and Whatcom counties):** Beginning at the western boundary of the Pasayten Wilderness and the Washington-Canadian border; near Princess Creek; then east along the Canadian border to the eastern boundary of the Pasayten Wilderness near Goodenough Peak; then south on the Pasayten Wilderness Boundary to Trail 341; then west and south on Trail 341 to its junction with Trail 533 and Trail 343; then west on Trail 343 to Trail 342; then southwest on Trail 342 to the Pasayten Wilderness Boundary; then west on the wilderness boundary to the Hidden Lakes Trail 477; then west on Hidden Lakes Trail to Drake Creek; then southwest along Drake Creek to the Lost River Gorge; then southwest along the Lost River Gorge to the Pasayten Wilderness Boundary; then west on the Pasayten Wilderness Boundary to the Robinson Creek Trail 478; then north on the Robinson Creek Trail to the Ferguson Lake Trail; then west to Silver Lake

and west to the West Fork of the Pasayten River; then west to Oregon Basin and the western boundary of the Pasayten Wilderness; then north on the wilderness boundary to the Washington-Canadian border near Princess Creek and the point of beginning. ((See Okanogan National Forest Travel Plan)))

~~GMU ((206-BONAPARTE)) 204-OKANOGAN EAST (Okanogan and Ferry counties):~~ Beginning on the eastern shore of Osoyoos Lake and the Washington-Canadian border; then east on the border to the Kettle River near Ferry customs office; then south along the Kettle River to the mouth of Toroda Creek at Toroda; then west along Toroda Creek to the Toroda Creek Road (County Roads 502 and 9495); then west and south on the Toroda Creek Road to State Highway 20 at Wauconda; then ((west)) east on State Highway 20 to ~~((the Okanogan River at Tonasket;))~~ Republic; then south on State Route 21 to the north boundary of the Colville Indian Reservation; then west on the reservation boundary to the Okanogan River; then north along the Okanogan River and the eastern shore of Osoyoos Lake to the point of beginning. ((See Okanogan National Forest Travel Plan)))

**GMU 209-WANNACUT (Okanogan County):** Beginning at the Canadian border station near Nighthawk on the Washington-Canadian border; then east on the border to the west shore of Lake Osoyoos; then south along the west shore of Lake Osoyoos and the Okanogan River to the bridge at Tonasket and County Road 7 (9400); then south on County Road 7 to the North Pine Creek-Aeneas Lake Road (9437) then southwest on the Pine Creek-Aeneas Lake Road to the Horse Springs Coulee Road (4371); then north on the Horse Springs Coulee Road to the Loomis-Oroville Highway (9425) near Spectacle Lake; then west on the Loomis--Oroville Highway to Loomis; then north on the Loomis-Oroville Highway past Palmer Lake to Nighthawk and the Allemandi Road; then north on the Allemandi Road to the Similkameen Road; then north on the Similkameen Road to the border station on the Washington-Canadian border and the point of beginning. ((See Okanogan National Forest Travel Plan)))

**GMU 215-SINLAHEKIN (Okanogan County):** Beginning at the eastern boundary of the Pasayten Wilderness and the Washington-Canadian border; then east on the border to the border station near Nighthawk and the Similkameen Road; then southeast on the Similkameen Road to the Allemandi Road; then south on the Allemandi Road to Nighthawk and the Loomis-Oroville Road (USFS Road 9425); then south on the Loomis-Oroville Road through Loomis to the Horse Springs Coulee Road (USFS Road 4371) near Spectacle Lake; then south on the Horse Springs Coulee Road to the Aeneas Lake-Pine Creek Road (USFS Road 9400); then northeast on the Aeneas Lake-Pine Creek Road to the Okanogan River; then south along the Okanogan River to the town of Riverside and U.S. Highway 97; then north on U.S. Highway 97 to the South Pine Creek-Fish Lake Road (USFS Road 9410); then west on the South Pine Creek-Fish Lake Road along the south shore of Fish Lake to the Conconully-Sinlahekin Road (USFS Road 4015); then southwest on the Conconully-Sinlahekin Road along the north shore of Conconully Lake to Conconully and the Salmon Creek North Fork Road (USFS Roads 2361, 38, and 2820); then north on the Salmon Creek North Fork Road over Lone Frank Pass to

USFS Road 39; then north on USFS Road 39 to Long Swamp and the Middle Fork Toats Coulee Road; then east on the Middle Fork Toats Coulee Road (USFS Road 39) to Iron Gate Road (USFS Road 500); then northwest on Iron Gate Road to its end; then north and east on Trails 533 and 341 to the eastern boundary of the Pasayten Wilderness; then north on the wilderness boundary to the Washington-Canadian border and the point of beginning. ~~((See Okanogan National Forest Travel Plan))~~

**GMU 218-CHEWUCH (Okanogan County):** Beginning at Oregon Basin and Jim Pass on the Pacific Crest Trail; then east to Silver Lake; then east to the Ferguson Lake Trail and the Middle Fork Trail 478; then south on the Trail 478 to the Pasayten Wilderness Boundary; then east on the wilderness boundary to Lost River; then northeast along Lost River and Drake Creek to Hidden Lake Trail 477; then east on the Hidden Lake Trail 477 to the Pasayten Wilderness Boundary at Eightmile Pass; then northeast on the wilderness boundary to Trail 342 near Hicky Hump; then north on Trail 342 to Trail 343 at Two Bear camp; then east on Trail 343 to the Iron Gate Road (USFS Road 500); then south on the Iron Gate Road to the Middle Fork Toats Coulee Creek (USFS Road 39); then west and south on the Middle Fork Toats Coulee Creek Road past Long Swamp to the Boulder Creek Road (USFS Road 37); then southwest on Boulder Creek Road to the East Chewuch River Road (USFS Road 9137); then south on the East Chewuch River Road to Winthrop and State Highway 20; then northwest on State Highway 20 to the Pacific Crest Trail crossing on Highway 20; then north on the Pacific Crest Trail to Jim Pass and the point of beginning. ~~((See Okanogan National Forest Travel Plan))~~

**GMU 224-PEARRYGIN (Okanogan County):** Beginning at the North Fork Boulder Creek Road (USFS Road 39) and USFS Road 3820; then south on Road 3820 through Lone Frank Pass to the North Fork Salmon Creek Road (USFS Road 38); then southeast on the North Fork Salmon Creek Road to the County Road 2361; then southeast on County Road 2361 to County Road 2017 at Conconully; then southwest on County Road 2017 to the North Summit Road (USFS Road 42); then southwest on the North Summit Road to State Highway 20 at Loup Loup Summit; then west on State Highway 20 through Twisp to the East Chewuch River Road at Winthrop; then north on the East Chewuch River Road to the Boulder Creek Road (USFS Road 37); then northeast on the Boulder Creek Road to the Middle Fork Boulder Creek Road (USFS Road 39); then northeast on the Middle Fork Boulder Creek Road to USFS Road 3820 and the point of beginning. ~~((See Okanogan National Forest Travel Plan))~~

**GMU 231-GARDNER (Okanogan County):** Beginning where the Pacific Crest Trail crosses State Highway 20; then south and east on State Highway 20; south through the Methow Valley, south through Winthrop to the Twisp River Road at Twisp; then west on the Twisp River Road to North Fork Twisp River Trail 432; then north on Trail 432 to Trail 426; then north and west on Trail 426 to the Pacific Crest Trail; then north on the Pacific Crest Trail to State Highway 20 and the point of beginning. ~~((See Okanogan National Forest Travel Plan))~~

**GMU 233-POGUE (Okanogan County):** Beginning at the town of Conconully; then north on the Sinlahekin Road

(USFS Road 4015) to the Fish Lake Road; then east on the Fish Lake Road along the south end of Fish Lake to the South Pine Creek Road (USFS Road 9410); then east on the South Pine Creek Road to U.S. Highway 97; then south on U.S. Highway 97 to the town of Riverside and the Okanogan River; then south along the Okanogan River through Omak to the town of Okanogan and State Highway 20; then west on State Highway 20 near Loup Loup Summit and the North Summit Road (USFS Road 42); then north on the North Summit Road to County Road 2017; then north on County Road 2017 to Conconully and the point of beginning. ~~((See Okanogan National Forest Travel Plan))~~

**GMU 239-CHILIWIST (Okanogan County):** Beginning at the intersection of State Highway 153 and State Highway 20 south of the town of Twisp; then east on State Highway 20 past Loup Loup Summit to the town of Okanogan and the Okanogan River; then south along the Okanogan River to the Columbia River and the Okanogan County south boundary; then west along the Columbia River to Pateros and State Highway 153; then north on State Highway 153 to State Highway 20 and the point of beginning. ~~((See Okanogan National Forest Travel Plan))~~

**GMU 242-ALTA (Okanogan County):** Beginning at the junction of the Pacific Crest Trail and Trail 426; then east and south along Trail 426 to Trail 432; then east on Trail 432 to Roads End Campground and the Twisp River Road (County Road 9114 and USFS Road 4440); then east on the Twisp River Road to Twisp and State Highway 153; then south on State Highway 153 to Pateros and the Columbia River; then south along Lake Pateros to Wells Dam and U.S. Highway 97; then south on U.S. Highway 97 to Apple Acres Road (USFS Road 8140); then west on Apple Acres Road to Antoine Creek Road (USFS Road 8140); then northwest on the Antoine Creek Road to USFS Road 8020; then north on the USFS Road 8020 to its junction with the South Navarre Road and the South Fork Gold Creek Road (USFS Road 8200 and 4330); then north on the South Fork Gold Creek Road to the Okanogan-Chelan County line; then northwest on the Okanogan-Chelan County line to the intersection of Trail 426 and the point of beginning. ~~((See Okanogan National Forest Travel Plan))~~

**GMU 248-BIG BEND (Douglas and Grant counties):** Beginning on State Highway 17 at the Chalk Hills Road (Road K N.E.); then north on the Chalk Hills Road (K & L N.E.) for 4 miles to the east line of Range 26 East; then north on the east line of Range 26 to the Columbia River; then east along the Columbia River to Grand Coulee Dam and the Feeder Canal; then southwest along the Feeder Canal to Banks Lake; then south along the west shore of Banks Lake to a point due east from Mold Road (Road 9 N.E.); then west from that point on Mold Road through Mold to State Highway 17; then north along State Highway 17 to Sim's Corner and State Highway 172; then west on State Highway 172 through Mansfield to Mathieson Road (Road B N.E.); then north on the Mathieson Road and the West Foster Creek Road (Bridgeport Hill Road) to State Highway 17; then east on State Highway 17 to the Chalk Hills Road (Road K N.E.) and the point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**GMU 254-SAINT ANDREWS (Douglas and Grant counties):** Beginning at Mansfield on State Highway 172; then east on State Highway 172 to Sim's Corner and State



Highway 17; then south on State Highway 17 to Buckeye Road (Road 9 N.E.); then east on the Buckeye Road to Mold and the Mold Road; then east on the Mold Road and continuing due east to the west shore of Banks Lake; then south along the west shore of Banks Lake to U.S. Highway 2; then west on U.S. Highway 2 to Farmer and State Highway 172; then north and east on State Highway 172 to Mansfield and the point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**GMU 260-FOSTER CREEK (Douglas County):** Beginning at Brewster and the Douglas-Okanogan County line; then east on the county line (Columbia River) past Bridgeport to the east line of Range 26 East; then south on the east line of Range 26 East to Road L N.E.; then south on Road L N.E. to the Chalk Hills Road (K & L N.E.); then southwest on the Chalk Hills Road to State Highway 17; then west on State Highway 17 to the Bridgeport Hill Road; then south on the Bridgeport Hill Road to the Dyer Hill Road; then north on the Dyer Hill Road to Dyer and the Bonita Flat Road; then west on the Bonita Flat Road to the Columbia River (opposite the Okanogan-Chelan County line); then north along the river to Brewster and the point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**GMU 262-WITHROW (Douglas County):** Beginning at Dyer and the Dyer Hill Road; then south on the Dyer Hill Road to the Bridgeport Hill Road; then south 3/4 mile on the Bridgeport Hill Road to Road 18 N.E.; then east on Road 18 N.E. to the Mathieson Road (B N.E.); then south on the Mathieson Road to State Highway 172; then west and south on State Highway 172 to Farmer and U.S. Highway 2; then west on U.S. Highway 2 through Waterville to Orondo and the Douglas-Chelan County line; then north on the county line (Columbia River) past the Wells Dam to the Bonita Flat Road (opposite the Okanogan-Chelan County line); then east on the Bonita Flat Road to Dyer and the point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**GMU 266-BADGER (Douglas County):** Beginning at Orondo and U.S. Highway 2; then east on U.S. Highway 2 through Waterville and Douglas to the Westerman Road (K S.W.); then south on the Westerman Road to Alston and the Alston Road; then west on the Alston Road to the Titchenal Canyon Road; then southwest on the Titchenal Canyon Road to the Sheehan Road; then south on the Sheehan Road to the Rock Island Grade Road; then southwest on the Rock Island Grade Road to the Rock Island Dam and the Douglas-Chelan County line (Columbia River); then north on the county line through Wenatchee to Orondo and the point of beginning, (includes Turtle Rock Island). ~~((See Washington Atlas & Gazetteer))~~

**GMU 269-MOSES COULEE (Douglas and Grant counties):** Beginning on U.S. Highway 2 and the Westerman Road (K S.W.); then east on U.S. Highway 2 to the Moses Coulee Road; then south on the Moses Coulee Road to the Grant-Douglas County line and the Sagebrush Flat Road; then south on the Sagebrush Flat Road to J N.W. Road; then south on J N.W. to 20 N.W. Road; then west on 20 N.W. Road to the Overen Road; then southwest on the Overen Road to the Baird Springs Road; then southwest on the Baird Springs Road across State Highway 28 to the Crescent Bar Road; then south along the Crescent Bar Road to the Douglas-Kittitas County line (Columbia River); then north on the county line to the Rock Island Dam and the

Rock Island Grade Road; then north on Rock Island Grade Road to the Sheehan Road; then north on the Sheehan Road to the Titchenal Canyon Road; then north on the Titchenal Road Canyon Road to the Alston Road; then east on the Alston Road through Alston to the Westerman Road (K S.W.); then north on the Westerman Road to U.S. Highway 2 and the point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**GMU 272-BEEZLEY (Grant and Douglas counties):** Beginning at the junction of Grant, Lincoln and Okanogan County lines near the town of Grand Coulee; then south on the Grant County line to Interstate 90; then west on Interstate 90 to the Grant-Kittitas County line (Columbia River); then north on the county line to the Crescent Bar Road; then northeast on the Crescent Bar Road to the Baird Springs Road near Trinidad; then northeast on the Baird Springs Road across State Highway 28 to the Overen Road; then northeast on the Overen Road to the 20 N.W. Road; then east on the 20 N.W. Road to the J N.W. Road; then north on the J N.W. Road to the Sagebrush Flats Road; then north on the Sagebrush Flats Road to the Grant-Douglas County line and the Moses Coulee Road; then north on the Moses Coulee Road to U.S. Highway 2; then east on U.S. Highway 2 to the west shore of Banks Lake; then north along the west shore of Banks Lake to the feeder canal and to Grand Coulee Dam; then up river to the Grant-Lincoln County line and the point of beginning, EXCEPT Private Lands Wildlife Management Area 201, Wilson Creek. ~~((See Washington Atlas & Gazetteer))~~

**GMU 278-WAHLUKE (Grant and Adams counties):** Beginning at the Vantage Bridge on Interstate 90 and the Grant-Kittitas County line (Columbia River); then northeast and east on Interstate 90 to ~~((the Grant-Adams County line; then south and west along the Grant-Adams County line))~~ Road R SW (Beverly-Burke Road) then south along Road R SW to Road 7 SW (Frenchman Hills Road); then east along Road 7 SW to State Highway 262 (O'Sullivan Dam Road); then east along State Highway 262 to State Highway 17; then ((south)) north on State Highway 17 to Interstate 90; then east on Interstate 90 to the Grant-Adams County line; then south and east on Grant-Adams County line to State Highway 17; then south on State Highway 17 to State Highway 26; then west on State Highway 26 to State Highway 24; then south and west on State Highway 24 to the Vernita Bridge and the Columbia River (Grant County line); then west and north along the Columbia River to the Vantage Bridge on Interstate 90 and the point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**GMU 281-RINGOLD (Franklin, Adams and Grant counties):** Beginning at the Vernita Bridge on the west shore of the Columbia River and State Highway 24; then north and east on State Highway 24 to State Highway 26 at Othello; then east on State Highway 26 to State Highway 17; then south on State Highway 17 to U.S. Highway 395; then south on U.S. Highway 395 through Pasco and the west shore of the Columbia River (Franklin-Benton County line); then north along the Columbia River (including all islands) to the Vernita Bridge and the point of beginning. The Hanford Nuclear Site and the Saddle Mountain National Wildlife Refuge are closed to unauthorized public entry. ~~((See Washington Atlas & Gazetteer))~~

**GMU 284-KAHLOTUS (Adams and Franklin counties):** Beginning on State Highway 17 and the Adams-Grant County line (12 S.E. Road); then east on the county line (12 S.E. Road) and north (X S.E. Road); then east on the Adams-Lincoln County line (Davis Road) to the Whitman County line; then south on the Adams-Whitman County line (Palouse River); then south on the Franklin-Whitman County line (Palouse River) to the Franklin-Columbia-Walla Walla County line (Snake River); then west on the Franklin-Walla Walla County line (Snake River) to the Walla Walla-Benton County line (Columbia River); then northwest on the county line to the U.S. Highway 395 bridge between Pasco and Kennewick; then north on U.S. Highway 395 to State Highway 17; then north on State Highway 17 to the Adams-Grant County line (12 S.E. Road) and the point of beginning. ((See ~~Washington Atlas & Gazetteer~~))

**GMU 290-Desert (Grant County):** Beginning at the town of George on Interstate 90; then east along Interstate 90 to State Highway 17; then south along State Highway 17 to State Highway 262 (O'Sullivan Dam Road); then west along State Highway 262 to Road 7 SW (Frenchman Hills Road); then west along Road 7 SW to Road R SW (Beverly-Burke Road); then north along Road R SW to Interstate 90; then east along Interstate 90 to the point of beginning.

**WSR 97-06-050**  
**PERMANENT RULES**  
**FISH AND WILDLIFE**  
**COMMISSION**  
(Wildlife)

[Order 97-34—Filed February 27, 1997, 3:00 p.m.]

Date of Adoption: December 7, 1996.

Purpose: To amend WAC 232-28-02201 Game management units (GMUs)—Special game areas—Boundary descriptions—Region one.

Citation of Existing Rules Affected by this Order: Amending WAC 232-28-02201.

Statutory Authority for Adoption: RCW 77.12.040.

Adopted under notice filed as WSR 96-21-168 on October 23, 1996.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-28-02201 differs from the proposed version filed with the code reviser in the following specifics:

1. In GMU 109 (Threeforks) the first part of the description was amended as follows: "Beginning at Colville, then northwest on Highway 395 and State Highway 20 to the bridge . . ."

2. In GMU 154 (Blue Creek) a connecting road between Walla Walla and Waitsburg was omitted. The boundary was corrected as follows: . . .; then north on State Highway 125 to Walla Walla; then northeast on Highway 12 to Waitsburg and the point of beginning.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

December 30, 1996

Lisa Pelly

for Mitchell S. Johnson

Chairman

**AMENDATORY SECTION** (Amending Order 639, filed 5/10/94, effective 6/10/94)

**WAC 232-28-02201 Game management units (GMUs)—Special game areas—Boundary descriptions—Region one.**

**GMU ((100-CURLEW)) 101-SHERMAN (Ferry and Okanogan counties):** Beginning at the Kettle River, Kipuna Road and the Canadian border near the Customs Office; then east on the border to the Kettle River near ((Danville; then south along the Kettle River to Curlew; then northeast on the Deer Creek Boulder Creek Road to the Kettle Crest Trail 13; then south on Kettle Crest Trail 13 to USFS Road 250; then south on USFS Road 250 to the northern boundary of the Colville Indian Reservation in southeast 1/4 of Section 32; then west on the reservation boundary to Highway 21; then north on Highway 21 to Republic and Highway 20; then northwest on Highway 20 to Wauconda and the Toroda Creek Road; then northeast on the Toroda Creek Road to Toroda, and the mouth of Toroda Creek on the Kettle River; then north on the Kettle River and the point of beginning. (See Colville National Forest map)

**GMU 103-BOULDER (Ferry County):** Beginning at the Kettle River and the Canadian border near Danville; then east on the border to the Kettle River near)) Laurier; then south along the Kettle River and the Ferry County line to the mouth of the Kettle River and Lake Roosevelt; then south on the Ferry County line in Lake Roosevelt to the northern boundary of the Colville Indian Reservation; then west on the reservation boundary to ((USFS Road 250 in southeast 1/4 of Section 32; then north on Road 250 to the Kettle Crest Trail #13; then north on Trail #13 to the Deer Creek Boulder Creek Road; then north on the Deer Creek Boulder Creek Road to the Kettle River at Curlew; then north along the Kettle River to the Canadian border near Danville and the point of beginning. (See Colville National Forest map))) State Highway 21; then north on Highway 21 to Republic and Highway 20; then northeast on Highway 20 to Wauconda and the Toroda Creek Road; then northeast on the Toroda Creek Road to Toroda and the mouth of Toroda Creek on the Kettle River; then north on the Kettle River to the Canadian border and point of beginning.

**GMU 105-KELLYHILL (Stevens County):** Beginning at the Kettle River and the Canadian border near Laurier; then east on the border to Lake Roosevelt (Columbia River); then south along Lake Roosevelt to the mouth of the Kettle River; then north along the Kettle River and the Ferry County line

to the Canadian border near Laurier and the point of beginning. ~~((See Colville National Forest map))~~

**GMU ~~((108 DOUGLAS)) 109-THREEFORKS~~ (Stevens ~~((County))~~ and Pend Oreille counties):** Beginning at ~~((the bridge over Lake Roosevelt near Northport; then through the town of Northport to the Colville Aladdin Northport Road; then east and south on the Colville Aladdin Northport Road to Colville and State Highway 20; then west on State Highway 20 and U.S. Highway 395 past Kettle Falls))~~ Colville, then northwest on Highway 395 and State Highway 20 to the bridge over Lake Roosevelt; then north up Lake Roosevelt ~~((C))~~ and the Columbia River~~((S))~~ to the ~~((bridge over Lake Roosevelt near Northport and the point of beginning. ((See Washington Atlas & Gazetteer))~~

**GMU ~~111 ALADDIN~~ (Stevens and Pend Oreille counties):** Beginning on Lake Roosevelt at the Canadian border; then east on the border to the Pend Oreille River)) Canadian border; then east along the Canadian border to the Pend Oreille River; then south along the Pend Oreille River near Tiger; then west and south on State Highway 20 to Colville~~((; then north on the Colville Aladdin Northport Road to Northport; then north on State Highway 25 to the bridge over Lake Roosevelt; then north up Lake Roosevelt to the Canadian border))~~ and the point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**GMU 113-SELKIRK (Pend Oreille County):** Beginning on the Pend Oreille River at the Canadian border; east on the border to the Idaho State line; then south on the Idaho-Washington State line to the Pend Oreille River near Newport; then northwest along the Pend Oreille River to the Canadian border and the point of beginning. ~~((See Washington Atlas & Gazetteer or Colville National Forest maps))~~

**GMU ~~((118 CHEWELAH)) 117-49 Degrees North~~ (Stevens and Pend Oreille counties):** Beginning at Colville and State Highway 20; then east on State Highway 20 to the Pend Oreille River near Tiger; then south along the Pend Oreille River to ~~((the bridge over the river at Usk; then west on the McKenzie Road to the West Side Calispell Road and the Flowery Trail Road; then west on the Flowery Trail Road to Chewelah and U.S. Highway 395 to Colville and the point of beginning. (See Washington Atlas & Gazetteer))~~

**GMU ~~119 BOYER~~ (Stevens and Pend Oreille counties):** Beginning at Chewelah and the Flowery Trail Road; then east on the Flowery Trail Road and the West Side Calispell Road; then east on the McKenzie Road to Usk and the Pend Oreille River; then south along the Pend Oreille River to)) the Idaho State line; then south along the state line to U.S. Highway 2 in Newport; then southwest on U.S. Highway 2 to the Deer Park-Milan Road; then west on the Deer Park-Milan Road to Deer Park and U.S. Highway 395; then northwest on U.S. Highway 395 to Loon Lake and State Highway 292; then west on State Highway 292 to Springdale and State Highway 231; then north on State Highway 231 through Valley to U.S. Highway 395; then north on U.S. Highway 395 to ~~((Chewelah))~~ Coleville and the point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**GMU 121-HUCKLEBERRY (Stevens County):** Beginning at the bridge over Lake Roosevelt near Kettle Falls on U.S. Highway 395; then south on U.S. Highway 395 through Colville and Chewelah to State Highway 231; then south on State Highway 231 to the northeast corner of the Spokane

Indian Reservation; then west on the north boundary of the reservation to Lake Roosevelt and the Stevens County line; then north along Lake Roosevelt (on the Stevens County line) to the bridge over Lake Roosevelt near Kettle Falls and the point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**GMU 124-MOUNT SPOKANE (Spokane, Stevens and Pend Oreille counties):** Beginning at Springdale on State Highway 292; then east on State Highway 292 to Loon Lake and U.S. Highway 395; then south on U.S. Highway 395 to Deer Park; then east on the Deer Park-Milan Road to U.S. Highway 2; then north on U.S. Highway 2 to Newport and the Idaho-Washington State line; then south on the state line to the Spokane River; then west along the Spokane River to the Spokane Indian Reservation; then north on the east boundary of the Indian reservation (Chamokane Creek) to State Highway 231; then north on State Highway 231 to Springdale and the point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**GMU 127-MICA PEAK (Spokane County):** Beginning at Spokane and following the Spokane River east to the Idaho-Washington border; then south on the border to the Spokane-Whitman County line (Whitman Road); then west on the county line to U.S. Highway 195; then north on U.S. Highway 195 to Spokane and the point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**GMU 130-CHENEY (Spokane and Lincoln counties):** Beginning on the Spokane-Lincoln County line at the Spokane River and State Highway 231; then east along the Spokane River to Spokane and U.S. Highway 195; then south on U.S. Highway 195 to the Spokane-Whitman County line; then west on the north boundary of Whitman and Adams counties to U.S. Highway 395; then northeast along U.S. Highway 395 to Sprague and State Highway 231; then north on State Highway 231 to U.S. Highway 2; then east on U.S. Highway 2 to Reardan and State Highway 231; then north along State Highway 231 to the Spokane River and the point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**GMU 133-ROOSEVELT (Lincoln County):** Beginning at Coulee Dam; then east along Lake Roosevelt and the Lincoln County line to State Highway 231; then south on State Highway 231 to Reardan and U.S. Highway 2; then west on U.S. Highway 2 to Wilbur and State Highway 174; then northwest on State Highway 174 to Coulee Dam and the point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**GMU 136-HARRINGTON (Lincoln County):** Beginning at the town of Grand Coulee; then southeast on State Highway 174 to U.S. Highway 2 at Wilbur; then east on U.S. Highway 2 to U.S. Highway 231; then south on Highway 231 to U.S. Highway 395 at Sprague; then southwest on U.S. Highway 395 to the Adams County line at Sprague Lake; then west on the Lincoln-Adams County line (Davis Road) to the Grant County line; then north on the Lincoln-Grant County line (X NE, W.7 NE Roads) to the town of Grand Coulee and the point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**GMU 139-STEPTOE (Whitman County):** Beginning at the northwest corner of Whitman County near Fourth of July Lake; then east on the north Whitman County line to the Washington-Idaho border; then south on the Washington-

Idaho border to State Highway 270 near Moscow, Idaho; then west on State Highway 270 through Pullman to U.S. Highway 195; then northwest on U.S. Highway 195 to Colfax; then southwest on State Highway 26 to the Palouse River and the west Whitman County line; then north on the Whitman-Adams County line to the north Whitman County line and the point of beginning. ((See ~~Washington Atlas & Gazetteer~~))

**GMU 142-ALMOTA (Whitman County):** Beginning at Colfax and U.S. Highway 195; then southeast on U.S. Highway 195 to State Highway 270; then east on State Highway 270 through Pullman to the Washington-Idaho State border near Moscow Idaho; then south along the state line to the Snake River (Whitman County line) near Clarkston; then west along the Snake River (Whitman County line) to the mouth of the Palouse River (Whitman County line); then north on the Whitman County line to State Highway 26 (Washtucna-LaCrosse Highway); then east on State Highway 26 to Colfax and the point of beginning. ((See ~~Washington Atlas & Gazetteer~~))

**GMU 145-MAYVIEW (Garfield and Asotin counties):** Beginning at the mouth of Deadman Creek on the Snake River (Garfield County line) at Central Ferry; then east along the Snake River to the mouth of Alpowa Creek and U.S. Highway 12; then west on U.S. Highway 12 to State Highway 127; then north on State Highway 127 (Central Ferry Highway) to the Snake River and the point of beginning. ((See ~~Washington Atlas & Gazetteer~~))

**GMU 148-STARBUCK (Walla Walla, Columbia and Garfield counties):** Beginning at Ayer on the Snake River; then east along the Snake River to Central Ferry; then south on State Highway 127 (Central Ferry Highway) to Dodge Junction; then southwest on U.S. Highway 12 through Dayton to the town of Waitsburg and the Touchet River; then west along the Touchet River to the Ayers Road at Harsha; then north on the Ayers Road to the Snake River at Ayer and the point of beginning. (See ~~Washington Atlas & Gazetteer~~))

**GMU ((151-EUREKA (Walla Walla County))) 149-PRESCOTT (Walla Walla, Columbia, and Garfield counties):** Beginning on the Columbia River at the mouth of the Snake River (Walla Walla County line); then northeast and east along the Snake River to ((Ayer; then south along the Ayer Road to the Touchet River at Harsha; then east up the Touchet River to Waitsburg and U.S. Highway 12;)) Central Ferry; then south on State Highway 127 (Central Ferry Highway) to Dodge Junction; then southwest on U.S. Highway 12 through Dayton and Waitsburg; then southwest on Highway 12 to Walla Walla and State Highway 125; then south on State Highway 125 to the Washington-Oregon State line; then west on the state line to the Columbia River (Walla Walla County line); then north along the Columbia River to the mouth of the Snake River and the point of beginning. ((See ~~Washington Atlas & Gazetteer~~))

**GMU 154-BLUE CREEK (Walla Walla and Columbia counties):** Beginning at Waitsburg on U.S. Highway 12; then northeast on U.S. Highway 12 to the Payne Hollow Road at Long Station; then south on the Payne Hollow Road-Jasper Mountain-Mt. Pleasant Road to the Lewis Peak Road; then south on the Lewis Peak Road to its termination at the Mill Creek Watershed Intake Trail (3211); then

southwest on the trail to the Washington-Oregon State line; then west on the state line to State Highway 125; then north on State Highway 125 to Walla Walla; then northeast on Highway 12 to Waitsburg and the point of beginning. ((See ~~Washington Atlas & Gazetteer~~))

**GMU 157-MILL CREEK WATERSHED (Walla Walla and Columbia counties):** Beginning at the Mill Creek Watershed Intake Trail (3211) on the Washington-Oregon State line; then northeast on the Intake Trail (3211) to the Skyline Drive Road (USFS Road 64); then south on the Skyline Drive Road to the Washington-Oregon State line; then west on the state line to the Mill Creek Watershed Intake Trail (3211) and the point of beginning. ((See ~~Umatilla National Forest map~~))

**GMU 160-TOUCHET (Walla Walla and Columbia counties):** Beginning at Dayton and the North Touchet River Road (USFS Road 64); then southeast on the North Touchet River Road to the Skyline Drive Road at Manila Springs; then southwest on the Skyline Drive Road to the Mill Creek Watershed Intake Trail (3211); then west on the Intake Trail to the Lewis Peak Trail; then north on the Lewis Peak Trail to the Mt. Pleasant Road; then north on the Mt. Pleasant Road to the Jasper Mountain Road; then north on the Jasper Mountain Payne Hollow Road to U.S. Highway 12 at Long Station; then northeast on U.S. Highway 12 to Dayton and the point of beginning. (See ~~Washington Atlas & Gazetteer and Umatilla National Forest map~~))

**GMU ((161-ECKLER (Columbia County))) 162-DAY-TON (Walla Walla and Columbia counties):** Beginning at Dayton and the Patit Creek Road; then east on the Patit Creek Road to the Hartsock-Maloney Mountain Road; then south and west on the Maloney Mountain Road (USFS Road 4625) to the Skyline Drive Road (USFS Road 46); then south on the Skyline Drive Road to the ((North Touchet River Road and Manila Springs; then north on the North Touchet River Road (USFS Road 64) to Dayton and U.S. Highway 12; then northeast along U.S. Highway 12 to the Patit Creek Road in Dayton and the point of beginning. (See ~~Washington Atlas & Gazetteer and the Umatilla National Forest map~~))) Mill Creek Watershed Intake Trail (3211); then west on the Intake Trail to the Lewis Peak Trail; then north on the Lewis Peak Trail to the Mt. Pleasant Road; then north on the Mt. Pleasant Road to the Jasper Mountain Road; then north on the Jasper Mountain-Payne Hollow Road to U.S. Highway 12 at Long Station; then northeast on U.S. Highway 12 to Dayton and the point of beginning.

**GMU 163-MARENGO (Columbia and Garfield counties):** Beginning at Dayton and U.S. Highway 12; then north on U.S. Highway 12 to the Linville Gulch Road at Zumwalt; then south on the Linville Gulch Road to the Blind Grade Road; then southwest on the Blind Grade Road to the Tucannon Road; then north on the Tucannon Road to the Hartsock Grade Road; then south on the Hartsock Grade Road to the Patit Road; then west on the main Patit Road to Dayton and the point of beginning. ((See ~~Washington Atlas & Gazetteer~~))

**GMU 166-TUCANNON (Columbia and Garfield counties):** Beginning at the intersection of the Hartsock Grade Road and the Tucannon River Road; then southeast on the Tucannon River Road to the elk drift fence; then southeast along the elk drift fence and the U.S. Forest Boundary to the

Mountain Road (USFS Road 40); then south on the Mountain Road to the Diamond Peak Road (USFS Road 4030); then west on the Diamond Peak Road past Diamond Peak to the Diamond Peak-Oregon Butte-Bullfrog Springs-Teepee Trail; then west along the trail to Teepee Camp and the Teepee Road (USFS Road 4608); then west on the Teepee Road to the Skyline Drive Road (USFS Road 46); then north on the Skyline Drive Road to the Maloney Mountain Road (USFS Road 4625); then north on the Maloney Mountain Road to the Hartsock Grade Road; then north on the Hartsock Grade Road to the point of beginning at the Tucannon River Road. ~~((See Washington Atlas & Gazetteer and the Umatilla National Forest map))~~

**GMU 169-WENAHA (Columbia, Garfield and Asotin counties):** Beginning on the Washington-Oregon State line at the Skyline Drive Road; then north on the Skyline Drive Road to Godman Springs and the Teepee Road (USFS Road 4608); then east on the Teepee Road to Teepee Camp; then east on the Teepee-Oregon Butte-Bullfrog Springs-Diamond Peak Trail to Diamond Peak; then east on the Diamond Peak Road (USFS Road 4030) to the Mountain Road (USFS Road 40); then south along the Mountain Road to the South Boundary Road (USFS Road 4039); then west along the South Boundary Road to the Three Forks Trail (USFS Road 3133); then northwest on the trail to Crooked Creek; then south along Crooked Creek to the Washington-Oregon State line; then due west on the state line to the Skyline Road and the point of beginning. ~~((See Umatilla National Forest map))~~

**GMU 172-MOUNTAIN VIEW (Garfield and Asotin counties):** Beginning on the Washington-Oregon State line at Crooked Creek; then north along Crooked Creek to Three Forks Trail (3133); then southeast on the trail to the South Boundary Road (USFS Road 4039) then northeast on the South Boundary Road to the Mountain Road (USFS Road 40); then north on the Mountain Road to Misery Springs and the Mt. Misery-Big Butte Road (USFS Roads 44, 43, 4304); then east on the Mt. Misery-Big Butte Road to the West Mountain Road (1290); then northeast on the West Mountain Road to the Bennett Ridge Road-Mill Road; then north and east on the Bennett Ridge Road-Mill Road to Anatone and State Highway 129; then southwest on State Highway 129 to the Washington-Oregon State line; then due west on the state line to Crooked Creek and the point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**GMU 175-LICK CREEK (Garfield and Asotin counties):** Beginning at the intersection of the Mountain Road (USFS 40) and the elk drift fence; then east along the elk drift fence to its end at the east section line of Section 2, T9N, R43E; then due south along said section line to Charley Creek, and east along Charley Creek to Asotin Creek; then south along Asotin Creek to the South Fork Asotin Creek Road; then south along South Fork of Asotin Creek Road to Campbell Grade Road; then east on the Campbell Grade Road to the Cloverland Road; then south on Cloverland Road to its junction with the U.S. Forest Boundary fence; then east and south on the U.S. Forest Boundary fence past Big Butte to the Big Butte-Mt. Misery Road (USFS 4304, 43, 44) then west on the Big Butte-Mt. Misery Road to the Mountain Road (USFS 40); then northwest on the Mountain Road to the National Forest Boundary, and the point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**GMU 178-PEOLA (Garfield and Asotin counties):** Beginning at Zumwalt on U.S. Highway 12; then east on U.S. Highway 12 to the mouth of Alpowa Creek on the Snake River; then east and south along the Snake River to the mouth of Asotin Creek; then west along Asotin Creek to Charley Creek; then west along Charley Creek to the unit boundary marker at the east section line of Section 2, T9N, R43E; then north on said section line to the end of the elk drift fence; then west along the elk drift fence to the Tucannon River Road; then north on the Tucannon River Road to Blind Grade; then up Blind Grade to the Linville Gulch Road; then north on the Linville Gulch Road to Highway 12 at Zumwalt and the point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**GMU 181-COUSE (Asotin County):** Beginning at Asotin and the mouth of Asotin Creek on the Snake River; then south along the Snake River (Washington-Idaho State line) to the Grande Ronde River; then west along the Grande Ronde River to State Highway 129; then northwest on State Highway 129 to Anatone; then west and south on the Mill Road-Bennett Ridge Road-West Mountain Road (1290) to the National Forest Boundary at Big Butte; then north along the U.S. Forest Boundary fence to the Cloverland Road; then northeast on the Cloverland Road to the Campbell Grade Road; then west on the Campbell Grade Road to the South Fork Asotin Creek Road; then northeast on the South Fork Asotin Creek Road to Asotin Creek; then northeast along Asotin Creek to the Snake River at Asotin and the point of beginning. ~~((See Washington Atlas & Gazetteer))~~

~~**GMU 184-JOSEPH (Asotin County):** Beginning on the Washington-Oregon State line and the Joseph Creek Road; then northeast on the Joseph Creek Road to the second bridge on Joseph Creek; then northeast along Joseph Creek to the mouth of Joseph Creek and the Grande Ronde River; then east along the Grande Ronde River to the Snake River (Washington-Idaho State line) then south along the Snake River to the Washington-Oregon State line; then west on the state line to the Joseph Creek Road and the point of beginning. ~~((See Washington Atlas & Gazetteer))~~~~

**GMU ((185-BLACK BUTTE)) 186-GRANDE RONDE (Asotin County):** Beginning on the Washington-Oregon State line and State Highway 129; then north on State Highway 129 to the Grande Ronde River; then east along the Grande Ronde River to the ~~((mouth of Joseph Creek; then southwest along Joseph Creek to the first bridge and the Joseph Creek Road; then southwest on the Joseph Creek Road to the Washington-Oregon State line; then east on the state line to State Highway 129 and the point of beginning. ~~((See Washington Atlas & Gazetteer))~~ Snake River (Washington-Idaho state line) then south along the Snake River to the Washington-Oregon state line; then west on the state line to Highway 129 and the point of beginning.~~

**Reviser's note:** The spelling error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

**Reviser's note:** The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 97-06-051**  
**PERMANENT RULES**  
**FISH AND WILDLIFE**  
**COMMISSION**  
 (Wildlife)

[Order 97-33—Filed February 27, 1997, 3:03 p.m.]

Date of Adoption: December 7, 1996.

Purpose: To amend WAC 232-28-249 1997-98 Special species hunting seasons and regulations.

Citation of Existing Rules Affected by this Order: Amending WAC 232-28-249.

Statutory Authority for Adoption: RCW 77.12.040.

Adopted under notice filed as WSR 96-21-157 on October 23, 1996.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-28-249 differs from the proposed version filed with the code reviser in the following specifics:

1. In Moose Unit 3, GMU 117 replaced GMU 118 and the hunt was named 49 Degrees North.

2. In Moose Unit 5, the name Three Forks was changed to Threeforks.

3. Mountain Sheep Units 8 and 11 were deleted from 1997 hunting seasons.

4. The opening date of cougar state-wide general season was changed from September 2, 1997, to August 1, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

December 30, 1996

Lisa Pelly

for Mitchell S. Johnson  
Chairman

AMENDATORY SECTION (Amending WSR 96-04-027, filed 2/1/96, effective 3/3/96)

**WAC 232-28-249 ((1996-97)) 1997-98 Special species hunting seasons and regulations.**

PERMIT QUOTAS: ((1996)) 1997 Permit quotas are unknown at this time. ((Permit)) Quotas for ((1996)) 1997 may be greater or less than last year depending on winter survival.

**MOOSE**

Permit Season: Oct. 1 to Nov. 30, ((1996)) 1997, both dates inclusive.

Who May Apply: Anyone with a valid ((1996)) 1997 Washington hunting license. Only one moose permit will be issued during an individual's lifetime.

Bag Limit: One moose of either sex.

Moose Unit 1

GMU 113 (Selkirk Mtns.)

Moose Unit 2

GMU 124 (Mount Spokane)

Moose Unit 3

GMU ((+8)) 117 (49 Degrees North)

~~((Moose Unit 4~~

~~GMU 119))~~

Moose Unit 5

GMU ((+4)) 109 (Threeforks)

Moose Unit 6

GMUs 127, 130 (Hangman)

MOUNTAIN SHEEP (BIGHORN)

Permit Seasons: Separate seasons are indicated for each bighorn sheep hunt.

Who May Apply: Anyone with a valid ((1996)) 1997 Washington hunting license; EXCEPT those who drew a bighorn permit previously in Washington State.

Bag Limit For Permit Holders: One bighorn ram.

Any Legal Weapon

Sheep Unit 2

Vulcan Mountain

Permit Season: Sept. 15-Oct. ((+)) 10, both dates inclusive.

Sheep Unit 3

Tucannon River

Permit Season: Sept. 15-Oct. ((+)) 10, both dates inclusive.

Sheep Unit 4

Selah Butte

Permit Season: Sept. 15-Oct. 10, both dates inclusive.

Sheep Unit 5

Umtanum

Permit Season: Sept. 15-Oct. ((+)) 10, both dates inclusive.

Sheep Unit 7

Clemon Mountain

Permit Season: Sept. 15-Oct. ((+)) 10, both dates inclusive.

~~((Sheep Unit 8~~

~~Mountainview~~

~~Permit Season: Sept. 15-Oct. 11, both dates inclusive.)~~

~~Sheep Unit 9~~

~~Blackbutte~~

~~Permit Season: Sept. 15-Oct. 11, both dates inclusive.)~~

Sheep Unit 10

Mt. Hull

Permit Season: Sept. 15-Oct. ((+)) 10, both dates inclusive.

~~((Sheep Unit 11~~

~~Wenaha Wilderness~~

~~Permit Season: Sept. 15-Oct. 11, both dates inclusive.)~~

Sheep Unit 12

Lincoln Cliffs

Permit Season: Sept. 15-Oct. 10, both dates inclusive.

**MOUNTAIN GOAT:**

Permit Season: Sept. ~~((14))~~ 13-Oct. 31, ~~((1996))~~ 1997, both dates inclusive, in all goat hunts. Permit hunters may start hunting September 1 with archery equipment.

Who May Apply: Anyone with a valid ~~((1996))~~ 1997 Washington hunting license.

Bag Limit: One (1) adult goat of either sex with horns four (4) inches or longer. The Department of Fish and Wildlife urges hunters to refrain from shooting nannies with kids.

~~((Any Legal Weapon))~~

Goat Units

Goat Unit 2-1  
Mount Chopaka

Goat Unit 2-2  
Methow

Goat Unit 3-6  
Naches Pass

Goat Unit 3-7  
Bumping River

Goat Unit 3-9  
Tieton River

Goat Unit 3-10  
Blazed Ridge

Goat Unit 3-11  
Kachess Ridge

Goat Unit 4-8  
East Ross Lake

Goat Unit 4-9  
Jack Mountain

Goat Unit 4-32  
Foss River

Goat Unit 4-34  
Pratt River

Goat Unit 5-2  
Tatoosh

Goat Unit 5-4  
Goat Rocks

~~((Muzzleloading Goat Hunts~~

~~Goat Unit 3-8  
Bumping River~~

~~Archery Goat Hunts~~

~~Goat Unit 4-38  
Corral Pass~~

~~Goat Unit 5-3  
Smith Creek~~

~~Goat Unit 6-2  
Quileene River\*)~~

~~Goat Unit 6-3  
Hamma Hamma River~~

~~((\*)Permits may or may not be available for this unit.~~

~~NATIVE CATS))~~

COUGAR

A valid hunting license ~~((is))~~ and unaltered, unnotched ~~cougar tag are~~ required to hunt ~~((including pursuit seasons) native cats))~~ cougar. ~~((A hound stamp is required for all hunters if dogs are used to hunt any native cats.))~~ Cougar transport tags may be purchased at all department of fish and wildlife license dealerships or offices ~~((and must be in possession while hunting cougar)).~~

~~((COUGAR~~

~~Eastern Washington Pursuit Only Season (Cougar may not be killed or injured.): Sept. 4-30 and Nov. 27, 1996-Jan. 31, 1997, EXCEPT Nov. 27, 1996-Feb. 28, 1997, in Cougar Units 5 and 6. Note: Closed to hound hunting in Walla Walla and Columbia counties outside of Umatilla National Forest Sept. 4-Oct. 11, 1996.~~

~~Western Washington Pursuit Only Season (cougar may not be killed or injured): Sept. 1-30 and Nov. 27, 1996-Feb. 28, 1997. General Cougar Season (Cougar may be killed. No special permit required. A valid cougar transport tag is required to hunt cougar.): Oct. 12-Nov. 10, 1996.~~

~~Eastern Washington Permit Season (Permit required. Cougar may be killed by permit holders only.): Nov. 27, 1996-Jan. 31, 1997, EXCEPT Nov. 27, 1996-Feb. 28, 1997 in Cougar Units 5 and 6. Note: Closed to hound hunting in Walla Walla and Columbia counties outside of Umatilla National Forest Sept. 4-Oct. 11, 1996.~~

~~Western Washington Permit Season (Permit required. Cougar may be killed by permit holders only.): Nov. 27, 1996-Feb. 28, 1997.~~

~~Who May Apply: Anyone with a valid 1996 Washington hunting license may submit one special permit application for cougar. Successful cougar applicants must purchase a cougar tag before hunting cougar.~~

~~Bag Limit: One (1) cougar during the 1996-97 hunting season except that it is unlawful to kill or possess spotted cougar kittens or adult cougar accompanied by spotted kittens.~~

Hunt No.	Unit	Description
9001	1	Pend Oreille
9002	2	Colville
9003	3	Republic
9004	4	Spokane
9005	5	Blue Mountains
9006	6	Wenaha
9007	7	Okanogan
9008	8	Chelan
9009	9	Yakima
9010	10	Nooksack
9011	11	Skagit
9012	12	Snoqualmie
9013	13	North Olympic Peninsula
9014	14	South Olympic Peninsula
9015	15	Rainier
9016	16	South Puget Sound
9017	17	Cowlitz
9018	18	Skamania
9019	19	Pacific

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~~LYNX~~

~~Season closed statewide:))~~

Use of Hounds: The use of hounds for hunting cougar is prohibited state-wide.

Bag Limit: One (1) cougar during the 1997-98 hunting season except that it is unlawful to kill or possess spotted cougar kittens or adult cougar accompanied by spotted kittens.

General Season: State-wide, August 1, 1997-March 15, 1998, except CLOSED in GMUs 157, 485, and 522.

Report Cards: Each successful cougar hunter must fill out and return a game harvest report card to the Department of Fish and Wildlife within 10 days after taking a cougar.

**WSR 97-06-052  
PERMANENT RULES  
FISH AND WILDLIFE  
COMMISSION**

(Wildlife)

[Order 97-32—Filed February 27, 1997, 3:07 p.m.]

Date of Adoption: December 7, 1996.

Purpose: To amend WAC 232-28-248 1997-98 Special closures and firearm restrictions.

Citation of Existing Rules Affected by this Order: Amending WAC 232-28-248.

Statutory Authority for Adoption: RCW 77.12.040.

Adopted under notice filed as WSR 96-21-156 on October 23, 1996.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-28-248 differs from the version filed with the code reviser in the following specifics:

1. A new Hunting Prohibited Area, number 8, was added as follows: Oak Creek Wildlife Area: That portion of GMU 360 beginning at U.S. Highway 12 and Forest Road 1400 (Oak Creek Road), then east along U.S. Highway 12 to Naches River, then south and west up river to the mouth of Cougar Canyon, then west and south along the posted boundary to Highway 12 and Forest Road 1400. This area is designated a "CLOSED AREA" to the hunting of wild birds and animals and unofficial entry during modern firearm elk seasons.

2. Big Game Closure number 2 was renumbered number 1.

3. The last two lines of the Cathlamet Big Game Closure was amended as follows: ". . . closed to all deer and elk hunting, except by permit, to protect the Columbian Whitetail Deer."

4. Big Game Closure number 5 was amended as follows: Colockum elk hunting restrictions: No entry in GMU 330 (West Bar) except permit holders, October (~~(23-25, 1996)~~) 20-Nov. 2. (~~(Closed to entry (no trespassing) October ((26)) November ((17, 1996))6.)~~)

5. Under Horse Restrictions, the date was changed from October 26-November 6 to October 20 to November 2.

6. The King County Hunting Firearm Restriction Area was amended on line 2 as follows: "City, Fall City-Preston Road) to . . ."

7. A hunting firearm restriction area was added for Wahkiakum County. The description is as follows: That portion of GMU 506 (Willapa Hills) in the Cathlamet Big Game Closure. This restriction applies only during elk seasons.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

December 30, 1996

Lisa Pelly

for Mitchell S. Johnson  
Chairman

AMENDATORY SECTION (Amending WSR 96-04-027, filed 2/1/96, effective 3/3/96)

**WAC 232-28-248 ((1995-96)) 1997-1998 Special closures and firearm restriction areas.**

SPECIAL CLOSURES

HUNTING PROHIBITED AREAS

IT IS UNLAWFUL TO HUNT WILD ANIMALS (INCLUDING WILD BIRDS) IN THE FOLLOWING AREAS:

1. Little Pend Oreille National Wildlife Refuge: The southern part of the Little Pend Oreille National Wildlife Refuge in Stevens County is closed to hunting and discharge of firearms except during the period of Oct. 1-Dec. 31(~~(, 1995)~~). This closure is south of a boundary beginning at the west project boundary in Section 3, Township 34 N, R 40 EWM, then easterly along Road 1.0 to the intersection with Road 2.0 in Section 2, then easterly along Road 2.0 to the easterly boundary in Section 8, Township 34 N, R 42 EWM.

The Little Pend Oreille National Wildlife Refuge north of the preceding boundary is open to all legally established hunting seasons during September through December.

2. Parker Lake: All lands south of Ruby Creek Road (USFS Road 2489), north of Tacoma Creek Road (USFS Road 2389) and west of Bonneville Power Administration power lines are designated as "CLOSED AREA" to the hunting of wild animals and wild birds EXCEPT during the period Aug. 1-Sept. 30(~~(, 1996)~~). Both the Little Pend Oreille (1) and Parker Lake (2) closures were established to provide a protected area for the Air Force Military Survival Training Program.

3. Columbia River and all the islands in the river, and the Benton County shoreline below the high water mark,

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and any peninsula originating on the Benton County shoreline, between Vernita Bridge (Highway 24) downstream to the old Hanford townsite powerline crossing (wooden towers) in Section 24, T 13 N, R 27 E, is designated as a "CLOSED AREA" to the hunting of wild animals and wild birds.

4. Green River (GMU 485): Except for special permit hunts, all lands within GMU 485 are designated as a "CLOSED AREA" to the hunting of big game by Department of Fish and Wildlife regulated hunters throughout the year. During the general westside elk season and general and late deer seasons, all lands within GMU 485 are also designated as a "CLOSED AREA" to the hunting of all wild animals (including wild birds). The City of Tacoma enforces trespass within GMU 485 on lands owned or controlled by the City during all times of the year.
5. McNeil Island: McNeil Island (part of GMU ~~((480))~~ 484) is closed to the hunting of all wild animals (including wild birds) year around.
6. As posted on Bailey Youth Ranch, Franklin County, hunting is closed on Mondays, Tuesdays, Thursdays, and Fridays.
7. As posted, hunting is closed on Department owned land on the Sunnyside Wildlife Area in Yakima County.
8. Oak Creek Wildlife Area: That portion of GMU 360 beginning at U.S. Highway 12 and Forest Road 1400 (Oak Creek Road), then east along U.S. Highway 12 to the Naches River, then south and west up river to the mouth of Cougar Canyon, then west and south along the posted boundary to Highway 12 and Forest Road 1400. This area is designated a "CLOSED AREA" to the hunting of wild birds and animals and unofficial entry during modern firearm elk seasons.

#### BIG GAME CLOSURES

1. Clark, Cowlitz, Pacific, and Wahkiakum counties are closed to Columbian Whitetail Deer hunting.
  2. Cathlamet: Beginning in the town of Skamokawa; then east along SR 4 to the Risk Road; then south and east along the Risk Road to Foster Road; then south along the Foster Road to the Elochoman River; then upstream along the Elochoman River to the Elochoman Valley Road (old SR 407); then west along the Elochoman Valley Road to SR 4; then east along SR 4 to SR 409; then south along SR 409 to the Cathlamet Channel of the Columbia River; then east along the north shore of the Cathlamet Channel to Cape Horn; then south in the Columbia River to the state line; then west along the state line to a point directly south of the mouth of Skamokawa Creek; then north on Skamokawa Creek to SR 4 and the point of beginning. This area is closed to all deer and elk hunting, except by permit, to protect the Columbian Whitetail Deer.
- ~~((2. Clark, Cowlitz, Pacific, and Wahkiakum counties are closed to Columbian Whitetail Deer hunting.))~~
3. Willapa National Wildlife Refuge: Except for Bow Area No. 802 (Long Island), Willapa National Wildlife Refuge is closed to all big game hunting.

4. Walla Walla Mill Creek Watershed (GMU 157): All lands in the Mill Creek Watershed are designated as a "CLOSED AREA" to the hunting of all wild animals (including wild birds) except for holders of special elk permits during the established open season. This area is closed to motorized vehicles.
5. Colockum elk hunting restrictions: No entry in GMU 330 (West Bar) except permit holders, October ~~((23-25, 1996))~~ 20-November 2. ~~((Closed to entry (no trespassing) October 26-November 7, 1996.))~~
6. Westport: Closed to hunting of all big game animals on that part of Westport Peninsula lying north of State Highway 105 from the west end of the Elk River Bridge and the Schafer Island Road to the ocean beach.
7. Baleville: Closed to hunting of all big game animals on those lands between State Highway 105 and the Willapa River west of Raymond.

#### UPLAND BIRD CLOSURES

It is unlawful to hunt game birds on the Columbia River or from any island in the Columbia River in the following areas:

1. From the mouth of Glade Creek (River Marker 57) to the old townsite of Paterson (River Marker 67) in Benton County, except the hunting of game birds is permitted from the main shoreline of the Columbia River in this area. (Check with Umatilla National Wildlife Refuge for other federal regulations for this area.)
2. Between the public boat launch at Sunland Estates in Grant County (Wanapum Pool) and a point perpendicular in Kittitas County; upstream to the posted marker 200 yards north of Quilomene Bay and a point perpendicular in Grant County, including islands.
3. Columbia River and all the islands in the river, and the Benton County shoreline below the high water mark, and any peninsula originating on the Benton County shoreline, between Vernita Bridge (Highway 24) downstream to the old Hanford townsite powerline crossing (wooden towers) in Section 24, T 13 N, R 27 E, is designated as a "CLOSED AREA" to the hunting of wild animals and wild birds.

#### HORSE RESTRICTIONS

Colockum horse restrictions: GMU 330 (West Bar)—It is unlawful to ride horses, mules, or other livestock during any open elk season in GMU 330 PROVIDED, however, that livestock may be used for transporting camp gear and elk carcasses. GMU 329 (Quilomene)—It is unlawful to allow a horse to enter the Brushy and Cape Horn agricultural fields prior to 9 a.m. from October ~~((23))~~ 20-November ((3, 1996)) 2.

#### HUNTING FIREARM RESTRICTION AREAS

In firearm restriction areas, handguns, centerfire and rimfire rifles are not legal for hunting except as provided below. Hunters may hunt only during the season allowed by their tag. Archery tag holders may hunt during archery seasons with archery equipment. Muzzleloaders may hunt during muzzleloader seasons with muzzleloader equipment except in the GMU 484 restriction area outlined for King County.

Modern firearm tag holders may hunt during modern firearm seasons with bows and arrows, muzzleloaders meeting the equipment restrictions or shotguns firing slugs or legal buckshot. Shotguns are not legal for hunting elk.

COUNTY	AREA
Clallam	That portion of GMU 624 (Coyle) located within Clallam County.
Clark	GMU 564 (Battleground)
Cowlitz	GMU 554 (Yale) GMU 504 (Stella)
Franklin, Grant, Adams	Those portions of GMU 281 (Ringold) and GMU 278 (Wahluke) known as the Wahluke Slope Wildlife Area.
Grays Harbor	That portion of GMU 658 (North River) beginning at Bay City; then west along Highway 105 to Twin Harbors State Park; then south along Highway 105 to Grayland Grocery; then east on Cranberry Road to Turkey Road; then east and north on Turkey Road to Bayview Logging Road; then north and east along Bayview Logging Road to Mallard Slough; then east and south along the Bayview Road to Andrews Creek; then north along main channel of Andrews Creek to Grays Harbor; then north and west along the main navigation channel to Bay City and point of beginning.  The South Elma restriction applies only during elk seasons: (South Bank) - That portion of GMU 660 (Minot Peak) described as follows: Beginning at Highway 12 and Wakefield Road Junction (South Elma); south on Wakefield Road, across the Chehalis River to the South Bank Road; then southeast on South Bank Road to the Delezene Road; then south on the Delezene Road to the K Line Road to the A Line Road; then south on the A Line Road to the T Line Road; then south on the T Line Road to the Oakville-Brooklyn Road; then east on the Oakville-Brooklyn Road to Oakville and Highway 12; then northwest on Highway 12 to Wakefield Road to Elma and the point of beginning.

Island	That portion of GMU 410 (Island) located on Camano and Whidbey islands.
Jefferson	Indian and Marrowstone islands.
King	The area west of Highway 203 (Monroe-Fall City, Fall City-Preston Road) to Interstate 90 (I-90), I-90 to Highway 18, Highway 18 to Interstate 5 (I-5), I-5 to the Pierce-King County line; Vashon and Maury islands.  The following portion of GMU 484 (Puyallup): Beginning at the intersection of State Highway 410 and the southeast Mud Mountain Dam Road near the King/Pierce County line north of Buckley; then east along the southeast Mud Mountain Road to 284th Avenue Southeast; then north along 284th Avenue Southeast to State Highway 410; then west along Highway 410 to the point of the beginning. (This restriction includes high power rifles and muzzleloaders.)
Kitsap	East of State Highway 16 originating at the Tacoma Narrows Bridge to Gorst, and east of Highway 3 to Newbury Hill Road, north of Newbury Hill Road and the Bremerton-Seabeck Highway to Big Beef Creek Bridge; all of Bainbridge Island, and Bangor Military Reservation.
Kittitas	GMU 334 (Ellensburg) Closed to high power rifles during deer and elk seasons.
Mason	GMU 633 (Mason Lake) south of Hammersley Inlet; and all of Harstene Island.
Pacific	GMU 684 (Long Beach) west of Sand Ridge Road.
Pierce	GMU ((480)) 484 (Anderson and Ketron islands) limited to archery, shotgun, and muzzle-loader shotgun. McNeil Island closed to hunting.  See GMU 484 restriction area outlined for King County.
Snohomish	GMU 627 (Kitsap) south of Highway 302 on the Longbranch Peninsula is a firearm restriction area.
Skagit	West of Highway 9.  Guemes Island and March Point north of State Highway 20.

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Thurston	GMU 666 (Deschutes) north of U.S. Highway 101 and Interstate 5 between Oyster Bay and the mouth of the Nisqually River.
Whatcom	Area west of I-5 and north of Bellingham city limits including Point Roberts.
Wahkiakum	<u>That portion of GMU 506 (Willapa Hills) in the Cathlamet Big Game Closure. This restriction applies only during elk seasons.</u>

**WSR 97-06-053**  
**PERMANENT RULES**  
**FISH AND WILDLIFE**  
**COMMISSION**  
 (Wildlife)

[Order 97-31—Filed February 27, 1997, 3:10 p.m.]

Date of Adoption: December 19, 1996.

Purpose: To amend WAC 232-28-242 1997-98, 1998-99, 1999-2000 Elk hunting seasons and regulations.

Citation of Existing Rules Affected by this Order: Amending WAC 232-28-242.

Statutory Authority for Adoption: RCW 77.12.040.

Adopted under notice filed as WSR 96-21-154 on October 23, 1996.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-28-242 differs from the proposed version filed with the code reviser in the following specifics:

1. Under tag required; the section was amended: During the 1997-1998 season . . .; after the first sentence, the following sentence was added: During the 1998-1999 and 1999-2000 seasons, elk hunters must choose one of the five elk hunting areas (Blue Mountains, Northeastern Washington, Yakima, Colockum, or Western Washington) to hunt in and buy the appropriate tag for that area.

2. Under Bull Elk Season: The following sentence was added: "Spike bull only or 3 point minimum restrictions apply in most game management units."

3. The state-wide spike bull restrictions were deleted.

4. Spike bull units were expanded to include GMUs 407, 410, 426-454, 484, 504, 505, 510, 516, 520, 550, 560, 658, 660, 663, 666, 667, 672, 673, and 684.

5. The branched antler restriction GMU paragraph was retained and not deleted as originally proposed.

6. The 3-Pt. Minimum restriction was not deleted and expanded to include the following additional GMUs: 513, 603, 612, 615, 624, 627, 633, 642, 648, 651.

7. The early and late hunt descriptions under modern firearm information was retained, but the verbiage describing legal elk was deleted.

8. The elk tag area descriptions were included in the general information on page 1 rather than listed under modern firearm information. For 1998 and beyond, GMUs 101-142 will be designated Northeastern Elk Tag Area and will be removed from the Blue Mountains Tag Area. NA (Northeastern Archery Tag); NG (Northeastern Modern General Bull Tag); NP (Northeastern Modern Permit Applicant Tag); and NM (Northeastern Muzzleloader Tag).

9. GMUs 472 and 621 were added to permit only GMUs in the western Washington Tag Area. Also added to western Washington were: Elk Area 064 in GMU 638 (Quinault) is open to AHE hunters only. The Cathlamet Big Game Closure in GMU 506 (Willapa Hills) is open to archery permit hunters only.

10. Under modern firearm elk seasons on page 4, the elk tag required for 1997, 1998, and 1999 was added. Both general and permit applicant tag hunting dates were included in the modern firearm hunting season table. Dates for all hunts were changed to: Eastern Washington: General: Oct. 25-Nov. 2, 1997; Oct. 31-Nov. 8, 1998; Oct. 30-Nov. 7, 1999. Eastern Washington: Permit Applicant: Oct. 27-Nov. 2, 1997; Nov. 2-8, 1998; Nov. 1-7, 1999. Western Washington: General: Nov. 8-16, 1997; Nov. 7-15, 1998; Nov. 6-14, 1999. Western Washington: Permit Applicant: Nov. 10-16, 1997; Nov. 9-15, 1998; Nov. 8-14, 1999.

11. Under Early Archery Elk Seasons, GMUs 101-142 were made either sex. The tag required for 1997, 1998 and 1999 for each hunt was included in the hunt table.

12. GMUs 300, 306, 308, 334 (North of I-90) were also made either sex in early archery elk seasons. GMUs 328 and 329 were made spike bull or antlerless.

13. GMU 330 was deleted from early archery elk seasons.

14. GMUs 334 (South of I-90) and 372 were made either sex.

15. GMUs 335 and 371 were added to early archery elk seasons as spike bull or antlerless.

16. Western Washington early archery elk seasons were amended to include GMUs 407, 410, 426, 448, 450, 504, 505, 510, 516, 520, 550, 560, 658, 660, 663, 667, 672, 673 and 684 as spike bull or antlerless.

17. GMUs 437, 454, 484, 501, 564, 568, 574, 578, 582, 588, were made either sex in early archery elk seasons.

18. GMUs 460, 466, 478, 490, 506, 513, 530, 558, 572, and 681 were made 3-pt. min. or antlerless except permit only in Cathlamet Firearm Restriction Area in GMU 506.

19. GMUs 601, 603, 612, 615, 624, 627, 633, 638, 642, 648, and 651 were made 3-Pt. Min. and permit only in Pysht PLWMA 600 in GMU 603 and AHE hunters only in Elk Area 064 in GMU 638.

20. Bow Area 802 opening date was changed to September 1 for 1998 and 1999 and the restriction was amended to spike bull or antlerless.

21. Late archery elk seasons in each tag area were amended by adding elk tag required each year (1997, 1998, and 1999).

22. In the Blue Mountains, GMU 105 was added and GMU 133 was deleted from late archery elk seasons.

23. Legal elk for GMUs 101, 105, 117, 121, 124, 127 was changed to either sex and dates were changed to Nov. 26-Dec. 15, 1997; Nov. 25-Dec. 15, 1998; and Nov. 24-Dec. 15, 1999.

24. The late hunt in GMUs 166 and 178 was replaced with "Private lands within GMU 162 east of the North Touchet Road" and "GMU 178 on private lands only," and the dates changed to Nov. 26-Dec. 15, 1997; Nov. 25-Dec. 15, 1998; and Nov. 24-Dec. 15, 1999.

25. Dates for late archery hunts in GMUs 328, 336, 346, 352 were changed to Nov. 26-Dec. 8, 1997; Nov. 25-Dec. 8, 1998; and Nov. 24-Dec. 8, 1999. Dates for all other GMUs

open to late archery hunts were changed to Nov. 26-Dec. 15, 1997; Nov. 25-Dec. 15, 1998; and Nov. 24-Dec. 15, 1999.

26. Western Washington GMUs open to late archery were amended to include GMUs 407, 437, 454, 484, 505, 520, and 672 as spike bull or antlerless; GMUs 564, 588 as either sex; GMUs 603, 612, 615, 638, and 648 as 3-Pt. Min. except closed on Pysht PLWMA 600; AHE hunters only in Elk Area 064 in GMU 638; and GMUs 506, 530, and 681 as 3-Pt. Min. or antlerless and permit only in Cathlamet Firearm Restriction Area in Wahkiakum County.

27. The dates for Bow Areas 802 and 841 were changed to Nov. 26-Dec. 15, 1997; Nov. 25-Dec. 15, 1998; and Nov. 24-Dec. 15, 1999 and Bow areas 806 and 807 were changed to Nov. 26-Dec. 8, 1997; Nov. 25-Dec. 8, 1998; and Nov. 24-Dec. 8, 1999.

28. Under Early Muzzleloader Elk Seasons, the elk tag required was listed for each year.

29. GMU 109 was added as an any bull unit.

30. GMU 117 was dropped from early muzzleloader elk season.

31. GMU 172 was made spike bull only.

32. The asterisk on GMU 314 was retained along with the footnote below the early muzzleloader table.

33. GMU 304 was made any bull in the early muzzleloader season.

34. GMUs 501 and 564 were made either sex in early muzzleloader seasons Oct. 4-10, 1997; Oct. 10-16, 1998; and Oct. 9-15, 1999.

35. GMU 574 was dropped in early muzzleloader hunts.

36. GMUs 460, 478, 513, 530, 603 and 607 were dropped as spike bull only and made 3 pt. min.

37. GMUs 501 and 564 were dropped from the spike bull or antlerless early muzzleloader hunts and made either sex.

38. Under late muzzleloader elk hunts the elk tag required for each year was identified.

39. GMU 127 was dropped from late muzzleloader.

40. The dates for hunts in GMUs 130, 133, 136 and 139 were changed to Nov. 26-Dec. 15, 1997; Nov. 25-Dec. 15, 1998; Nov. 24-Dec. 15, 1999.

41. Legal elk in GMUs 130, 133, 136 and 139 were made either sex.

42. The dates for hunts in GMUs 346, Muzzleloader Areas 910 and 944 were changed to Nov. 26-Dec. 8, 1997; Nov. 25-Dec. 8, 1998; and Nov. 24-Dec. 8, 1999. Dates for all other muzzleloader hunts were changed to Nov. 26-Dec. 15, 1997; Nov. 25-Dec. 15, 1998; Nov. 24-Dec. 15, 1999.

43. In late muzzleloader hunts, GMUs 478, 501, 568, and 578 were deleted from the spike bull or antlerless hunts but 501, 564, 568 and 578 were made either sex.

44. The late hunt in muzzleloader area 910 was made antlerless only while the hunt in muzzleloader area 944 was made spike bull or antlerless.

45. The hunts labeled "Either Sex Elk Hunts" were changed to "Damage Elk Hunts." The elk tag required for each year and tag area was added for 1997, 1998 and 1999.

46. GMU 109 was dropped from damage elk hunts.

47. Hunts in GMUs 101, 105, 121, 124 (west of SR 395), 133, 136, and 139 were made either sex Oct. 25-Nov. 2, 1997; Oct. 31-Nov. 8, 1998; and Oct. 30-Nov. 7, 1999. The elk tag required for this hunt is BG or BP in 1997 and NG or NP in 1998 and 1999.

48. Hunts in GMUs 127 and 130 are for Advanced Hunter Education hunters only but elk tags BA, BG, BP and BM are valid in 1997, elk tags NA, NG, NP or NM are valid in 1998 and 1999.

49. The tag required for GMU 372 was changed to "any elk tag," with the following dates: Nov. 1-15, 1997, 1998 and 1999.

50. In GMU 564, the additional elk tag WP is valid for Nov. 8-16, 1997; Nov. 7-15, 1998; and Nov. 6-14, 1999.

51. In GMUs 501, 568, 574, 578 and 588, both elk tags WG and WP are valid for Nov. 8-16, 1997; Nov. 7-15, 1998; and Nov. 6-14, 1999.

52. Hunts in GMUs 300, 301, 304, 306, and 308 are valid for CG, CP, and CM elk tags. GMU 316 was deleted from this hunt.

53. Under Private Lands Wildlife Management Areas opportunities, the Kapowsin hunt was relabeled Champion (PLWMA 401) Kapowsin Tree Farm.

54. The archery season hunt area on Kapowsin Tree Farm includes PLWMA 401 North, PLWMA 401 Central and PLWMA 401 South. The dates for this hunt were changed to Sept. 1-12, 1997; Sept. 1-11, 1998; and Sept. 1-10, 1999.

55. A muzzleloader hunt was added on PLWMA 401 North for 1997 only for spike bull only Nov. 24-Dec. 4 for WM tag holders.

56. A modern firearm hunt was added on PLWMA 401 North for 1997 only, for spike bull only, Nov. 1-7, for WG tag holders.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

December 30, 1996

Lisa Pelly

for Mitchell S. Johnson  
Chairman

**AMENDATORY SECTION** (Amending WSR 96-04-027, filed 2/1/96, effective 3/3/96)

**WAC 232-28-242 ((1994-95, 1995-96, 1996-97)) 1997-98, 1998-99, 1999-2000 Elk hunting seasons and regulations.**

**ELK SEASONS**

Bag Limit: One (1) elk per hunter during the annual (July 1-March 31) hunting season.

Hunting Method: Elk hunters must select one of the hunting methods (modern firearm, archery, muzzleloader).

Tag Required: During the 1997-1998 season: Elk hunters must choose one of the four elk hunting areas (Blue Mountains, Yakima, Colockum or Western Washington) to hunt in and buy the appropriate tag for that area. During the 1998-1999 and 1999-2000 seasons, elk hunters must choose one of the five elk hunting areas (Blue Mountains, Northeastern Washington, Yakima, Colockum, or Western Washington) to hunt in and buy the appropriate tag for that area.

Bull Elk Seasons: Open only to the taking of male elk with visible antlers (bull calves are illegal). Spike bull only or 3-point minimum restrictions apply in most game management units.

Definition: Visible Antler is defined as a horn-like growth projecting above the hairline.

Spike Bull Restriction GMUs: Bull elk taken in these GMUs must have at least one antler that is a spike above the ears (does not branch above ears). An animal with branched antlers on both sides is illegal but an animal with a spike on one side is legal in spike only units.

Spike Only GMUs: 145-154, ~~((160-185))~~ 160-186, 302, 314-329, 335-371, ~~((and 472))~~ 407, 410, 426-454, 484, 504, 505, 510, 516, 520, 550, 560, 658, 660, 663, 666, 667, 672, 673, and 684.

Branched Antler Restriction GMUs: Bull elk taken in these GMUs must meet minimum antler point requirements. Minimum antler point requirements are antler points on one side only. Antler points may include eye guards but antler points on the lower half of either main beam must be at least four (4) inches long, measured from tip to nearest edge of beam. All other antler points must be at least one inch long. Antler restrictions apply to all hunters during any open season.

3 Point GMUs: ~~((418,))~~ 460, 466, 478, 490, 506, ~~((512))~~ 513, 530, 558, 572, 601, 603, 607, 612, 615, 624, 627, 633, 638, 642, 648, 651, 681; and GMUs 157, 472, 485, 524, 556, ~~((and))~~ 602 and 621 by permit only.

Special Permits: Only hunters with elk tags identified in the Special Elk Permits tables may apply for special bull or antlerless permits. Please see permit table for tag eligibility. Hunters drawn for a special permit may hunt only with a weapon in compliance with their tag and during the dates listed for the hunt.

#### Elk Tag Areas

Blue Mountains: 100 series GMUs, GMUs 127 and 130 are permit only for modern firearm hunters; and GMU 157 limited by permit to all hunters.

- BA - Blue Mountains Archery Tag
- BG - Blue Mountains Modern General Bull Tag
- BP - Blue Mountains Modern Permit Applicant Tag
- BM - Blue Mountains Muzzleloader Tag

For 1998 and beyond, GMUs 101-142 will be designated Northeastern Elk Tag Area.

- NA - Northeastern Archery Tag
- NG - Northeastern Modern General Bull Tag
- NP - Northeastern Modern Permit Applicant Tag
- NM - Northeastern Muzzleloader Tag

Colockum: Chelan County portion of GMU 302, and GMUs 300, 301, 304, 306, 308, 314, 316, 328, 329, 330 (permit only in GMU 330), and the portion of GMU 334 north of I-90 (modern firearm restrictions in GMU 334).

- CA - Colockum Archery Tag
- CG - Colockum Modern General Bull Tag
- CP - Colockum Modern Permit Applicant Tag
- CM - Colockum Muzzleloader Tag

Yakima: Kittitas County portion of GMU 302, and the portion of GMU 334 south of I-90 (Modern Firearm restrictions in GMU 334), and GMUs 335, 336, 340, 342, 346, 352, 356, 360, 364, 368, 371, and 372.

- YA - Yakima Archery Tag
- YG - Yakima Modern General Bull Tag
- YP - Yakima Modern Permit Applicant Tag
- YM - Yakima Muzzleloader Tag

Western Washington: All 400, 500, and 600 GMUs except closed in GMU 418, 522, 636 and modern firearm restrictions in portion of GMU 660. GMUs 418 (Nooksack) and 636 (Skokomish) are closed to all elk hunting as Conservation Closures. Elk Area 064 in GMU 638 (Quinalt) is open to AHE hunters only. The Cathlamet Big Game Closure in GMU 506 (Willapa Hills) is open to archery AHE permit hunters only. Permit only in GMUs 472, 485, 524, 554, 556, 602, 621 and PLWMA 600 (Pysht).

- WA - Western Washington Archery Tag
- WG - Western Washington Modern General Bull Tag
- WP - Western Washington Modern Permit Applicant

#### Tag

- WM - Western Washington Muzzleloader Tag

#### Modern Firearm Elk Information

Modern firearm elk hunters have early and late hunts in all elk areas. Those who buy the General tag have the first opportunity to hunt bulls. Only those who buy the Permit tag are able to apply for special elk permits.

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched modern firearm elk tag as listed below on his/her person.

Hunting Method: May use rifle, bow and arrow, or muzzleloader, but only during modern firearm seasons.

#### (Modern Firearm Elk Seasons)

Legal Elk: Male elk with visible antlers are legal throughout the state except in GMUs 145-154, 160-185, 302, 314-329, 335-368, and 472 spike bull restrictions apply and in branched antler areas branched antler restrictions apply.

Blue Mountains—Open Area: 100 series GMUs; GMUs 127 and 130 are permit only for modern firearm hunters; and GMU 157 limited by permit to all hunters. GMUs 145-154, 160-185 are spike bull only, except by permit.

- BA—Blue Mountains Archery Tag
- BG—Blue Mountains Modern General Bull Tag
- BP—Blue Mountains Modern Permit Applicant Tag
- BM—Blue Mountains Muzzleloader Tag

Colockum—Open Area: Chelan County portion of GMU 302 and GMUs 300, 301, 304, 306, 308, 314, 316, 328, 329, 330 (permit only in GMU 330), and the portion of GMU 334 north of I-90 (modern firearm restrictions in GMU 334). GMUs 302, 314-329 are spike bull only, except by permit.

- ~~CA~~ Colockum Archery Tag
- ~~CG~~ Colockum Modern General Bull Tag
- ~~CP~~ Colockum Modern Permit Applicant Tag
- ~~CM~~ Colockum Muzzleloader Tag

~~Yakima—Open Area: Kittitas County portion of GMU 302 and GMUs 335, 336, 340, 342, 346, 352, 356, 360, 364, 366, 368, 371, and 372. GMUs 302, 335-371 are spike bull only, except by permit.~~

- ~~YA~~ Yakima Archery Tag
- ~~YG~~ Yakima Modern General Bull Tag
- ~~YP~~ Yakima Modern Permit Applicant Tag
- ~~YM~~ Yakima Muzzleloader Tag

~~Western Washington—Open Area: All 400, 500, and 600 GMUs except closed in GMU 417, 522, 621, 636 and modern firearm restrictions in portion of GMU 660. GMUs 417 (Bald Mountain), 621 (Olympic) and 636 (Skokomish) are closed to all elk hunting as Conservation Closures. Permit only in GMUs 485, 524, 554, 556, and 602. GMU 472 is spike bull only, except by permit.~~

- ~~WA~~ Western Washington Archery Tag
- ~~WG~~ Western Washington Modern General Bull Tag
- ~~WP~~ Western Washington Modern Permit Applicant Tag
- ~~WM~~ Western Washington Muzzleloader Tag

PERMANENT

~~1994 ————— 1995 ————— 1996~~

<del>Blue Mountains</del>			
<del>BG—Blue Mountains Modern General—Bull Elk Tag</del>	<del>Oct. 26 Nov. 6</del>	<del>Oct. 25 Nov. 5</del>	<del>Oct. 30 Nov. 10</del>
<del>BP—Blue Mountains Modern Permit—Applicant Elk Tag</del>	<del>Oct. 29 Nov. 6</del>	<del>Oct. 28 Nov. 5</del>	<del>Nov. 2-10</del>
<del>Colockum</del>			
<del>CG—Colockum Modern General—Bull Elk Tag</del>	<del>Oct. 26 Nov. 3</del>	<del>Oct. 26 Nov. 3</del>	<del>Oct. 26 Nov. 3</del>
<del>CP—Colockum Modern Permit—Applicant—Elk Tag</del>	<del>Oct. 29 Nov. 3</del>	<del>Oct. 29 Nov. 3</del>	<del>Oct. 29 Nov. 3</del>
<del>Yakima</del>			
<del>YG—Yakima Modern General—Bull Elk Tag</del>	<del>Nov. 5-15</del>	<del>Nov. 5-15</del>	<del>Nov. 5-15</del>
<del>YP—Yakima Modern Permit—Applicant—Elk Tag</del>	<del>Nov. 8-15</del>	<del>Nov. 8-15</del>	<del>Nov. 8-15</del>
<del>Western Washington</del>			
<del>WG—Western Washington—Modern General Bull—Elk Tag</del>	<del>Nov. 2-13</del>	<del>Nov. 1-13</del>	<del>Nov. 6-17</del>
<del>WP—Western Washington—Modern Permit—Applicant Elk Tag))</del>	<del>Nov. 5-13</del>	<del>Nov. 4-13</del>	<del>Nov. 9-17</del>

Modern Firearm Elk Seasons

<u>GMUs</u>	<u>Elk Tag</u>			<u>1997 Dates</u>	<u>1998 Dates</u>	<u>1999 Dates</u>	<u>Legal Elk</u>
	<u>97</u>	<u>98</u>	<u>99</u>				
<u>101-142</u>	<u>BG</u>	<u>NG</u>	<u>NG</u>	<u>Oct. 25-Nov. 2</u>	<u>Oct. 31-Nov. 8</u>	<u>Oct. 30-Nov. 7</u>	<u>Any Bull</u>
	<u>BP</u>	<u>NP</u>	<u>NP</u>	<u>Oct. 27-Nov. 2</u>	<u>Nov. 2-8</u>	<u>Nov. 1-7</u>	<u>Any Bull</u>
<u>145-154, 162-186</u>	<u>BG</u>	<u>BG</u>	<u>BG</u>	<u>Oct. 25-Nov. 2</u>	<u>Oct. 31-Nov.8</u>	<u>Oct. 30-Nov. 7</u>	<u>Spike Bull Only</u>
	<u>BP</u>	<u>BP</u>	<u>BP</u>	<u>Oct. 27-Nov. 2</u>	<u>Nov. 2-8</u>	<u>Nov. 1-7</u>	<u>Spike Bull Only</u>
<u>300, 301, 304, 306, 308</u>	<u>CG</u>	<u>CG</u>	<u>CG</u>	<u>Oct. 25-Nov. 2</u>	<u>Oct. 31-Nov. 8</u>	<u>Oct. 30-Nov. 7</u>	<u>Any Bull</u>
	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>Oct. 27-Nov. 2</u>	<u>Nov. 2-8</u>	<u>Nov. 1-7</u>	<u>Any Bull</u>
<u>314-329 and Chelan County portion of GMU 302</u>	<u>CG</u>	<u>CG</u>	<u>CG</u>	<u>Oct. 25-Nov. 2</u>	<u>Oct. 31-Nov. 8</u>	<u>Oct. 30-Nov. 7</u>	<u>Spike Bull Only</u>
	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>Oct. 27-Nov. 2</u>	<u>Nov. 2-8</u>	<u>Nov. 1-7</u>	<u>Spike Bull Only</u>
<u>335-371 and Kittitas County portion of GMU 302</u>	<u>YG</u>	<u>YG</u>	<u>YG</u>	<u>Oct. 25-Nov. 2</u>	<u>Oct. 31-Nov. 8</u>	<u>Oct. 30-Nov. 7</u>	<u>Spike Bull Only</u>
	<u>YP</u>	<u>YP</u>	<u>YP</u>	<u>Oct. 27-Nov. 2</u>	<u>Nov. 2-8</u>	<u>Nov. 1-7</u>	<u>Spike Bull Only</u>
<u>372</u>	<u>YG</u>	<u>YG</u>	<u>YG</u>	<u>Oct. 25-Nov. 2</u>	<u>Oct. 31-Nov. 8</u>	<u>Oct. 30-Nov. 7</u>	<u>Any Bull</u>
	<u>YP</u>	<u>YP</u>	<u>YP</u>	<u>Oct. 27-Nov. 2</u>	<u>Nov. 2-8</u>	<u>Nov. 1-7</u>	<u>Any Bull</u>

<u>407, 410, 426-454, 484</u>	<u>WG</u> <u>WP</u>	<u>WG</u> <u>WP</u>	<u>WG</u> <u>WP</u>	<u>Nov. 8-16</u> <u>Nov. 10-16</u>	<u>Nov. 7-15</u> <u>Nov. 9-15</u>	<u>Nov. 6-14</u> <u>Nov. 8-14</u>	<u>Spike Bull Only</u> <u>Spike Bull Only</u>
<u>460, 466, 478, 490</u>	<u>WG</u> <u>WP</u>	<u>WG</u> <u>WP</u>	<u>WG</u> <u>WP</u>	<u>Nov. 8-16</u> <u>Nov. 10-16</u>	<u>Nov. 7-15</u> <u>Nov. 9-15</u>	<u>Nov. 6-14</u> <u>Nov. 8-14</u>	<u>3-Pt. Min.</u> <u>3-Pt. Min.</u>
<u>504, 505, 510, 516,</u> <u>520, 550, 560</u>	<u>WG</u> <u>WP</u>	<u>WG</u> <u>WP</u>	<u>WG</u> <u>WP</u>	<u>Nov. 8-16</u> <u>Nov. 10-16</u>	<u>Nov. 7-15</u> <u>Nov. 9-15</u>	<u>Nov. 6-14</u> <u>Nov. 8-14</u>	<u>Spike Bull Only</u> <u>Spike Bull Only</u>
<u>501, 564, 568, 574,</u> <u>578, 582, 588</u>	<u>WG</u> <u>WP</u>	<u>WG</u> <u>WP</u>	<u>WG</u> <u>WP</u>	<u>Nov. 8-16</u> <u>Nov. 10-16</u>	<u>Nov. 7-15</u> <u>Nov. 9-15</u>	<u>Nov. 6-14</u> <u>Nov. 8-14</u>	<u>Either Sex</u> <u>Either Sex</u>
<u>506, 513, 530, 558,</u> <u>572</u>	<u>WG</u> <u>WP</u>	<u>WG</u> <u>WP</u>	<u>WG</u> <u>WP</u>	<u>Nov. 8-16</u> <u>Nov. 10-16</u>	<u>Nov. 7-15</u> <u>Nov. 9-15</u>	<u>Nov. 6-14</u> <u>Nov. 8-14</u>	<u>3-Pt. Min.</u> <u>3-Pt. Min.</u>
<u>658, 660, 663, 666,</u> <u>667, 672, 673, 684</u>	<u>WG</u> <u>WP</u>	<u>WG</u> <u>WP</u>	<u>WG</u> <u>WP</u>	<u>Nov. 8-16</u> <u>Nov. 10-16</u>	<u>Nov. 7-15</u> <u>Nov. 9-15</u>	<u>Nov. 6-14</u> <u>Nov. 8-14</u>	<u>Spike Bull Only</u> <u>Spike Bull Only</u>
<u>601, 603, 607, 612,</u> <u>615, 624, 627, 633</u> <u>638, 642, 648, 651,</u> <u>681</u>	<u>WG</u> <u>WP</u>	<u>WG</u> <u>WP</u>	<u>WG</u> <u>WP</u>	<u>Nov. 8-16</u> <u>Nov. 10-16</u>	<u>Nov. 7-15</u> <u>Nov. 9-15</u>	<u>Nov. 6-14</u> <u>Nov. 8-14</u>	<u>3-Pt. Min. except</u> <u>AHE hunters only</u> <u>in Elk Area 064 in</u> <u>GMU 638</u> <u>3-Pt. Min. except</u> <u>AHE hunters only</u> <u>in Elk Area 064 in</u> <u>GMU 638</u>

Archery Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched archery elk tag as listed below on his/her person.

Hunting Method: Bow and arrow only.

Special Notes: Archery tag holders can hunt only during archery seasons. (~~(Only)~~) Archery elk hunters (~~(with tags identified in the Special Permits tables)~~) may apply for special bull permits. Please see permit table for tag eligibility for all elk permits.

Early Archery Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched archery elk tag as listed below on his/her person for the area hunted: Blue Mountains (BA), Northeastern (NA), Colockum (CA), Yakima (YA), or Western Washington (WA).

GMUs	Elk Tag	<del>((1994))</del> <u>1997 Dates</u>	<del>((1995))</del> <u>1998 Dates</u>	<del>((1996))</del> <u>1999 Dates</u>	Legal Elk
<del>((100-124,</del> <del>127,</del> <del>130-142))</del> <u>101-142</u>	BA <u>NA</u> <u>NA</u>	Sept. 1-14	Sept. 1-14	Sept. 1-14	Either sex
<del>145-154, ((160-</del> <del>169)) 162-169,</del> <del>175, 178,</del> <del>((181-185,)) 186</del>	BA <u>BA</u> <u>BA</u>	Sept. 1-14	Sept. 1-14	Sept. 1-14	Spike bull only
300, 306, 308, <del>((316,)) 334 (North</del> <del>of I-90)</del>	CA <u>CA</u> <u>CA</u>	Sept. 1-14	Sept. 1-14	Sept. 1-14	Either sex
328, 329( <del>(-330))</del>	CA <u>CA</u> <u>CA</u>	Sept. 1-14	Sept. 1-14	Sept. 1-14	Spike <u>bull</u> or antlerless
334 (South of I-90), <del>((371,)) 372</del>	YA <u>YA</u> <u>YA</u>	Sept. 1-14	Sept. 1-14	Sept. 1-14	Either sex( <del>(-371,))</del> <del>except Spike</del> <del>only in</del> <del>GMU 371))</del>
335, 336, 340, 352, 356, 364, <u>371</u>	YA <u>YA</u> <u>YA</u>	Sept. 1-14	Sept. 1-14	Sept. 1-14	Spike <u>bull</u> or antlerless

PERMANENT

PERMANENT

<del>((405-)), 407, 410, 426((-454)), 448, 450, 504, 505, 510, ((514,)) 516, 520, 550, ((554,)) 560, ((568, 574, 576, 586, 588, 615, 618, 642-)) 658, 660, 663, 667, ((669,)) 672, ((678)) 673, 684</del>	<del>WA</del> <u>WA</u> <u>WA</u>	<del>Sept. 1-14</del>	<del>Sept. 1-14</del>	<del>Sept. 1-14</del>	<del>((Either sex)) Spike bull or antlerless</del>
<u>437, 454, 484, 501, 564, 568, 574, 578, 582, 588</u>	<u>WA</u> <u>WA</u> <u>WA</u>	<u>Sept. 1-14</u>	<u>Sept. 1-14</u>	<u>Sept. 1-14</u>	<u>Either sex</u>
<del>460, 466, 478, 490, ((512,)) 506, 513, 530, 558, 572, ((601, 638,)) 681</del>	<del>WA</del> <u>WA</u> <u>WA</u>	<del>Sept. 1-14</del>	<del>Sept. 1-14</del>	<del>Sept. 1-14</del>	<del>3 pt. min. or antlerless except permit only in Cathlamet Firearm Restriction Area in GMU 506</del>
<u>601, 603, 612, 615 624, 627, 633, 638, 642, 648, 651</u>	<u>WA</u> <u>WA</u> <u>WA</u>	<u>Sept. 1-14</u>	<u>Sept. 1-14</u>	<u>Sept. 1-14</u>	<u>3 Pt. min. and permit only on Pysht PLWMA 600 in GMU 603; AHE hunters only in Elk Area 064 in GMU 638</u>
<del>((472</del>	<del>WA</del>	<del>Sept. 1-14</del>	<del>Sept. 1-14</del>	<del>Sept. 1-14</del>	<del>Spike or antlerless</del>
<del>484</del>	<del>WA</del>	<del>Sept. 1-14</del>	<del>Sept. 1-14</del>	<del>Sept. 1-14</del>	<del>Either sex</del>
<del>418</del>	<del>WA</del>	<del>Sept. 1-14</del>	<del>Sept. 1-14</del>	<del>Sept. 1-14</del>	<del>3 pt. min.</del>
<del>607</del>	<del>WA</del>	<del>No Season</del>	<del>Sept. 1-14</del>	<del>No Season</del>	<del>3 pt. min.</del>
<del>612</del>	<del>WA</del>	<del>Sept. 1-14</del>	<del>No Season</del>	<del>Sept. 1-14</del>	<del>Either sex))</del>
<del>Bow Area 802</del>	<del>WA</del>	<del>((Sept. 1-14)) Sept. 2-14</del>	<del>Sept. 1-14</del>	<del>Sept. 1-14</del>	<del>((Either sex)) Spike bull or antlerless</del>

Late Archery Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched archery as listed below elk tag on his/her person for the area hunted.

GMUs	Elk Tag	<del>((1994))</del> <u>1997</u> Dates	<del>((1995))</del> <u>1998</u> Dates	<del>((1996))</del> <u>1999</u> Dates	Legal Elk
	<u>97 98 99</u>				
<del>((103, 118,)) 101, 105, 117, 121, 124 127((-133))</del>	<del>BA</del> <u>NA</u> <u>NA</u>	<del>((Nov. 23-Dec. 15</del> <u>Nov. 26-Dec. 15</u>	<del>Nov. 22-Dec. 15</del> <u>Nov. 25-Dec. 15</u>	<del>Nov. 27-Dec. 15))</del> <u>Nov. 24-Dec. 15</u>	<del>Either sex</del>
<del>((166, 178</del> <u>Private lands within GMU 162 east of the North Touchet Road. GMU 178 on private lands only</u>	<del>BA</del> <u>BA</u> <u>BA</u>	<del>Nov. 23-Dec. 15</del> <u>Nov. 26-Dec. 15</u>	<del>Nov. 22-Dec. 15</del> <u>Nov. 25-Dec. 15</u>	<del>Nov. 27-Dec. 15</del> <u>Nov. 24-Dec. 15</u>	<del>Spike bull only))</del> <u>Spike bull or antlerless</u>
<del>((328</del> <u>328</u>	<del>CA</del> <u>CA</u> <u>CA</u>	<del>Nov. 23-Dec. 8</del> <u>Nov. 26-Dec. 8</u>	<del>Nov. 22-Dec. 8</del> <u>Nov. 25-Dec. 8</u>	<del>Nov. 21-Dec. 8))</del> <u>Nov. 24-Dec. 8</u>	<del>Spike bull or antlerless</del>
<del>((335,)) 336, 346, 352</del>	<del>((YA</del> <u>YA</u> <u>YA</u>	<del>Nov. 23-Dec. 8</del> <u>Nov. 26-Dec. 8</u>	<del>Nov. 22-Dec. 8</del> <u>Nov. 25-Dec. 8</u>	<del>Nov. 21-Dec. 8))</del> <u>Nov. 24-Dec. 8</u>	<del>Spike bull or antlerless</del>



<del>((405, 433, 454, 484, 505, 520, 564, 588, 603, 612, 615, 648, 672))</del>	<del>WA</del>	<del>Nov. 23-Dec. 15</del>	<del>Nov. 22-Dec. 15</del>	<del>Nov. 27-Dec. 15</del>	<del>Either sex</del>
<u>407, 437, 454, 484, 505, 520, 672</u>	<u>WA WA WA</u>	<u>Nov. 26-Dec. 15</u>	<u>Nov. 25-Dec. 15</u>	<u>Nov. 24-Dec. 15</u>	<u>Spike bull or antlerless</u>
<u>564, 588</u>	<u>WA WA WA</u>	<u>Nov. 26-Dec. 15</u>	<u>Nov. 25-Dec. 15</u>	<u>Nov. 24-Dec. 15</u>	<u>Either sex</u>
<u>603, 612, 615, 638, 648</u>	<u>WA WA WA</u>	<u>Nov. 26-Dec. 15</u>	<u>Nov. 25-Dec. 15</u>	<u>Nov. 24-Dec. 15</u>	<u>3 pt. min. except CLOSED on Pysht PLWMA 600; AHE hunters only in Elk Area 064 in GMU 638</u>
506, 530, 638, 681*	WA <u>WA WA</u>	Nov. <del>((23))</del> <u>26-Dec. 15</u>	Nov. <del>((22))</del> <u>25-Dec. 15</u>	Nov. <del>((27))</del> <u>24-Dec. 15</u>	<u>3 pt. min. or antlerless and permit only in Cathlamet Firearm Restriction Area in Wahkiakum County</u>
Bow Areas					
802	WA <u>WA WA</u>	Nov. <del>((23))</del> <u>26-Dec. 15</u>	Nov. <del>((22))</del> <u>25-Dec. 15</u>	Nov. <del>((27))</del> <u>24-Dec. 15</u>	<del>((Either sex))</del> <u>Spike bull or antlerless</u>
806, 807	YA <u>YA YA</u>	Nov. <del>((23))</del> <u>26-Dec. 8</u>	Nov. <del>((22))</del> <u>25-Dec. 8</u>	Nov. <del>((27))</del> <u>24-Dec. 8</u>	<u>Spike bull or antlerless</u>
841	WA <u>WA WA</u>	Nov. <del>((23))</del> <u>26-Dec. 15</u>	Nov. <del>((22))</del> <u>25-Dec. 15</u>	Nov. <del>((27))</del> <u>24-Dec. 15</u>	<del>((Either sex))</del> <u>Spike bull or antlerless</u>

\* Except closed between U.S. Highway 101 and the Columbia River from Astoria-Megler toll bridge to the Wallicut River.

Muzzleloader Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched muzzleloader elk tag as listed below on his/her person.

Hunting Method: Muzzleloader only.

Special Notes: Muzzleloader tag holders can only hunt during the muzzleloader seasons and must hunt with muzzleloader equipment. Only hunters with tags identified in the Special Elk Permits tables may apply for special elk permits.

Early Muzzleloader Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched muzzleloader elk tag as designated below on his/her person.

GMUs	Elk Tag	<del>((1994))</del> <u>1997 Dates</u>	<del>((1995))</del> <u>1998 Dates</u>	<del>((1996))</del> <u>1999 Dates</u>	Legal Elk
	<u>97 98 99</u>				
<u>109</u>	<u>BM NM NM</u>	<u>Oct. 4-10</u>	<u>Oct. 10-16</u>	<u>Oct. 9-15</u>	<u>Any Bull</u>
<u>172</u>	<u>BM BM BM</u>	<u>Oct. 4-10</u>	<u>Oct. 10-16</u>	<u>Oct. 9-15</u>	<u>Spike bull only</u>
<del>((172))</del> <u>178, 181</u>	<u>BM BM BM</u>	<u>Oct. <del>((6-12))</del> 4-10</u>	<u>Oct. <del>((5-11))</del> 10-16</u>	<u>Oct. <del>((3-9))</del> 9-15</u>	<u>Spike bull <del>((only))</del> or antlerless</u>
<del>((302))</del> <u>314*</u> , <u>316</u>	<u>CM <del>((YM))</del> CM CM</u>	<u>Oct. <del>((6-12))</del> 4-10</u>	<u>Oct. <del>((5-11))</del> 10-16</u>	<u>Oct. <del>((3-9))</del> 9-15</u>	<u>Spike bull only</u>
<u>304</u>	<u>CM CM CM</u>	<u>Oct. 4-10</u>	<u>Oct. 10-16</u>	<u>Oct. 9-15</u>	<u>Any bull</u>
<del>((314*))</del>	<del>CM Oct. 6-12</del>	<del>Oct. 5-11</del>	<del>Oct. 3-9</del>	<del>Spike bull only</del>	
<del>342</del>	<del>YM Oct. 6-12</del>	<del>Oct. 5-11</del>	<del>Oct. 3-9</del>	<del>Antlerless only</del>	

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<u>342, 356, 368</u>	YM <u>YM</u> <u>YM</u>	Oct. <del>((6-12))</del> 4-10	Oct. <del>((5-11))</del> 10-16	Oct. <del>((3-9))</del> 9-15	Spike bull only
<u>501, 564</u>	WM <u>WM</u> <u>WM</u>	Oct. 4-10	Oct. 10-16	Oct. 9-15	Either sex
<del>((603))</del> <u>660</u>	WM <u>WM</u> <u>WM</u>	Oct. <del>((6-12))</del> 4-10	Oct. <del>((5-11))</del> 10-16	Oct. <del>((3-9))</del> 9-15	Spike Bull only
<del>((607</del>	<del>WM Oct. 6-12</del>	<del>No Season</del>	<del>Oct. 3-9</del>	<del>3 pt. min.</del>	
<del>612</del>	<del>WM No Season</del>	<del>Oct. 5-11</del>	<del>No Season</del>	<del>Bull only</del>	
<del>460, 506</del>	<del>WM Oct. 6-12</del>	<del>Oct. 5-11</del>	<del>Oct. 3-9</del>	<del>3 pt. min.))</del>	
<u>460, 478, 513, 530, 603, 607</u>	WM <u>WM</u> <u>WM</u>	Oct. 4-10	Oct. 10-16	Oct. 9-15	3 pt. min.
<u>437, 454, 484, ((501, 564,)) 684</u>	WM <u>WM</u> <u>WM</u>	Oct. <del>((6-12))</del> 4-10	Oct. <del>((5-11))</del> 10-16	Oct. <del>((3-9))</del> 9-15	<del>((Either sex))</del> Spike bull or antlerless

Muzzleloader

Area 910	YM <u>YM</u> <u>YM</u>	<del>((Oct. 1-12))</del> Sept. 1-14	<del>((Oct. 1-11))</del> Sept. 1-14	Sept. <del>((1-15))</del> 1-14	Spike bull or antlerless
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\* The portion of GMU 314 bordered by the Colockum Pass Road (Road 10), Naneum Ridge Road (Road 9), and Ingersol Road (Road 1) is closed. See Naneum Green Dot Map.

Late Muzzleloader Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched muzzleloader elk tag as designated below on his/her person.

GMUs	Elk Tag	<del>((1994))</del> 1997 Dates	<del>((1995))</del> 1998 Dates	<del>((1996))</del> 1999 Dates	Legal Elk
	<u>97</u> <u>98</u> <u>99</u>				
<del>((127,))</del> 130, 133, 136, 139	BM <u>NM</u> <u>NM</u>	Nov. <del>((23))</del> <u>26-</u> Dec. 15	Nov. <del>((22))</del> <u>25-</u> Dec. 15	Nov. <del>((27))</del> <u>24</u> Dec. 15	Either sex
<del>((184</del>	<del>BM</del>	<del>Nov. 23-Dec. 15</del>			<del>Antlerless only))</del>
346	YM <u>YM</u> <u>YM</u>	<del>((Nov. 16-19</del> <u>Nov. 26-Dec. 8</u>	<del>Nov. 16-19</del> <u>Nov. 25-Dec. 8</u>	<del>Nov. 16-19))</del> <u>Nov. 24-Dec. 8</u>	Spike bull <del>((or antlerless))</del> only
<del>((484</del>	<del>WM</del>	<del>Nov. 23-Dec. 15</del>	<del>Nov. 22-Dec. 15</del>	<del>Nov. 27-Dec. 15</del>	<del>Either sex))</del>
<del>((501, 568, 574, 576, 586))</del> <u>454, 484, 505</u>	WM <u>WM</u> <u>WM</u>	Nov. <del>((23))</del> <u>26-</u> Dec. 15	Nov. <del>((22))</del> <u>25-</u> Dec. 15	Nov. <del>((27))</del> <u>24-</u> Dec. 15	<del>((Either sex))</del> Spike bull or antlerless
<del>((505</del>	<del>WM</del>	<del>Nov. 15-20</del>	<del>Nov. 14-19</del>	<del>Nov. 19-24</del>	<del>Either sex))</del>
<u>437, 504, 550</u>	WM <u>WM</u> <u>WM</u>	Nov. <del>((23))</del> <u>26-</u> Dec. 15	Nov. <del>((22))</del> <u>25-</u> Dec. 15	Nov. <del>((27))</del> <u>24-</u> Dec. 15	Spike bull only
<u>501, 564, 568, 578</u>	WM <u>WM</u> <u>WM</u>	Nov. 26-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Either sex
601	WM <u>WM</u> <u>WM</u>	Nov. <del>((23))</del> <u>26-</u> Dec. 15	Nov. <del>((22))</del> <u>25-</u> Dec. 15	Nov. <del>((27))</del> <u>24-</u> Dec. 15	3 pt. bull min.
684	WM <u>WM</u> <u>WM</u>	Nov. <del>((23))</del> <u>26-</u> Dec. 15	Nov. <del>((22))</del> <u>25-</u> Dec. 15	Nov. <del>((27))</del> <u>24-</u> Dec. 15	<del>((Either sex))</del> Spike bull or antlerless

Muzzleloader Areas

910	YM <u>YM</u> <u>YM</u>	Nov. <del>((16))</del> <u>26-</u> Dec. 8	Nov. <del>((16))</del> <u>25-</u> Dec. 8	Nov. <del>((16))</del> <u>24-</u> Dec. 8	<del>((Spike bull or))</del> Antlerless only
944	YM <u>YM</u> <u>YM</u>	<del>((Nov. 16-19</del> <u>Nov. 26-Dec. 8</u>	<del>Nov. 16-19</del> <u>Nov. 25-Dec. 8</u>	<del>Nov. 16-19))</del> <u>Nov. 24-Dec. 8</u>	Spike bull or antlerless

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Special Elk Hunts Open to Specified Tag Holders

Tag Required: Proper elk tags are listed with each GMU below.

Hunting Method: Hunters must use method listed on their tag, except in Firearm Restriction Areas, where some types of weapons are banned from use. See elk tag required, dates, and legal elk in table below.

~~((Either Sex))~~ Damage Elk Hunts

GMUs	Elk Tag	<del>((1994))</del> <u>1997 Dates</u>	<del>((1995))</del> <u>1998 Dates</u>	<del>((1996))</del> <u>1999 Dates</u>	Legal Elk
<del>((100, 103,)) 101, 105, ((108,)) 121, 124, west of SR 395, 133, 136, 139</del>	<del>97 BG, BP</del>	<del>98 NG, NP</del>	<del>99 NG, NP</del>	<del>((Oct. 29-Nov. 6 - Oct. 28-Nov. 5 - Nov. 2-10)) Oct. 25-Nov. 2    Oct. 31-Nov. 8    Oct. 30-Nov. 7</del>	Either sex
<u>127*, 130*</u>	<u>BA, BG BP, BM</u>	<u>NA, NG NP, NM</u>	<u>NA, NG NP, NB</u>	<u>Oct. 20-Nov. 20    Oct. 20-Nov. 20    Oct. 20-Nov. 20</u>	<u>Either sex</u>
<del>((178</del>	<del>BG, BP</del>	<del>Nov. 5-6</del>	<del>Nov. 5-6</del>	<del>Either sex))</del>	
372	<del>((CM, YG, YP, YM))</del> <u>Any Elk Tag</u>	<u>Any Elk Tag</u>	<u>Any Elk Tag</u>	<u>Nov. ((5-13)) 1-15</u> <u>Nov. ((5-15)) 1-15</u> <u>Nov. ((5-15)) 1-15</u>	Either sex
564**	WA, WM, WG, WP	<u>WA, WM, WG, WP</u>	<u>WA, WM, WG, WP</u>	<u>Nov. ((2-13)) 8-16</u> <u>Nov. ((1-13)) 7-15</u> <u>Nov. ((6-17)) 6-14</u>	Either sex
501, 568, 574, <del>((576, 586,))</del> <u>578, 588</u>	WG, WP	<u>WG, WP</u>	<u>WG, WP</u>	<u>Nov. ((2-13)) 8-16</u> <u>Nov. ((1-13)) 7-15</u> <u>Nov. ((6-17)) 6-14</u>	Either sex
300, <u>301</u> , 304, 306, <u>308</u> <del>((, 316</del> <u>east of Highway 2))</u>	CG, CP, CM	<u>CG, CP, CM</u>	<u>CG, CP, CM</u>	<u>Dec. ((9-18)) 8-21</u> <u>Dec. ((9-17)) 7-20</u> <u>Dec. ((9-16)) 6-19</u>	Either sex
Elk Area 001	Any Elk Tag	<u>Any Elk Tag</u>	<u>Any Elk Tag</u>	<u>Nov. 1-15</u> <u>Nov. 1-15</u> <u>Nov. 1-15</u>	Either sex
<del>((Elk Area 010</del>	<del>BA, BG, BP, BM**))</del>			<del>Oct. 20-Nov. 20    Oct. 20-Nov. 20</del>	<del>Either sex</del>

\* Advanced Hunter Education hunters only.

\*\* Archery or Muzzleloader Equipment Only. Modern Firearm elk tag holders may hunt but must use primitive weapons.

~~((\*\* Advanced Hunter Education hunters only.))~~

Private Lands Wildlife Management Opportunities

~~((Kapowsin Tree Farm (PLWMA 401 - Champion)))~~

Champion (PLWMA 401) Kapowsin Tree Farm

Hunting Method	Elk Tag	<del>((1995 Open Season))</del> <u>1997 Dates</u>	<u>1998 Dates</u>	<del>((1996 Open Season))</del> <u>1999 Dates</u>	Special Restrictions
Archery <u>Antlerless only</u>	WA	<u>Sept. 1-((14)) 12</u>	<u>Sept. 1-11</u>	<u>Sept. 1-((13)) 10</u>	<del>((Spike Bull or))</del>  <u>PLWMA 401 North</u> <u>PLWMA 401 Central</u> <u>PLWMA 401 South</u>
<u>Muzzleloader</u>	<u>WM</u>	<u>Nov. 24-Dec. 4</u>	<u>CLOSED</u>	<u>CLOSED</u>	<u>Spike only</u> <u>PLWMA 401 North</u>
<u>Modern Firearm</u>	<u>WG, WP</u>	<u>Nov. 1-7</u>	<u>CLOSED</u>	<u>CLOSED</u>	<u>Spike only</u> <u>PLWMA 401 North</u>

PERMANENT

## Report Cards

Each successful hunter must fill out and return a Game Harvest Report Card to the Department of Fish and Wildlife within 10 days after taking an elk.

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

**Reviser's note:** The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

**Reviser's note:** The spelling error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

**PERMANENT**

**WSR 97-06-055**  
**PERMANENT RULES**  
**FISH AND WILDLIFE**  
**COMMISSION**  
(Wildlife)

[Order 97-47—Filed February 27, 1997, 3:30 p.m.]

Date of Adoption: December 19, 1996.

Purpose: To amend WAC 232-28-02290 Game management units (GMUs)—Special game areas—Boundary descriptions—Private lands wildlife management areas.

Citation of Existing Rules Affected by this Order: Amending WAC 232-28-02290.

Statutory Authority for Adoption: RCW 77.12.040.

Adopted under notice filed as WSR 96-21-152 on October 23, 1996.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-28-02290 differs from the proposed version filed with the code reviser in the following specifics:

1. The boundary description of PLWMA 201 was amended in T22N, R29E by deleting south 1/2 of northwest 1/4 of Section 2, in Section 4 adding the exception north 1/2 of northwest 1/4.

2. The exception in Section 8 were deleted. Section 32 was amended to be south 1/2 of northwest 1/4.

3. In Section 9 the exception east 1/2 of southeast 1/4 was changed to south 1/2.

4. Section 24 was deleted.

5. T24N, R29E was changed to T24N, R28E and Section 35 added.

6. On page two, PLWMA 603 was changed to PLWMA 600 and the name was changed from Pysht Tree Farm to Merrill and Ring for the entire area as well as north and south units.

7. The boundary description of PLWMA 600 was changed from the posted boundaries of the Pysht Tree Farm within GMU 603 to "PLWMA 600 - Merrill and Ring (Clallam County): Beginning at Clallam Bay, east along the Strait of Juan de Fuca to the mouth of Deep Creek, then south along Deep Creek to the township line between Townships 30 and 31, then west along said township line to Highway 113 (Burnt Mt. Road) and north along Burnt Mt. Road (Highway 112 and 113) to Clallam Bay and point of beginning, except the following described lands: T31N R10W: E 1/2 W 1/2, E 1/2 West of Deep Creek Section 19,

Except SW 1/4 NW 1/4, SW 1/4, W 1/2 E 1/2 West of Deep Creek Section 30, Except North & West of Deep Creek Section 31: T31N R11W; Except the SW 1/4 SE 1/4 Section 7, Except that portion of NW 1/4 SE 1/4 which is County Park Section 10, Except the NE 1/4 NE 1/4 Section 14, Except W 1/2, W 1/2 E 1/2, SE 1/4 NE 1/4, NE 1/4 SE 1/4 Section 16, Except SW 1/4 NE 1/4 Section 17, Except NW 1/4 NW 1/4, SE 1/4 NW 1/4, SE 1/4, NE 1/4, NW 1/4 SE 1/4 Section 18, Except W 1/2 SW 1/4, SW 1/4 NE 1/4 Section 19, Except W 1/2 SW 1/4 Section 27, Except S 1/2 S 1/2, N 1/2 SW 1/4 Section 28, Except E 1/2 SE 1/4, SW 1/4 SE 1/4, NE 1/4, SW 1/4 Section 29, Except SW 1/4 SE 1/4 Section 30, Except NE 1/4 Section 31, Except All Section 32, Except All Section 33, except SW 1/4 NE 1/4, S 1/2 Section 34, T31N R12W; Except SE 1/4 SE 1/4, W 1/2 SE 1/4 East of Highway 112 Section 4, Except All East of Highway 112 Section 9, Except E 1/2 NE 1/4, SW 1/4 NE 1/4, W 1/2, SW 1/4, NW 1/4 SE 1/4 Section 13, Except S 1/2 SE 1/4 Section 14, Except E 1/2 NW 1/4 East of Highway 112 Section 23, Except N 1/2 SW 1/4, SE 1/4 NW 1/4 Section 24, Except SE 1/4 SW 1/4, SW 1/4 SE 1/4 Section 26, Except N 1/2 N 1/2 Section 35, Except All Section 36: T32N R12W; Except W 1/2 SE 1/4 Section 21, Except All Section 22, Except NW 1/4 Section 27, Except NE 1/4, N 1/2 SE 1/4, E 1/2 W 1/2 East of Highway 112 Section 28, Except E 1/2 W 1/2 East of Highway 112 Section 33, Except S 1/2 Section 36."

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

December 30, 1996

Lisa Pelly

for Mitchell S. Johnson  
Chairman

**AMENDATORY SECTION** (Amending WSR 96-04-027, filed 2/1/96, effective 3/3/96)

**WAC 232-28-02290 Game management units (GMUs)—Special game areas—Boundary descriptions—Private lands wildlife management areas.**

**Area Description**

**PLWMA 201 - Wilson Creek (Grant County):** This area surrounds Billy Clapp Lake directly north of the town of Stratford and northwest of the town of Wilson Creek. The legal description is T22N, R29E; North 1/2 of Section 3, Section 4((~~3~~)) except southeast 1/4 of southeast 1/4 and north 1/2 of northwest 1/4; Section((~~3~~)) 5 ((~~and~~)); Section 6 north of State Highway 28; Sections 8 and 9. T23N, R29E,

Sections 5, 6, 7, and 8(~~(7)~~); Sections 13, 14, 17, and 18; Section 19 except for northwest 1/4 of the southwest 1/4; Sections 20, 21, 22, 23, 24, 25, 26, 27, 28, and 29; southeast 1/4 of Section 30; Section(~~(8)~~) 31(~~(-32)~~); Section 32 south 1/2 of northwest 1/4 and north 1/2 of southwest 1/4; Sections 33, 34, and 35. T23N, R28E, Sections 1 and 2, Section 3 except west 1/4; Section 4 except southwest 1/4 and east 1/2 of southeast 1/4; Section 5; Section 6 except west 1/4; Sections 7 and 8; Section 9 except ((east 1/2 of southeast 1/4)) south 1/2; north 1/2 of Section 10 except west 1/4; Section 11 except south 1/4; ((Section 15)) north 1/2 of Section 12; Section 15 except that part within Stratford Game Reserve; Section 16 except northeast 1/4; Sections 17, 18, 19, 20, 21, 22, and 23; ((west 1/4 of Section 24\*)) Sections 26, 27, 28, 29, 30, and 33; ((west 1/2)) north 1/2 and north 1/2 of south 1/2 of Section 34 ((except south 1/4)); Section 35 except that part in game reserve. T23N, R27E, Section 11, south 1/2 of southwest 1/4 and west 1/4 of southeast 1/4 of Section 12; Sections 13 and 14; Section 22 except west 1/2 of southwest 1/4; Sections 23, 24, 25, 26, and 27. T24N, ((R29E)) R28E, ((west 1/2 of)) Section ((32)) 35. T24N, ((R28E)) R29E, Section ((35)) 31; west 1/2 of Section 32. ((\*))Public lands ((within)) with the external boundaries are not part of the PLWMA.

**PLWMA 401 - Champion (Pierce County):** Beginning at the intersection of Champion haul road (Champion 1 Rd.) and the Camp One Road near the town of Kapowsin; then southwest along Champion 1 Rd. to east side of Lake Kapowsin; then along east side of Lake Kapowsin to Ohop Creek; then up Ohop Creek to Champion ownership line; then along ownership line to N.W. corner Section 31, T17N, R5E; then south along section line to 1/4 corner Section 6, T16N, R5E; then easterly along Weyerhaeuser/Champion ownership line to intersection with Busy Wild Creek; then up Busy Wild Creek to intersection with Champion ownership on the section line between Sections 10 & 15, T15N, R6E; then west and south along DNR/Champion ownership line and Plum Creek Timber Co./Champion ownership line to most southerly point of Champion ownership (northwest of Ashford, WA); then easterly along Champion ownership line to DNR/Champion ownership line; then north and east to USFS/Champion ownership line; then north along USFS/Champion ownership line to S.W. corner Section 31, T16N, R7E; then east along USFS/Champion ownership line to S.E. corner Section 31, T16N, R7E; then north along USFS/Champion ownership line to N.W. corner Section 32, T16N, R7E; then east along Plum Creek Timber Co./USFS ownership line to N.E. corner Section 32, T16N, R7E; then south along USFS/Champion ownership line to S.E. corner Section 32, T16N, R7E; then west along USFS/Champion ownership line to Mount Rainier National Park Boundary; then north along Mount Rainier National Park Boundary to N.E. corner Section 33 T17N, R7E; then following north and east along USFS/Champion ownership line to intersection with SR 165 near the N.E. corner Section 24, T17N, R7E; then northwest along SR 165 to intersection with Carbon River; then down Carbon River to the BPA Transmission Line; then south and west along the powerline to the Fisk Road; then south along the Fisk Road to the King Creek Gate; then north and west along the Brooks Road BPA Transmission line; then southwest along BPA Transmission line to the Puyallup River (excluding all small, private ownership); then up Puyallup River to intersection

with Champion haul road bridge; then south along Champion haul road to point of beginning. Another portion of PLWMA 401 Champion is the Buckley block (Kapowsin North described as follows: Beginning at the intersection of the BPA Transmission line and South Prairie Creek; then up South Prairie Creek to East Fork South Prairie Creek; then up East Fork South Prairie Creek to Plum Creek Timber Co./Champion ownership line (on south line of Section 33, T19N, R7E); then along Champion ownership line to center line of Section 34, T19N, R7E; then north and east along DNR/Champion ownership line to S.W. corner Section 27, T19N, R7E; then north along Weyerhaeuser/Champion ownership line to White River; then down White River to where it crosses west line Section 6, T19N, R7E; then south and west along Champion ownership line to intersection with South Prairie Creek; then up South Prairie Creek to point of beginning.

**PLWMA 401A - Kapowsin North (Buckley):** That portion of PLWMA 401 description which includes the Buckley block.

**PLWMA 401B - Kapowsin Central (King Creek):** That portion of PLWMA 401 description which lies to the north of the Puyallup River, excluding the Buckley block.

**PLWMA 401C - Kapowsin South (Kapowsin):** That portion of PLWMA 401 description which lies to the south of the Puyallup River.

**PLWMA 600 - Merrill and Ring (Clallam County):** Beginning at Clallam Bay, east along the Strait of Juan de Fuca to the mouth of Deep Creek, then south along Deep Creek to the township line between Townships 30 and 31, then west along said township line to Highway 113 (Burnt Mt. Road) and north along Burnt Mt. Road (Highway 112 and 113) to Clallam Bay and point of beginning, except the following described lands: T31N, R10W: E 1/2 W 1/2, E 1/2 West of Deep Creek Section 19, Except SW 1/4 NW 1/4, SW 1/4, W 1/2 E 1/2 West of Deep Creek Section 30, Except North & West of Deep Creek Section 31: T31N R11W; Except the SW 1/4 SE 1/4 Section 7, Except that portion of NW 1/4 SE 1/4 which is County Park Section 10, Except the NE 1/4 NE 1/4 Section 14, Except W 1/2, W 1/2 E 1/2, SE 1/4 NE 1/4, NE 1/4 SE 1/4 Section 16, Except SW 1/4 NE 1/4 Section 17, Except NW 1/4 NW 1/4, SE 1/4 NW 1/4, SE 1/4, NE 1/4, NW 1/4 SE 1/4 Section 18, Except W 1/2 SW 1/4, SW 1/4 NE 1/4 Section 19, Except W 1/2 SW 1/4 Section 27, Except S 1/2 S 1/2, N 1/2 SW 1/4 Section 28, Except E 1/2 SE 1/4, SW 1/4 SE 1/4, NE 1/4, SW 1/4 Section 29, Except SW 1/4 SE 1/4 Section 30, Except NE 1/4 Section 31, Except All Section 32, Except All Section 33, except SW 1/4 NE 1/4, S 1/2 Section 34, T31N R12W; Except SE 1/4 SE 1/4, W 1/2 SE 1/4 East of Highway 112 Section 4, Except All East of Highway 112 Section 9, Except E 1/2 NE 1/4, SW 1/4 NE 1/4, W 1/2, SW 1/4, NW 1/4 SE 1/4 Section 13, Except S 1/2 SE 1/4 Section 14, Except E 1/2 NW 1/4 East of Highway 112 Section 23, Except N 1/2 SW 1/4, SE 1/4 NW 1/4 Section 24, Except SE 1/4 SW 1/4, SW 1/4 SE 1/4 Section 26, Except N 1/2 N 1/2 Section 35, Except All Section 36: T32N R12W; Except W 1/2 SE 1/4 Section 21, Except All Section 22, Except NW 1/4 Section 27, Except NE 1/4, N 1/2 SE 1/4, E 1/2 W 1/2 East of Highway 112 Section 28, Except E 1/2 W 1/2 East of Highway 112 Section 33, Except S 1/2 Section 36.

**PLWMA 600A North - Merrill and Ring North: That portion of PLWMA 600 north of Highway 112.**

**PLWMA 600B South - Merrill and Ring South: That portion of PLWMA 600 south of Highway 112.**

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 97-06-056  
PERMANENT RULES  
FISH AND WILDLIFE  
COMMISSION  
(Wildlife)**

[Order 97-46—Filed February 27, 1997, 3:32 p.m.]

Date of Adoption: December 7, 1996.

Purpose: To amend WAC 232-28-02270 Game management units (GMUs)—Special game areas—Boundary descriptions—Bighorn sheep units.

Citation of Existing Rules Affected by this Order: Amending WAC 232-28-02270.

Statutory Authority for Adoption: RCW 77.12.040.

Adopted under notice filed as WSR 96-21-166 on October 23, 1996.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-28-02270 differs from the version filed with the code reviser in the following specifics:

1. Sheep Unit 4 Selah Butte was amended on lines 3 and 4 as follows: . . . east of the Yakima River and ((west of the Yakima Training Center.)) north of Selah Creek, west of Interstate 82 and south of Interstate 90.

2. Sheep Unit 9 Blackbutte was amended on lines 2 and 3 as follows: All of ((GMU 184 (Joseph), 185 (Blackbutte),)) GMU 186 (Grande Ronde) and . . .

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

December 30, 1996

Lisa Pelly

for Mitchell S. Johnson

Chairman

**AMENDATORY SECTION** (Amending WSR 96-04-027, filed 2/1/96, effective 3/3/96)

**WAC 232-28-02270 Game management units (GMUs)—Special game areas—Boundary descriptions—Bighorn sheep units.**

**Sheep Unit 1 Okanogan:** Permit Area: Okanogan County west of the Okanogan River.

**Sheep Unit 2 Vulcan Mountain:** Permit Area: Ferry County north of the Kettle River.

**Sheep Unit 3 Tucannon River:** Permit Area: The Tucannon River drainage in Columbia and Garfield counties.

**Sheep Unit 4 Selah Butte:** Permit Area: That part of Yakima and Kittitas counties between Ellensburg and Yakima east of the Yakima River and north of Selah Creek, west of Interstate 82 and south of Interstate 90.

**Sheep Unit 5 Umtanum:** Permit Area: That part of Yakima County north of Wenas Creek and that part of Kittitas County south of U.S. Highway 90 and west of Yakima River.

**Sheep Unit 6 Murray:** Permit Area: That part of Yakima County north of Wenas Creek and that part of Kittitas County south of U.S. Highway 90.

**Sheep Unit 7 Clemon Mountain:** Permit Area: Yakima County within the following described area: Beginning at the mouth of Wenas Creek on the Yakima River; then Northwest up Wenas Creek to Malloy Road; then west on Malloy Road to USFS Road 1701; then west on USFS Road 1701 to State Highway 410; then southeast on Highway 410 to U.S. Highway 12; then southeast on Highway 12 to the Yakima River at Yakima; then north on the Yakima River to the mouth of Wenas Creek and point of beginning.

**Sheep Unit 8 Mountainview:** Permit Area: That part of Asotin County within the following described boundary: Beginning at Anatone; then west along the main Big Butte-Mount Misery Road to its junction with the Mountain Road (40); then south along the Mountain Road to the West Fork of Grouse Creek; then southeast down Grouse Creek to the Oregon-Washington boundary; then east along said boundary to State Highway 129; then north along State Highway 129 to Anatone and point of beginning.

**Sheep Unit 9 Blackbutte:** Permit Area: That part of Asotin County within the following described boundary: All of ((GMU 184 (Joseph), 185 (Blackbutte),)) GMU 186 (Grande Ronde) and that part of GMU 181 (Couse) that drains into the Grande Ronde River between the mouth of the Grande Ronde River and State Highway 129.

**Sheep Unit 10 Mt. Hull:** Permit Area: That part of Okanogan County within the following described boundary: Beginning at Oroville; then south along U.S. Highway 97 to the Swanson's Mill Road (old Mt. Hull Road) near Lake Andrews; then east to the Dry Gulch Road; then north to the Oroville-Toroda Creek Road (Molson Grade Road); then west to Oroville and the point of beginning.

**Sheep Unit 11 Wenaha Wilderness:** Permit Area: The Crooked Creek drainage in Asotin, Garfield, and Columbia counties within the boundary of GMU 169.

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Sheep Unit 12 Lincoln Cliffs: Permit Area: That part of Lincoln County north of Highway 2.

**WSR 97-06-057  
PERMANENT RULES  
FISH AND WILDLIFE  
COMMISSION  
(Wildlife)**

[Order 97-45—Filed February 27, 1997, 3:35 p.m.]

Date of Adoption: December 7, 1996.

Purpose: To amend WAC 232-28-02260 Game management units (GMUs)—Special game areas—Boundary descriptions—Moose units.

Citation of Existing Rules Affected by this Order: Amending WAC 232-28-02260.

Statutory Authority for Adoption: RCW 77.12.040.

Adopted under notice filed as WSR 96-21-165 on October 23, 1996.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-28-02260 differs from the version filed with the code reviser in the following specifics:

1. Moose Unit 3 was named 49 Degrees North instead of Chewelah. The permit area is GMU 117, not 118.
2. Moose Unit 4 Boyer was deleted.
3. Moose Unit 5 was named Threeforks, not Alladin. The permit area was described as GMU 109, not 108.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.  
December 30, 1996

Lisa Pelly  
for Mitchell S. Johnson  
Chairman

AMENDATORY SECTION (Amending Order 650, filed 5/10/94, effective 6/10/94)

**WAC 232-28-02260 Game management units (GMUs)—Special game areas—Boundary descriptions—Moose units.**

**Moose Unit 1 Selkirk Mountains:**

Permit Area: GMU 113.

**Moose Unit 2 Mt. Spokane:**

Permit Area: GMU 124.

**Moose Unit 3 (~~Chewelah~~) 49 Degrees North:**

Permit Area: GMU ((448)) 117.

~~((Moose Unit 4 Boyer:~~

~~Permit Area: GMU 119.))~~

**Moose Unit 5 (~~Alladin~~ ~~{Aladdin}~~) Three Forks:**

Permit Area: GMU ((444)) 109.

**Moose Unit 6 Hangman:**

Permit Area: GMUs 127 and 130.

**WSR 97-06-058  
PERMANENT RULES  
FISH AND WILDLIFE  
COMMISSION  
(Wildlife)**

[Order 97-44—Filed February 27, 1997, 3:37 p.m.]

Date of Adoption: December 7, 1996.

Purpose: To amend WAC 232-28-02250 Game management units (GMUs)—Special game areas—Boundary descriptions—Goat units.

Citation of Existing Rules Affected by this Order: Amending WAC 232-28-02250.

Statutory Authority for Adoption: RCW 77.12.040.

Adopted under notice filed as WSR 96-21-164 on October 23, 1996.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.  
December 30, 1996

Lisa Pelly  
for Mitchell S. Johnson  
Chairman

AMENDATORY SECTION (Amending WSR 96-04-027, filed 2/1/96, effective 3/3/96)

**WAC 232-28-02250 Game management units (GMUs)—Special game areas—Boundary descriptions—Goat units.**

**Goat Unit 2-1 Mount Chopaka:** Permit Area: Okanogan County within the following described boundary: Beginning where the Similkameen River crosses the Canadian boundary near Mt. Chopaka; then south down the Similkameen River and up Palmer Lake and Sinlahekin Creek to Toats Coulee Creek; then west up Toats Coulee Creek and north up the

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North Fork Toats Coulee Creek; then up Snowshoe Creek to Snowshoe Mountain; then north to the Canadian boundary; then east along the Canadian boundary to the Similkameen River and point of beginning; **EXCEPT CLOSED** in T39N, R25EWM, which includes Grandview Mountain.

**Goat Unit 2-2 Methow Area:** Permit Area: Okanogan County within the following described boundary: Beginning at the Town of Twisp, westerly along the Twisp River Road (County Road 4440) to Roads End; west up the Twisp Pass Trail 432 to Twisp Pass and the Okanogan County line; northerly along the Okanogan County line through Washington Pass to Harts Pass; southeast down Harts Pass (Road 5400) to Lost River; then along the Lost River-Mazama Road to Mazama; then southwest to State Highway 20; then southeasterly along State Highway 20 to Twisp and the point of beginning.

**Goat Unit 3-1 East Stevens Pass:** Permit Area: Chelan County within the following described boundary: Beginning at Stevens Pass; then north along the Cascades Summit to Cady Pass and the source of the Little Wenatchee River; then down the Little Wenatchee River, Lake Wenatchee and the Wenatchee River to U.S. Highway 2; then north and west along U.S. Highway 2 to Stevens Pass and point of beginning **EXCEPT** those lands within 1/2 mile of Alpine Lookout.

**Goat Unit 3-2 North Wenatchee Mountains:** Permit Area: Chelan County south of the Stevens Pass Highway, west of the Blewett Pass Highway, and north of Ingalls Creek, and Kittitas County north of the following described line: Beginning at Ingalls Peak; then down Fortune Creek to the Cle Elum River; then up the Cle Elum River to the Cascade Summit at Deception Pass.

**Goat Unit 3-3 Goat and Davis Mountains:** Permit Area: Kittitas County west of the Cle Elum River, north of the Waptus River, and east and south of Trail Creek Trail.

**Goat Unit 3-4 Snoqualmie:** Permit Area: Kittitas County within the following described boundary: Beginning at Snoqualmie Pass; then north along the Cascade Crest to Deception Pass and the headwaters of the Cle Elum River; then south along the Cle Elum River to the Trail Creek Trail 1322; then southwest along the Trail Creek Trail to the Waptus River Trail 1310; then southeast along the Waptus River Trail to the Cle Elum River at the Salmon la Sac campground; then south along the Cle Elum River to the Cooper Pass Road (USFS Road 4600); then west along the Cooper Pass Road, through Cooper Pass to the road end near the Kachess River; then south along the Kachess River and Kachess Lake to Interstate Highway 90; then west along Interstate Highway 90 to Snoqualmie Pass and point of beginning.

**Goat Unit 3-5 Cle Elum:** Permit Area: Kittitas and Chelan counties within the following described boundary: Beginning at the point where Interstate Highway 90 crosses the Cle Elum River; then north along the Cle Elum River to Fortune Creek; then east along Fortune Creek to Ingalls Peak and the headwaters of Ingalls Creek; then south and east along Ingalls Creek to U.S. Highway 97; then south along U.S. Highway 97 and State Highway 970 to Interstate 90 at Cle Elum; then west along Interstate 90 to the Cle Elum River and point of beginning.

**Goat Unit 3-6 Naches Pass:** Permit Area: Yakima and Kittitas counties within the following described boundary: Beginning at Chinook Pass; then north along the Pacific Crest Trail to Naches Pass; then east to USFS Road 19 and continuing to State Highway 410; then west along State Highway 410 to Chinook Pass and point of beginning.

**Goat Unit 3-7 Bumping River:** Permit Area: Yakima County within the following described boundary: Beginning at White Pass and the Pacific Crest Trail; then north to Forest Trail 980; then north to USFS Road 18; then north to State Highway 410; then east to State Highway 12; then west along State Highway 12 and back to point of beginning; **EXCEPT** Timberwolf Mountain, which is closed.

**Goat Unit 3-8 Bumping River:** Permit Area: Yakima County within the following described boundary: Beginning at White Pass and the Pacific Crest Trail; then north to Forest Trail 980; then north to USFS Road 18; then north to State Highway 410; then east to State Highway 12; then west along State Highway 12 and back to point of beginning; **EXCEPT** Timberwolf Mountain, which is closed.

**Goat Unit 3-9 Tieton River:** Permit Area: Yakima County within the following described boundary: Beginning at White Pass and Pacific Crest Trail; then south to the Yakima Indian Reservation Boundary; then east to USFS Jeep Trail 1137; then west to USFS Road 1070-578 Spur; then west to Road 1000; then north to USFS Road 12; then north to State Highway 12; then west on State Highway 12 to point of beginning.

**Goat Unit 3-10 Blazed Ridge:** Permit Area: Kittitas and Yakima counties within the following described boundary: Beginning at the mouth of Cabin Creek on the Yakima River; then west along Cabin Creek to the headwaters near Snowshoe Butte; then south along the Cascade Crest separating the Green and Yakima river drainage to Pyramid Peak; then southeast along the North Fork, Little Naches, and Naches River to the Yakima River; then north along the Yakima River to the mouth of Cabin Creek and point of beginning.

**Goat Unit 3-11 Kachess Ridge:** Permit Area: Kittitas County within the following described boundary: Beginning at the mouth of the Kachess River on the Yakima River; then north along the Kachess River and Kachess Lake to USFS Road 4600; then east on USFS Road 4600 to the Cle Elum River; then south along the Cle Elum River and Lake Cle Elum to the Yakima River; then northwest along the Yakima River to the mouth of the Kachess River and point of beginning.

**Goat Unit 4-1 Ruth Creek Area:** Permit Area: Whatcom County within the Mt. Baker Wilderness of the Mt. Baker-Snoqualmie National Forest north of the North Fork Nooksack River.

**Goat Unit 4-3 Chowder Ridge:** Permit Area: Whatcom County within the following described boundary: Beginning where Wells Creek intersects the North Fork Nooksack River; then up Wells Creek to Bar Creek; then southwest up Bar Creek to the Mazama Glacier; then continue southwest up Mazama Glacier to the summit of Mt. Baker; then northwest between Roosevelt Glacier and Coleman Glacier to Kulshan Cabin and the headwaters of Kulshan Creek and Grouse Creek to Smith Creek; then north down Smith Creek



to Glacier Creek; continue north down Glacier Creek to the North Fork Nooksack River; then east along the North Fork Nooksack River to Wells Creek and the point of beginning.

**Goat Unit 4-4 Lincoln Peak:** Permit Area: Whatcom County within the following described boundary: Beginning where Glacier Creek intersects with the Mt. Baker Highway (State Highway 547); then south up Glacier Creek to Smith Creek; then south up Smith Creek to Grouse Creek; then continue up Grouse Creek in a south direction to Kulshan Creek; then southeast up Kulshan Creek to Kulshan Cabin; then continue southeast between Roosevelt Glacier and Coleman Glacier to the summit of Mt. Baker; then south down Eastern Glacier to Baker Pass and the Baker Pass Trail 603 (5,000 ft.); then west along Baker Pass Trail 603 to the Ridley Creek Trail (690); then northwest on the Ridley Creek Trail to Ridley Creek; then down Ridley Creek to the Middle Fork Nooksack River; then west down the Middle Fork Nooksack River to the Mosquito Lake Road; then north on the Mosquito Lake Road to the Mt. Baker Highway (State Highway 542); then north and east on Mt. Baker Highway (State Highway 542) to Glacier Creek and the point of beginning.

**Goat Unit 4-6 Dillard Creek:** Permit Area: Whatcom County within the following described boundary: Beginning at the intersection of USFS Road 3725 and the Baker Lake Road (USFS Road 394); then west along USFS Road 3725 to Sulphur Creek; then northwest up Sulphur Creek to the Baker Pass Trail (603) to Baker Pass (5,000 ft. elevation); then northeast up Eastern Glacier to the summit of Mt. Baker; then southeast down Park Glacier to the headwaters of Park Creek; then continue southeast down Park Creek to the Baker Lake Road (USFS Road 394); then south along the Baker Lake Road (USFS Road 394) to USFS Road 3725 and the point of beginning.

**Goat Unit 4-7 Avalanche Gorge:** Permit Area: Whatcom County within the following described boundary: Beginning at the intersection of the Baker Lake Road (USFS Road 394) and Park Creek; then northwest up Park Creek to Park Glacier; then continue northwest up Park Glacier to the summit of Mt. Baker; then northeast down Mazama Glacier to the 6,500 ft. elevation; then east to the Portals; then continue east along the ridge line to Coleman Pinnacle; then northeast along the Camp Kiser Trail 683 (Ptarmigan Ridge) to the extreme southeast extension of Kulshan Ridge; then due east to the Lake Ann Trail 600; then east along the Lake Ann Trail 600 to the boundary of North Cascades National Park; then south and east along the park boundary to the Baker River and down the Baker River to the Baker Lake Road (USFS Road 394); then west along the Baker Lake Road (USFS Road 394) to Park Creek and the point of beginning.

**Goat Unit 4-8 East Ross Lake:** Permit Area: Whatcom County within the following described boundary: Beginning at the point the U.S.-Canada boundary meets the east boundary of North Cascades National Park; then south along the park boundary to Stetattle Creek; then south down Stetattle Creek to Gorge Lake; then southwest along Gorge Lake to State Highway 20; then east and north along State Highway 20 to Ross Dam; then north along the east shoreline of Ross Lake (Note: Exclude Ruby Arm) to Devil's Creek; then east up Devil's Creek to a tributary extending south to ridge line between Jerry Lakes and a pinnacle of

Jack Mountain (7,292 ft. elevation); continue south over this ridge line into the Crater Creek Basin and Crater Creek; then down Crater Creek to its confluence with Ruby Creek; then east up Ruby Creek to Granite Creek; then continue east up Granite to the Cascades Summit; then north along the Cascades Summit to the U.S.-Canada boundary; then west along the Canadian line to the east boundary of North Cascades National Park and the point of beginning. (Notice: Jack Mountain not included in Goat Unit 4-8, East Ross Lake. See description for Goat Unit 4-9, Jack Mountain.)

**Goat Unit 4-9 Jack Mountain:** Permit Area: Whatcom County within the following described boundary: Beginning at the confluence of Ruby Creek and Crater Creek; then north up Crater Creek to the ridge line between Jerry Lakes and a pinnacle of Jack Mountain (7,292 ft. elevation); continue due north to Devil's Creek; then west down Devil's Creek to Ross Lake; then south along the east shoreline of Ross Lake to Ruby Arm; then easterly up Ruby Arm and Ruby Creek to the confluence of Crater Creek and the point of beginning.

**Goat Unit 4-10 Majestic Mountain:** Permit Area: Whatcom and Skagit counties within the following described boundary: Beginning at the intersection of Pyramid Creek and State Highway 20; then south up Pyramid Creek to the North Cascades National Park Boundary; then east along the park boundary to the Cascades Summit; then north along the Cascades Summit to Granite Creek; then west down Granite Creek to Ruby Creek and Ruby Arm; then continue west along Ruby Arm to Ross Lake and Ross Dam; then southwest from Ross Dam to State Highway 20; then southwest and northwest along State Highway 20 to Pyramid Creek and the point of beginning.

**Goat Unit 4-12 Mt. Tommy Thompson:** Permit Area: Skagit County within the following described boundary: Beginning at the confluence of Illabot Creek on the Skagit River; then east up Illabot Creek to its headwaters; then continue east over the ridge line to the northernmost extension of Buck Creek; then north over the ridge line at 6,921 foot elevation to the southernmost extension of Muchler Creek; then northeast down Muchler Creek to Kindy Creek; then north down Kindy Creek to the Cascade River; then north and west down the Cascade River to the Skagit River; then west down the Skagit River to Illabot Creek and the point of beginning.

**Goat Unit 4-14 Mt. Buckindy:** Permit Area: Skagit and Snohomish counties within the following described boundary: Beginning at the confluence of Buck Creek on the Suiattle River; then east up the Suiattle River to Sulphur Creek; then continue east up Sulphur Creek to Dome Creek; then north to Sinister Mountain and the Cascades Summit; then north along the Cascades Summit to Mt. Formidable; continue north into the headwaters at the Middle Fork Cascade River; then west down the Middle Fork Cascade River to the main Cascade River; continue west along the Cascade River to Kindy Creek; then south up Kindy Creek to Muchler Creek; then southwest up Muchler Creek to its southernmost extension; then continue southwest over the ridgetop at 6,921 foot elevation to the northernmost extension of Buck Creek; then continue southwest down Buck Creek to the Suiattle River and the point of beginning.

**Goat Unit 4-16 Glacier Peak:** Permit Area: Snohomish County within the following described boundary: Beginning at Tenpeak Mountain on the Cascades Crest; then northeast to three lakes (approximately 1.75 miles northeast of Tenpeak Mountain); then north and west down the Suiattle River to Mill Creek; then up the Mill Creek Trail (790) and the Pacific Crest Trail (2000) to Mica Lake, Fire Creek Pass, and Glacier Creek; continuing down Glacier Creek to the White Chuck River; then up the White Chuck River to White Mountain at the Cascade Crest; then northeast along Cascade Crest to Tenpeak Mountain and the point of beginning.

**Goat Unit 4-18 Sauk River:** Permit Area: Snohomish County within the following described boundary: Beginning at the confluence of the Whitechuck River and Pugh Creek; then south up Pugh Creek to Round Lake; then south to USFS Trail 646; then west and south down this trail to the North Fork Sauk River; then east up said river to Sloan Creek; then up Sloan Creek to June Mountain; then due south to USFS Trail 1051; then east along said trail to the Pacific Crest Trail (2000); then north along the Pacific Crest Trail past White Mountain; then down the Whitechuck River to the confluence with Pugh Creek and the point of beginning.

**Goat Unit 4-21 Liberty Mountain:** Permit Area: Snohomish County within the following described boundary: Beginning at the Boulder River bridge on the Darrington-Arlington Highway (State Highway 530) to the town of Darrington; then south along the Darrington-Clear Creek Road (USFS Road 20) to the bridge over Clear Creek; then south up Clear Creek to the confluence with Helena Creek and southeast up Helena Creek to Windom Lake; then southeast over an unnamed ridge to Independence Lake and down USFS Trail 712 to intersection with USFS Road 4060; then south down said road to the South Fork Stillaguamish River; then west down said river to Canyon Creek; then northeast up Canyon Creek, North Fork Canyon Creek and Meadow Creek to Tupso Creek; then east up Tupso Creek to its easternmost point; then continue northeast to Boulder River; then north down Boulder River to the bridge on State Highway 530 and the point of beginning.

**Goat Unit 4-23 Twin Peaks:** Permit Area: Snohomish County within the following described boundary: Beginning at the intersection of Falls Creek and the Mt. Loop Highway (USFS Road 322); then west up Falls Creek and along USFS Trail 645 to USFS Road 4060; then south down said road to the Mountain Loop Highway (Forest Road 20); then east and north on said highway to Falls Creek and the point of beginning.

**Goat Unit 4-24 Sloan Peak:** Permit Area: Snohomish County with the following described boundary: Beginning at the confluence of the South Fork and the North Fork of the Sauk River; then east up to the North Fork Sauk River to Sloan Creek; then south and southeast up Sloan Creek to June Mountain; then due south to USFS Trail 1051; then southwest along said trail to USFS Road 63; then continue southwest on said road to Silver Creek; then north up Silver Creek to Silver Lake; then north on USFS Trail 708 to Glacier Creek; then west along said creek to the South Fork Sauk River; then north down the South Fork Sauk River to the confluence of the North Fork Sauk River and the point of beginning.

**Goat Unit 4-25 Vesper Peak:** Permit Area: Snohomish County within the following described boundary: Beginning at the Mountain Loop Highway bridge over Bear Creek (approximately three miles east of Verlot); then east up said highway to USFS Trail 707; then southwest on said trail (between Sperry Peak and Morning Star Peak) to the Sultan River; then west down said river and Spada Lake to Culmbäck Dam; then north up unnamed creek to the Pilchuck-Sultan divide; then northwest along said divide to Ritz Creek; then northeast down Ritz Creek to the Pilchuck River; then northwest down said river to Wilson Creek; then northwest up Wilson Creek to Ashland Lakes on the Pilchuck-Stillaguamish divide; then north down Black Creek and Bear Creek drainage to the Mountain Loop Highway bridge over Bear Creek and the point of beginning.

**Goat Unit 4-30 Tolt River:** Permit Area: King and Snohomish counties within the following described boundary: Beginning at the point the Tolt River intersects the Weyerhaeuser Mainline Truck Road (approximately one mile west of the Tolt River South Fork Reservoir); then north along said road to the junction with State Highway 2; then east along said highway to the junction with the South Fork Skykomish River; then east and south up said river to the confluence of Money Creek; then west up Money Creek to Lake Elizabeth; then west to the headwaters of the South Fork Tolt River near Lake Elizabeth; then west down the South Fork Tolt River to the point of beginning. Except closed: All of the Mount Index and Mount Persis as follows: Beginning at confluence of South Fork Skykomish River and Index Creek; then west up said creek and its northern fork to Ink Lake; then west up the ridge to the 4,915 elevation point; then southwest down the ridge (approximately one and one-half miles) to the confluence of Titicaed Creek and the North Fork Tolt River; then west along said river to the Weyerhaeuser Mainline Truck Road; then north along said road to State Highway 2; then east along said highway to where it intersects the South Fork Skykomish River; then east along said river to the point of beginning.

**Goat Unit 4-32 Foss River:** Permit Area: King and Snohomish counties within the following described boundary: Beginning at intersection of U.S. Highway 2 and the King County line at Stevens Pass; then south along the King County line to the headwaters of the Middle Fork Snoqualmie River near Dutch Miller Gap; then west and south down said river to the confluence with the Dingford Creek; then north and east up said creek to its headwaters intersection with USFS Trail 1005; then north up said trail to Little Myrtle Lake; then west and north to Marlene Lake (approximately 4 miles); then north down the stream outlet from Marlene Lake to the junction with USFS Trail 1002 near Dorothy Lake; then north along said trail to the junction with the East Fork Miller River headwaters; then north down said river to the confluence with the South Fork Skykomish River; then east up said river to the junction with U.S. Highway 2; then east along said highway to the point of beginning.

**Goat Unit 4-34 Pratt River:** Permit Area: King County within the following described boundary: Beginning at the point where the Weyerhaeuser Mainline Truck Road intersects the Middle Fork Snoqualmie River (near the confluence of the North Fork and Snoqualmie Rivers); then northeast up

the Middle Fork Snoqualmie to its headwaters near Dutch Miller Gap at the King County line; then south along the King County line to Snoqualmie Pass and the intersection with Interstate 90; then west along Interstate 90 to the point nearest the Middle Fork Snoqualmie River (approximately one mile east of North Bend); then north and east up the Middle Fork Snoqualmie River and to the point of beginning. Except closed: Snoqualmie Mountain and the watersheds of Denny Creek and South Fork of the Snoqualmie above Denny Creek.

**Goat Unit 4-38 Corral Pass:** Permit Area: Pierce County within the following described boundary: Beginning where Goat Creek intersects the Corral Pass Road; then southeast up Goat Creek to the Cascade Crest; then north along the Crest to USFS Trail 1188; then northwest along said trail to USFS Trail 1176; then north along said trail to Corral Pass; then west along Corral Pass Road to its intersection with Goat Creek and the point of beginning.

**Goat Unit 5-2 Tatoosh:** Permit Area: Lewis County within the following described boundary: Beginning at the junction of the southern Mount Rainier National Park Boundary and State Highway 123; then south along State Highway 123 to U.S. Highway 12; then southwest along said highway to Skate Creek Road (USFS Road 52); then northwest along said road to the junction of Morse Creek Road (old road to Longmire Campground); then north along said road to the Mount Rainier National Park Boundary; then east along the southern park boundary to the point of beginning.

**Goat Unit 5-3 Smith Creek:** Permit area: Lewis County within the following described boundary: Beginning at the Town of Randle; then east along U.S. Highway 12 to USFS Road 21; then southeast along USFS Road 21 to USFS Road 22; then northeast and northwest along USFS Road 22 to USFS Road 23; then east and northwest on USFS Road 23 to USFS Road 25; then north along USFS Road 25 to Randle and point of beginning.

**Goat Unit 5-4 Goat Rocks:** Permit Area: Lewis County south of the White Pass Highway (U.S. Highway 12) and east of the Johnson Creek Road (USFS Road 1302).

~~((Goat Unit 6-1 Elwha River: Permit Area: Clallam and Jefferson counties outside Olympic National Park and west of the Dungeness River.))~~

**Goat Unit 6-2 Quilcene River:** Permit Area: Clallam and Jefferson counties outside Olympic National Park, east of the Dungeness River and north of the Dosewallips River.

**Goat Unit 6-3 Hamma Hamma River:** Permit Area: Jefferson and Mason counties outside Olympic National Park and south of the Dosewallips River.

**WSR 97-06-059**  
**PERMANENT RULES**  
**FISH AND WILDLIFE**  
**COMMISSION**  
(Wildlife)

[Order 97-41—Filed February 27, 1997, 3:39 p.m.]

Date of Adoption: December 7, 1996.

**Purpose:** To amend WAC 232-28-02220 Game management units (GMUs)—Special game areas—Boundary descriptions—Elk area descriptions.

**Citation of Existing Rules Affected by this Order:** Amending WAC 232-28-02220.

**Statutory Authority for Adoption:** RCW 77.12.040.

Adopted under notice filed as WSR 96-21-161 on October 23, 1996.

**Changes Other than Editing from Proposed to Adopted Version:** The adopted version of WAC 232-28-02220 differs from the proposed version filed with the code reviser in the following specifics:

1. Elk Area 031 Shushuskin was amended on line 3 by replacing the word "north" with "west."

2. A new elk area was adopted as follows: Elk Area No. 064 Quinault Valley (Grays Harbor and Jefferson counties): That portion of GMU 638 (Quinault) beginning at the junction of Wright Canyon Road and South Shore Road; then north to the shoreline of Lake Quinault; then north along Lake Quinault to the Olympic National Park (ONP) boundary; then east along ONP boundary to its intersection with the South Shore Road and U.S. Forest Service boundary; then west along the U.S. Forest Service boundary to the Wright Canyon Road Junction with the South Shore Road and point of beginning.

**Number of Sections Adopted in Order to Comply with Federal Statute:** New 0, amended 0, repealed 0; **Federal Rules or Standards:** New 0, amended 0, repealed 0; or **Recently Enacted State Statutes:** New 0, amended 0, repealed 0.

**Number of Sections Adopted at Request of a Nongovernmental Entity:** New 0, amended 0, repealed 0.

**Number of Sections Adopted on the Agency's own Initiative:** New 0, amended 1, repealed 0.

**Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures:** New 0, amended 0, repealed 0.

**Number of Sections Adopted using Negotiated Rule Making:** New 0, amended 0, repealed 0; **Pilot Rule Making:** New 0, amended 0, repealed 0; or **Other Alternative Rule Making:** New 0, amended 0, repealed 0.

**Effective Date of Rule:** Thirty-one days after filing.

December 30, 1996

Lisa Pelly

for Mitchell S. Johnson  
Chairman

AMENDATORY SECTION (Amending WSR 96-04-027, filed 2/1/96, effective 3/3/96)

**WAC 232-28-02220 Game management units (GMUs)—Special game areas—Boundary descriptions—Elk area descriptions.**

**Elk Area No. 001 Trinidad (Grant, Douglas, Okanogan, Adams and Franklin counties):** All of Douglas, Grant, Okanogan, Adams, and Franklin counties except closed in the corridor described as follows: Beginning at East Wenatchee and Highway 28 and proceeding along Highway 28 to Road "U" N.W. in Grant County; then south on Road "U" N.W. to Road "9" N.W.; then west on Road "9" N.W. to Ancient Lake Road; then south on the Ancient Lake Road to the northwest corner of Section 8, T19N, R23E W.M. (yellow cattle guard); then west to midstream of the Colum-

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bia River; then north up midstream of the Columbia River to East Wenatchee and the point of beginning. ~~((See official road map of Douglas and Grant counties))~~

**Elk Area No. 002 Caribou (Kittitas County):** Beginning at the Highline Canal; then north along the Reecer Creek Road and USFS 35 Road to the junction at the USFS 3517 Road; then east and south along USFS 3517 Road and Lillard Hill Road to the Bonneville Powerlines; then east along the Bonneville Powerlines to the Colockum Pass-Brushy Road (cattle guard); then east along the Brushy Road to the Crossover Road; then south along the Crossover Road to the Perkins/Caribou junction; then east along the Perkins Road to the Beacon Ridge Road; then south along the Beacon Ridge Road to the Old Vantage Highway; then south along a county service road to Interstate 90; then west along Interstate 90 to the Highline Canal near the Stevens Road; then northwest along the Highline Canal to the point of beginning. ~~((See Department of Fish and Wildlife map))~~

**Elk Area No. 003 Kingsbury (Chelan and Kittitas counties):** That portion of GMU 314 which lies east of the Stemilt Creek, Stemilt Creek Road, Stemilt Hill Road, Stemilt Loop Road and Jump Off Ridge Road. ~~((See Washington Atlas & Gazetteer))~~

**Elk Area No. 004 Wenatchee (Chelan, Kittitas and Okanogan counties):** GMUs 300, 304, 306, 308, 316, that portion of 302 which lies in Chelan County; and that portion of 314 which lies west of the following boundaries: Beginning at the mouth of the Stemilt Creek at the Columbia River, south up Stemilt Creek to the Stemilt Creek Road to the Stemilt Hill Road; then east and south along the Stemilt Hill Road to the Stemilt Loop Road; then east along the Jump Off Road to the Jump Off Ridge Road (Bonneville Powerlines); then south along the Jump Off Ridge Road to the Naneum Ridge Road. ~~((See Washington Atlas & Gazetteer))~~

**Elk Area No. 010 South Spokane (Spokane County) the following portion of game management units 127 and 130:** Beginning at Tyler near the junction of Tyler Road (State Highway 904) and I-90; then northeast along I-90 to the Idaho state line; then south along the Washington-Idaho line to Elder Road; then west along Elder Road to Hangman Creek; then north along Hangman Creek to State Highway 195 at Hatch Road; then south along State Highway 195 to the Cheney Spangle Road; then west along the Cheney Spangle Road to Cheney; then west along Tyler Road (State Highway 904) to the point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**Elk Area No. 025 Backbone (Lewis County):** Beginning at State Highway No. 12 at the Pacific Crest Trail; then northwest and southwest along State Highway No. 12 to Coal Creek in Section 1, T13N, R9 E.W.M.; then north along the range line between Ranges 9 and 10 E.W.M., across the Cowlitz River to the Gifford Pinchot National Forest Boundary in the N.E. corner of Section 1, T13N, R9 E.W.M.; then southwest along the National Forest Boundary to the Skate Creek Road (first contact) in Section 9, T13N, R9 E.W.M.; then northwest along the Skate Creek Road to the mouth of Horse Creek and the south boundary of Mt. Rainier National Park; then east along the south park boundary to the Pacific Crest Trail; then south along the

Pacific Crest Trail to State Highway 12 and the point of beginning. ~~((See Gifford Pinchot National Forest map))~~

**Elk Area No. 029 Toledo (Lewis and Cowlitz counties):** Beginning at Interstate 5 and State Highway 505 junction; then east along State Highway 505 through the City of Toledo to the Layton Road; then north along the Layton Road to the Evans Road; then east along the Evans Road to the Weyerhaeuser 1800 line to the Weyerhaeuser 1890 line to State Highway 504; then west along State Highway 504 to the Tower Road; then west on Tower Road to the junction of Tower Road and State Highway 504; then west on State Highway 504 to Interstate 5; then north on Interstate 5 to the junction with State Highway 505 and point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**Elk Area No. 030 Reecer Creek (Kittitas County):** Beginning at the Highline Canal; then north along the Reecer Creek Road and USFS 35 Road to the junction of the USFS 3517 Road; then east and south along the USFS 3517 Road and Lillard Hill Road to the Wilson Creek Road to the Highline Canal; then west along the Highline Canal to the point of beginning. ~~((See Wenatchee National Forest map))~~

**Elk Area No. 031 Shushuskin (Kittitas County):** Beginning at Umtanum Road and the Yakima River; then west along Umtanum Road to Manastash Road; then ~~((north))~~ west on Manastash Road to Cove Road; then south and west on Cove Road to Hanson Road and Umtanum Creek; then east (downstream) along Umtanum Creek to the Yakima River; then north (upstream) along the Yakima River to the point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**Elk Area No. 032 Malaga (Kittitas and Chelan counties):** Beginning at the power line on the Columbia River (approximately 3/4 mile downstream from Colockum Creek); then west and south along the Powerline Road to the intersection with the North Fork Tarpiscan Creek Road (Section 9, T20N, R21E); then north and west along North Fork of Tarpiscan Creek Road to Colockum Pass Road (Section 9, T20N, R21E); then south and west on Colockum Pass Road to section line between Sections 8 and 9 as well as Sections 4 and 5 (T20N, R21E) and Sections 32 and 33 (T21N, R21E); to Mose Carr Road; then west and north on Mose Carr Road to Jump Off Road; then south and west on Jump Off Road to Shaller Road; then north and west on Shaller Road to Upper Basin Loop Road; then north and west on Upper Basin Loop Road to Wheeler Ridge Road; then north on Wheeler Ridge Road to the Basin Loop Road (pavement) in Section 10 (T21N, R20E); then north on the Basin Loop Road to Wenatchee Heights Road; then west on Wenatchee Heights Road to Squilchuck Road; then south on Squilchuck Road to Beehive Road (USFS Road 9712); then northwest on Beehive Road to USFS Road 7100 near Beehive Reservoir; then north and west on USFS Road 7100 to Peavine Canyon Road (USFS Road 7101); then north and east on Peavine Canyon Road to Number Two Canyon Road; then north on Number Two Canyon Road to Crawford Street in Wenatchee; then east on Crawford Street to the Columbia River; then south and east along the Columbia River to the powerline south of Colockum Creek and point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**Elk Area No. 033 Peshastin (Chelan County):** Beginning at Crawford Street and the Columbia River in Wenatchee;

then west on Crawford Street and Number Two Canyon Road to USFS 7101 Road (Peavine Canyon); then west on USFS 7101 Road to Mission Creek Road; then north on Mission Creek Road to USFS 7104 Road (Sand Creek); then west on USFS 7104 Road (Sand Creek) to Camas Creek; then west up Camas Creek to where Camas Creek crosses USFS 7200 Road, T22N, R18E, Section 4; then north along USFS 7200 Road to U.S. Highway 97; then north on U.S. Highway 97 to USFS 7300 Road (Mountain Home Road); then north on the USFS 7300 Road to the Wenatchee River at Leavenworth; then down the Wenatchee River and Columbia River to the point of beginning. (~~See Washington Atlas & Gazetteer~~)

**Elk Area No. 034 Parke Creek (Kittitas County):** Beginning at the Highline Canal on Parke Creek Road; then north to the BPA Powerlines; then west along BPA Powerlines (through Sections 22, 16, 8, 5, and 6) to the Cook Canyon Road; then north on Cook Canyon Road to Bonneville Powerlines (Section 19); then west along Bonneville Powerlines to Wilson Creek Road; then south on the Wilson Creek Road to the Highline Canal; then southeast along the Highline Canal to point of beginning. (~~See Department of Fish and Wildlife map~~)

**Elk Area No. 035 Brushy (Kittitas County):** (~~Beginning at the mouth of Brushy Creek on the Columbia River; then west up Brushy Creek to Road 14; then north on Road 14 to the top of the hill in Section 13, T19N, R21E; then northeast to the end of the open road in Tekison Creek (Section 6, T19N, R21E); then east along Tekison Road and Tekison Creek to the Columbia River; then south along the Columbia River to Brushy Creek and point of beginning. (See Washington Atlas & Gazetteer)~~) Beginning at the mouth of Brushy Creek on the Columbia River; west up Brushy Creek to Road 14 to the top of the hill in Section 13, T19N, R21E; west on the old Brushy Road (Rd. 13.25) to the junction of the Crossover Road (Rd. 13); northeast on the Crossover Road to the Brewton Road (Rd. 11); east on the Brewton Road to Road 14; east on Road 14 to Road 14.14; east on Road 14.14 to the stock fence; northeast along the stock fence to the Cape Horn Cliffs; southeast along the cliffs to Road 14.14; to Road 14.17; to Road 14; to Tekison Creek down Tekison Creek to the Columbia River and down the Columbia River to the point of beginning.

**Elk Area No. 039 Backbone (Lewis County):** Legal description same as Elk Area No. 025 (Backbone). (~~See Gifford Pinchot National Forest map~~)

**Elk Area No. 050 Curtis (Lewis County):** Beginning at the Boistfort Road, State Highway 6 intersection; then west to the Mauerman Road; then west and southwest on the Mauerman Road to the Pe Ell/McDonald Road; then south and east on the Pe Ell/McDonald Road to the Lost Valley Road; then south and southeast on the Lost Valley Road to the Boistfort Road; then east and north along the Boistfort Road to State Highway 6 and point of beginning. (~~See Washington Atlas & Gazetteer~~)

**Elk Area No. 051 Doty (Lewis and Pacific counties):** Beginning on State Highway 6 at the Town of Adna; then west on Highway 6 to Stevens Road; then northwest on Stevens Road to Elk Creek Road (Doty); then west on Elk Creek Road to the 7000 Road; then west on the 7000 Road to the 7800 Road; then west on the 7800 Road to the 720

Road; then northeast on the 720 Road to Garrard Creek Road, east on Garrard Creek Road to Manners Road; then south on Manners Road to Lincoln Creek Road; then east along Lincoln Creek Road to Ingalls Road; then south and east on Ingalls and Bunker Creek Roads to the Town of Adna and point of beginning. (~~See Washington Atlas & Gazetteer~~)

**Elk Area No. 052 Mayfield (Lewis County):** Beginning at the junction of Highway 12 and the Winston Creek Road; then southeast and north along the Winston Creek Road, Longbell, Perkins, Green Mountain roads to Riffe Lake; then west and northwest along the shoreline of Riffe Lake to the Cowlitz River; then west along the Cowlitz River to Highway 12; then west along Highway 12 to the Winston Creek Road and the point of beginning. (~~See Washington Atlas & Gazetteer~~)

**Elk Area No. 053 Randle (Lewis County):** Beginning at State Highway 12 and the Cispus Road in the Town of Randle; then east along Highway 12 to the Bennett Road approximately one mile east of Cora Bridge; then west on Bennett and Cline Roads to the Cispus Road; then north on said road to the Town of Randle and the point of beginning. (~~See Gifford Pinchot National Forest map~~)

**Elk Area No. 054 Boistfort (Lewis County):** Beginning at the Town of Vader; then west along State Highway 506 to the Wildwood Road; then north along the Wildwood Road to the Abernathy 500 line gate (Section 20, T11N, R3W, Willamette Meridian); then northwest along the 500, 540, and 560 lines to the Weyerhaeuser 813 line; then northwest along the 813, 812, 5000J, 5000 and 4000 lines to the Pe Ell/McDonald Road (Section 15, T12N, R4W); then west along the Pe Ell/McDonald Road to the Lost Valley Road; then northeast along the Lost Valley Road to the Boistfort Road; then north along the Boistfort Road to the King Road; then east along the King Road to the town of Winlock and State Highway 603; then south along Highway 603 to the Winlock/Vader Road; then south along said road to the Town of Vader and the point of beginning. (~~See Washington Atlas & Gazetteer~~)

**Elk Area No. 055 East Valley (Wahkiakum County):** Within one mile on either side of the line beginning at Wilson Creek Park on East Valley Road; then west on East Valley Road to the junction with Middle Valley Road (4.5 miles); then north along Middle Valley Road to the junction of Oat Field Road (2.5 miles). (~~See Washington Atlas & Gazetteer~~)

**Elk Area No. 057 Carlton (Lewis County):** That part of (~~GMU 514 (Tatoosh)~~) 513 (South Rainier) lying east of Highway 123 and north of Highway 12. (~~See Gifford Pinchot National Forest map~~)

**Elk Area No. 058 West Goat Rocks (Lewis County):** Goat Rocks Wilderness west of the Pacific Crest Trail. (~~See Gifford Pinchot National Forest map~~)

**Elk Area No. 059 Mt. Adams Wilderness (Skamania and Yakima counties):** The Mt. Adams Wilderness. (~~See Gifford Pinchot National Forest map~~)

**Elk Area No. 061 Mt. Tebo (Mason County):** Beginning at the junction of the North Fork and South Fork of the Skokomish River; then northwest along the South Fork to the boundary of Olympic National Park; then east along the

National Park boundary to the North Fork of the Skokomish River; then southeast down the North Fork of the Skokomish River through Lake Cushman; then south down the North Fork of the Skokomish River to the South Fork of the Skokomish River and the point of beginning. ((~~See Olympic National Forest map and Washington Atlas & Gazetteer~~))

**Elk Area No. 063 South Elma (Grays Harbor County):** That portion of GMU 660 (Minot Peak) described as follows: Beginning at Highway 12 and Wakefield Road Junction (South Elma); south on Wakefield Road, across the Chehalis River to the South Bank Road; then southeast on the South Bank Road to the Delezene Road; then south on the Delezene Road to the K Line Road to the A Line Road; then south on the A Line Road to the T Line Road; then south on the T Line Road to the Oakville-Brooklyn Road; then east on the Oakville-Brooklyn Road to Oakville and Highway 12; then northwest on Highway 12 to Wakefield Road to Elma and the point of beginning. ((~~Contact Montesano Office for map of the area~~))

**Elk Area No. 062 South Bank (Grays Harbor County):** That portion of GMU 660 (Minot Peak) described as follows: Beginning at Highway 12 and Wakefield Road Junction (South Elma); south on Wakefield Road, across the Chehalis River to the South Bank Road; then southeast on the South Bank Road to Delezene Road; then south on the Delezene Road to a point one mile from the South Bank Road; then southeast along a line one mile southwest of the South Bank Road to the Oakville-Brooklyn Road; then east on the Oakville-Brooklyn Road to Oakville and Highway 12; then northwest on Highway 12 to Wakefield Road to Elma and the point of beginning. ((~~Contact Montesano Office for map of area~~))

**Elk Area No. 064 Quinault Valley (Grays Harbor and Jefferson counties):** That portion of GMU 638 (Quinault) beginning at the junction of Wright Canyon Road and South Shore Road; then north to the shoreline of Lake Quinault; then north along Lake Quinault to the Olympic National Park (ONP) boundary; then east along ONP boundary to its intersection with the South Shore Road and U.S. Forest Service boundary; then west along the U.S. Forest Service boundary to the Wright Canyon Road Junction with the South Shore Road and point of beginning.

**Elk Area No. 065 Willapa Valley (Pacific County):** That part of Pacific County within two miles of State Highway 6 between Menlo and the easternmost junction of Elk Prairie Road and State Highway 6. ((~~See Washington Atlas & Gazetteer~~))

**Elk Area No. 066 Twin Valley (Grays Harbor County):** Beginning in the City of Hoquiam at the junction of U.S. Highway 101 and the East Hoquiam Road; then north on the East Hoquiam Road to its junction with the East Hoquiam-Wishkah Cutoff Road in Section 21, T19N, R9 W.W.M.; then east on the East Hoquiam-Wishkah Cutoff Road to its junction with the Wishkah Road; then south on the Wishkah Road to its junction with the Wishkah-Wynoochee Crossover Road in Section 35, T19N, R9 W.W.M.; then east on the Wishkah-Wynoochee Crossover Road to its junction with the Donovan Corkery A line; then north on the A line to its junction with the A 2200; then east on the A 2200 Road to its junction with the A 2210; then south on the A 2210 Road

to a point crossed by the township line between T20N and R19N; then east on the township line to its junction with the Wynoochee River Road; then south along the Wynoochee River Road to U.S. Highway No. 12; then west along U.S. Highway 12 to its junction with U.S. Highway No. 101 in the City of Aberdeen; then west on U.S. Highway 101 to the City of Hoquiam and junction with the East Hoquiam Road and the point of beginning. ((~~See Weyerhaeuser Clemons Tree Farm Hunting map~~))

**Elk Area No. 067 South Willapa (Pacific County):** Beginning in the City of South Bend at the junction of U.S. Highway 101 and the Skidmore Slough C-line; then south on the Skidmore Slough C-line to its junction with the B-line in Sec. 11, T13N, R9 W.W.M.; then southeast on the B-line to its junction with the A-line in Sec. 18, T13N, R8 W.W.M.; then east and north on the A-line to its junction with the South Fork Willapa Road; then east along the South Fork Willapa Road to State Highway No. 6, Sec. 10, T13N, R8 W.W.M.; then northwest on State Highway No. 6 to its junction with U.S. Highway 101; then southwest on U.S. Highway 101 to its junction with the Skidmore Slough C-line and the point of beginning. ((~~See Forest Protection map "Willapa Hills"~~))

**Elk Area No. 069 Chinook (Pacific County):** Beginning at the junction of U.S. Highway 101 and Lingenfelter Road west of the town of Chinook; then northwest on Prest Road to its junction with Chinook Valley Road; then west on Chinook Valley Road to its intersection with the east branch of the Wallacut River; then north along the Wallacut River to its intersection with Highway 101; then west on Highway 101 to the junction of Highway 101 alternate; then south on Highway 101 alternate to Highway 101; then east on Highway 101 to Prest Road and the point of beginning. ((~~See Washington Atlas & Gazetteer and Forest Protection Hunting map "Willapa Hills"~~))

**WSR 97-06-060  
PERMANENT RULES  
FISH AND WILDLIFE  
COMMISSION  
(Wildlife)**

[Order 97-43—Filed February 27, 1997, 3:41 p.m.]

Date of Adoption: December 7, 1996.

Purpose: To amend WAC 232-28-02240 Game management units (GMUs)—Special game areas—Boundary descriptions—Muzzleloader area descriptions.

Citation of Existing Rules Affected by this Order: Amending WAC 232-28-02240.

Statutory Authority for Adoption: RCW 77.12.040.

Adopted under notice filed as WSR 96-21-163 on October 23, 1996.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-28-02240 differs from the proposed version filed with the code reviser in the following specifics:

1. Muzzleloader Area No. 926 Guemes (Skagit County) was amended as follows: That part of GMU ((~~405 (Chuckanut)~~) 407 (North Sound)) on Guemes Island.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or

Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.  
December 30, 1996

Lisa Pelly  
for Mitchell S. Johnson  
Chairman

**AMENDATORY SECTION** (Amending WSR 96-04-027, filed 2/1/96, effective 3/3/96)

**WAC 232-28-02240 Game management units (GMUs)—Special game areas—Boundary descriptions—Muzzleloader area descriptions.**

**Muzzleloader Area No. 908 Acme (Whatcom County):** Same as Bow Area No. 808. (~~See Washington Atlas & Gazetteer~~)

**Muzzleloader Area No. 910 Cle Elum (Kittitas County):** Beginning at Easton; then southeast along the main BPA Powerlines to Big Creek; then west and south on the Big Creek Trail to its junction with USFS Road 4517; then east on USFS Road 4517 to its junction with Spur Road 117 (at the powerlines); then to Granite Creek Trail 1326; then south on Granite Creek Trail 1326 to the top of South Cle Elum Ridge; then east along the ridge on Granite Creek Trail 1326 to Spur Road 111; then east on Road 111 to the Peoh Point Road (3350); then southeast on Road 3350 to the junction with Road 3352; then east on Road 3352 to the Cedar Creek Road; then south on the Cedar Creek Road to the Morrison Canyon Road; then southeast on the Morrison Canyon Road to Interstate Highway 90; then east on I-90 to Exit 106 and junction with U.S. Highway 97; then north on U.S. Highway 97 to Hungary Junction Road and east on Hungary Junction Road to Look Road; then south on Look Road to Brick Mill Road; then east on Brick Mill Road to Venture Road to Lyons Road; then east on Lyons Road to Fox Road; then south on Fox Road to Christensen Road; then east on Christensen Road to Parke Creek Road; then east and north on Parke Creek Road to the BPA powerlines (Section 22, T18N, R20E) north of Parke Creek Group Home; then northwest along BPA Powerlines to Colockum Pass Road; then north on the Colockum Pass Road to upper powerlines (Section 16, T19N, R20E); then west along BPA powerlines to the Wilson Creek Road; then north on Wilson Creek Road to the Lillard Hill Road; northwest on Lillard Hill Road to USFS Road 3517; then northwest on USFS Road 3517 to the Reecer Creek Road, USFS Road 35; then south on USFS Road 35 to USFS Road 3507 and then northwest on USFS Road 3507 to Spur Road 120 (Snowshoe Ridge Road); then west on Spur Road 120 (Snowshoe Ridge Road) to Spur Road 114; then north and south on Spur Road 114 to Spur Road 116; then north on Spur Road 116 to USFS Road 9718

(Cougar Gulch Road); then southwest on USFS Road 9718 through the town of Liberty to U.S. Highway 97; then north on U.S. Highway 97 to USFS Road 9738, Blue Creek; then west on USFS Road 9738 to USFS Road 9702 Dickey Creek; then west on USFS Road 9702 to the North Teanaway Road; then south to the junction with Middle Fork Teanaway Road; then west on Middle Fork Road 1/4 mile to Teanaway Campground; then south up #17 Canyon Road to Cle Elum Ridge Road; then west along Cle Elum Ridge Road and south to the bottom of #5 Canyon Road; then south to Highway 903 and Bullfrog Road (Sportland Mini-Mart); then south on Bullfrog Road to Interstate Highway 90; then west on Interstate Highway 90 to Easton and point of beginning. (~~See Wenatchee National Forest map and Washington Atlas & Gazetteer~~)

**Muzzleloader Area No. 921 Baleville (Pacific County):** Beginning at the junction of the Hammond Road and U.S. Highway 105; then north on the Hammond Road to the radio towers; continue north on the D 2100 line to its junction with the D-line; then northwest along the D-line (also known as the Rayonier 2720) to its junction with the Rayonier 2700 line; then southwest on the Rayonier 2700 line to its junction with Highway 105; then east on Highway 105 to the Hammond Road and point of beginning. (~~See Washington Atlas & Gazetteer~~)

**Muzzleloader Area No. 925 Ritzville (Adams County):** Beginning at the junction of Interstate 90 and S.R. 261 near the Town of Ritzville; then south along S.R. 261 to S.R. 26; then east on S.R. 26 to the Whitman County line; then north along the Adams, Whitman County line to where it intersects the Lincoln, Adams County line; then north along the Adams, Lincoln County line to Interstate 90; then west along Interstate 90 to point of beginning. (~~See Washington Atlas & Gazetteer~~)

**Muzzleloader Area No. 926 Guemes (Skagit County):** That part of GMU (~~405 (Chuckanut)~~) 407 (North Sound) on Guemes Island.

**Muzzleloader Area No. 940 Coal Creek (Skagit County):** Beginning at the point where State Highway 20 crosses Childs Creek approximately one mile west of Lyman; then north up said creek to Crown Pacific 110 Road; then west along said road to Crown Pacific 130 Road; then west along said road to Crown Pacific 132 Road; then continue west along said road to where it crosses Hanson Creek; then south down Hanson Creek to State Highway 20 to Childs Creek and point of beginning.

**Muzzleloader Area No. 944 Clemen (Yakima County):** That portion of GMU 342 beginning at the junction of Highway 410 and USFS Road 1701 (Big Bald Mountain Road); then north to USFS Road 1712; then east on USFS Road 1712 (Clemen Ridge Road) to the east edge of Meyster Canyon; then along the east side of Meyster Canyon to the elk fence; then west along the elk fence to Waterworks Canyon and Highway 410 and to point of beginning. (~~See Wenatchee National Forest map~~)

**Muzzleloader Area No. 950 Toutle Mountain (Cowlitz County):** Beginning at the confluence of the South Fork Toutle River and the North Fork Toutle River; then up the South Fork Toutle River to Johnson Creek; then up Johnson Creek to the Weyerhaeuser Company 4400 Road; then northeast on the 440 Road to the 2421 Road; then north to

the 2400 Road; then east on the 2400 Road to Alder Creek; then north down Alder Creek to the North Fork Toutle River; then west down the North Fork Toutle River to the confluence with the South Fork Toutle River and point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**Muzzleloader Area No. 961 Hoko River (Clallam County):** Within one mile of the Hoko County Road between Highway 112 and the Olympic National Park Boundary near Lake Ozette. ~~((See Olympic National Forest map))~~

**Muzzleloader Area No. 962 Elwha (Clallam County):** Beginning at the U.S. Highway 101 Bridge on the Elwha River; then south on the Elwha River to the Olympic National Park Boundary; then along Olympic National Park Boundary to the section line between Sections 32 and 33 of T30N, R7 W.W.M.; then north on the section lines to U.S. Highway 101; then east on U.S. Highway 101 to Elwha River and point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**Muzzleloader Area No. 963 Quinault Valley (Grays Harbor and Jefferson counties):** That portion of GMU 638 (Quinault) beginning at the junction of Wright Canyon Road and South Shore Road; then north to the shoreline of Lake Quinault; then north along Lake Quinault to the Olympic National Park (ONP) boundary; then east along ONP boundary to its intersection with the South Shore Road and U.S. Forest Service boundary; then west along the U.S. Forest Service boundary to the Wright Canyon Road Junction with the South Shore Road and point of beginning.)

**WSR 97-06-061  
PERMANENT RULES  
FISH AND WILDLIFE  
COMMISSION  
(Wildlife)**

[Order 97-42—Filed February 27, 1997, 3:42 p.m.]

Date of Adoption: December 7, 1996.

Purpose: To amend WAC 232-28-02230 Game management units (GMUs)—Special game areas—Boundary descriptions—Bow and arrow area descriptions.

Citation of Existing Rules Affected by this Order: Amending WAC 232-28-02230.

Statutory Authority for Adoption: RCW 77.12.040.

Adopted under notice filed as WSR 96-21-162 on October 23, 1996.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-28-02230 differs from the proposed version filed with the code reviser in the following specifics:

1. The first 4 lines of Bow Area No. 806 Rattlesnake in Yakima County was amended as follows: Beginning at the ~~((point where))~~ junction of USFS Road 1500 and USFS Road 1501; southwest on USFS 1501 to USFS Trail 1102; ((crosses Little Rattlesnake Creek, near Hanging Tree Campground, then)) southwest on USFS Trail 1102 ((up Little Rattlesnake Creek)) to USFS Road 1500; . . .

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or

Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

December 30, 1996

Lisa Pelly

for Mitchell S. Johnson  
Chairman

**AMENDATORY SECTION** (Amending Order 647, filed 5/10/94, effective 6/10/94)

**WAC 232-28-02230 Game management units (GMUs)—Special game areas—Boundary descriptions—Bow and arrow area descriptions.**

**Bow Area No. 802 Long Island (Pacific County):** Long Island in Pacific County. ~~((See Washington Atlas & Gazetteer))~~

**Bow Area No. 806 Rattlesnake (Yakima County):** Beginning at the ~~((point where))~~ junction of USFS Road 1500 ((crosses Little Rattlesnake Creek, near Hanging Tree Campground, then)) and USFS Road 1501; southwest on USFS 1501 to USFS Trail 1102; southwest ((up Little Rattlesnake Creek)) on USFS Trail 1102 to USFS Road 1500; then north along Road 1500 to USFS Trail 1101 (MJB Trail); then northwest along MJB Trail to USFS Trail 1114; then north along USFS Trail 1114 to USFS Trail 981; then west along Trail 981 to USFS Trail 982; then northeast along USFS Trail 982 to USFS Trail 973; then northwest along USFS Trail 973 to the North Fork of Rattlesnake Creek; then down the North Fork to the junction with South Fork of Rattlesnake Creek; then up the South Fork to USFS Road 1502; then east on USFS Road 1502 to USFS Road 1500; then east on USFS Road 1500 to Little Rattlesnake Creek and the point of beginning. ~~((See Wenatchee National Forest map))~~

**Bow Area No. 807 Ahtanum (Yakima County):** That part of GMU 368 which lies west of the following boundary; beginning at the junction of the North and South fork of Ahtanum Creek; then northwest up North Fork of Ahtanum Creek to Nasty Creek; then north up Nasty Creek to the Nasty Creek-Cowiche Road (DNR Road C1050); then north on DNR Road C1050 to South Fork of Cowiche Creek; then east down South Fork Cowiche Creek to the power line which crosses near the mouth of Reynolds Creek; then northwest along the powerline to Jump Off (USFS Road 1302). Except closed east of a north south line drawn between the South Fork and North Fork of Ahtanum Creek two miles west of the Tampico Store. ~~((See Wenatchee National Forest map))~~

**Bow Area No. 808 Acme (Whatcom County):** Beginning at the Town of Acme; then north on Highway 9 to the



junction of the Strand Road; then east on the Strand Road and over the Van Zandt Dike following the south boundaries of Sections 21, 22 and 23 of T38N, R5E to the Mosquito Lake Road; then south along the Mosquito Lake Road to the Blue Mountain Road; then east to Peterson Creek and the Musto Marsh Road; then south to Skookum Creek; then west along Skookum Creek to the South Fork Nooksack River; then continue west along the South Fork Nooksack River to the mouth of Christy Creek; then south along Christy Creek to its source; then west to Ennis Creek; then west along Ennis Creek to the Ennis Creek Road; then west along Ennis Creek Road to the Wickersham Road; then west along the Wickersham Road to Highway 9; then north along Highway 9 to Acme and the point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**Bow Area No. 820 Malott (Okanogan County):** Beginning at the Town of Riverside; then south down the Okanogan River to U.S. Highway 97 bridge at mouth of river; then west on U.S. Highway 97 through the Town of Brewster to the Indian Dan Canyon Road; then north to Paradise Hill Road; then east and south along the Paradise Hill Road to the Hanford Cutoff; then west on Hanford Cutoff to the North Star Road; then north on North Star Road to junction with Chiliwist Road then east on Chiliwist Road to junction with Olema/Cook Mt. Road; then north on Olema/Cook Mt. Road to its junction with Highway 20; then east on Highway 20 to the junction with Buzzard Lake Road; then north on Buzzard Lake Road to the junction with Windy Hill Road; then east on Windy Hill Road to its junction with Spring Coulee/Salmon Creek Road; then north on Spring Coulee/Salmon Creek Road to the junction with Green Lake Road; then north on Green Lake Road to the Conconully Highway then northwest on the Conconully Highway to the junction with the Riverside Cutoff Road; then northeast on the Riverside Cutoff Road to the town of Riverside and the Okanogan River and the point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**Bow Area No. 841 Skagit (Skagit County):** Beginning at the intersection of CP 190 Road and CP 132 Road (Section 28, T36N, R5E); then east along the CP 132 Road to the CP 130 Road; then east and south along the CP 130 Road; then west, south and east along the CP 110 Road to Childs Creek; then south down Childs Creek to SR 20; then east on SR 20 to Grandy Creek; then south down Grandy Creek to the Skagit River; then west down the main channel of the Skagit River to Hansen Creek; then north up Hansen Creek to SR 20; then east on SR 20 to the Helmick Road; then north on the Helmick Road to the CP 190 Road (Cokedale Road); then north along the CP 190 to the CP 132 Road and the point of beginning. ~~((See Washington Atlas & Gazetteer))~~

**WSR 97-06-064**  
**PERMANENT RULES**  
**DEPARTMENT OF LICENSING**  
 (Business and Professions Division)  
 [Filed February 27, 1997, 4:30 p.m.]

Date of Adoption: February 27, 1997.

Purpose: WAC 308-12-320 Renewal of licenses, was changed from a one-year renewal to a three-year renewal. This amendment would delete information that no longer applies to the rule. WAC 308-12-326 Architect fees, reflects

the change in renewal fees from a one-year renewal to the three-year renewal. It also removes any reference to specific division of the examination.

Citation of Existing Rules Affected by this Order: Amending WAC 308-12-320 Renewal of license and 308-12-326 Architect fees.

Statutory Authority for Adoption: RCW 18.03.350.

Adopted under notice filed as WSR 96-22-109 on November 6, 1996.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 2, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 2, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

February 27, 1997

Linda Bremer

Assistant Director

**AMENDATORY SECTION** (Amending WSR 90-17-097, filed 8/21/90, effective 9/21/90)

**WAC 308-12-320 Renewal of licenses.** (1) The license renewal date for architects shall be the architect's birth date. Licensees who fail to pay the license renewal fee within thirty days of license expiration date will be subject to the late payment penalty fee as set forth in RCW 18.08.-430 and WAC 308-12-326. Architects whose renewal fees are delinquent will be listed with the state building officials.

(2) ~~((Effective with the renewal period beginning January 1, 1991,))~~ The ~~((annual))~~ renewal period for architects ~~((will be changed to a three-year renewal period. Conversion to the three-year renewal system will be accomplished as follows:~~

(a) ~~Current licensees, whose birthdates are in the months of January, February, March or April, will be required to pay a fee equal to one years' renewal fee, or one-third of the current three-year renewal fee, in order to extend their licenses for a period of one year. Subsequent renewals for this group of licensed architects will be for a three-year period.~~

(b) ~~Current licensees, whose birthdates are in the months of May, June, July or August, will be required to pay a fee equal to two years' renewal fee, or two-thirds of the current three-year renewal fee, in order to extend their licenses for a period of two years. Subsequent renewals for this group of licensed architects will be for a three-year period.~~

(c) ~~Current licensees, whose birthdates are in the months of September, October, November or December, will be required to pay the current three-year renewal fee, in order to extend their licenses for a period of three years. Subsequent renewals for this group of licensed architects will be for a three-year period.)~~ is three years.

**WSR 97-06-065**  
**PERMANENT RULES**  
**DEPARTMENT OF LICENSING**  
 (Business and Professions Division)  
 [Filed February 27, 1997, 4:31 p.m.]

(3) ~~((Effective January 1, 1991, all new architect licenses, initial or reciprocity, will be issued for a three-year period, with subsequent renewals for a three-year period.~~

~~(4) Following completion of the conversion to a three-year renewal period, licensees will renew every three years on their date of birth.~~

~~(5)) Assessment of delinquent fees will be based on the number of years delinquent multiplied by one-third of the three-year renewal fee or the fee for one year. Penalty fees are one-third of the three-year renewal fee or equal to the fee for one year multiplied by the number of years delinquent.~~

AMENDATORY SECTION (Amending WSR 91-13-055, filed 6/14/91, effective 7/15/91)

**WAC 308-12-326 Architect fees.** The following fees shall be charged by the ~~((professional licensing))~~ business and professions division of the department of licensing:

Title of Fee	Fee
<u>Examination application</u>	\$100.00
<del>((Examination (initial or retake full)</del>	<del>345.00</del>
<del>Reexamination</del>	<del>45.00))</del>
<u>Reciprocity application</u>	<u>350.00</u>
Initial registration <del>((effective January 1, 1991))</del>	135.00
Oral examination	50.00
Registration renewal <del>((</del>	
<del>January-April, 1991 (1 year)</del>	<del>45.00</del>
<del>May-August, 1991 (2 years)</del>	<del>90.00</del>
<del>September-December, 1991)) (3 years)</del>	<del>135.00</del>
Late renewal <del>((</del>	
<del>January-April, 1991 (1 year)</del>	<del>15.00</del>
<del>May-August, 1991 (2 years)</del>	<del>30.00</del>
<del>September-December, 1991 (3 years))</del>	<del>45.00</del>
Certificate replacement	15.00
<del>((Examination proctor fee</del>	<del>100.00</del>
<u>Reciprocity application</u>	<u>350.00</u>
<u>Exam retake:</u>	
<del>Division A: Pre-design</del>	<del>35.00</del>
<del>Division B: Site design (written)</del>	<del>20.00</del>
<del>Division B: Site design (graphic)</del>	<del>55.00</del>
<del>Division C: Building design</del>	<del>85.00</del>
<del>Division D/F: Structural-General and long span</del>	<del>30.00</del>
<del>Division E: Structural-Lateral forces</del>	<del>15.00</del>
<del>Division G: Mechanical, plumbing, and electrical systems</del>	<del>35.00</del>
<del>Division H: Materials and methods</del>	<del>35.00</del>
<del>Division I: Construction documents and services</del>	<del>35.00))</del>
Duplicate license	15.00
Certification	25.00
<u>Corporations:</u>	
Certificate of authorization	250.00
Certificate of authorization renewal	125.00

Date of Adoption: February 27, 1997.

Purpose: To make the instructions current and remove outdated information. To delete obsolete information concerning initial license and activating an inactive license. To clarify the instructions for obtaining an initial license and activating an inactive license.

Citation of Existing Rules Affected by this Order: Amending WAC 308-13-160 Renewal of license.

Statutory Authority for Adoption: RCW 43.24.086 and 18.96.110.

Adopted under notice filed as WSR 97-03-022 on January 7, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

February 27, 1997

Linda Bremer

Assistant Director

NEW SECTION

**WAC 308-13-045 How and when do I receive my initial license?** (1) You will be notified by mail once you have completed the examination and met all the requirements for initial registration. You may apply for your license up to three months prior to your birthdate and pay the fee for up to a thirty-nine month license. Your license will expire on your birthdate. Subsequent licenses will be issued for three years.

(2) You may also activate an inactive license for up to thirty-nine months. Subsequent licenses will be issued for three years.

AMENDATORY SECTION (Amending WSR 94-04-044, filed 1/27/94, effective 2/27/94)

**WAC 308-13-160 ((Renewal of licenses)) How do I renew my license and when will it expire?** (1) ~~((The renewal for landscape architects licenses will be for a three-year period with the expiration date that of the licensee's birth date.~~

~~((a) Effective with the renewal period beginning June 30, 1994, renewals will be prorated at the current renewal rate with the conversion accomplished as follows:~~

PERMANENT

**Conversion Renewal Schedule**

Birth Date	Span of Renewal Time	Renewal Fee
January	31 Months	\$387.50
February	32 Months	\$400.00
March	33 Months	\$412.50
April	34 Months	\$425.00
May	35 Months	\$437.50
June	36 Months	\$450.00
July	37 Months	\$462.50
August	38 Months	\$475.00
September	39 Months	\$487.50
October	40 Months	\$500.00
November	41 Months	\$512.50
December	42 Months	\$525.00

(b) Current licensees whose licenses expire June 30, 1994, will receive a license with an expiration date of the licensee's birth date in 1997 prorated at the current renewal rate in accordance with (a) of this subsection.

(c) Current licensees whose licenses expire June 30, 1995, will receive a license with an expiration date of the licensee's birth date in 1998 prorated at the current renewal rate in accordance with (a) of this subsection.

(d) Current licensees whose licenses expire June 30, 1996, will receive a license with an expiration date of the licensee's birth date in 1999 prorated at the current renewal rate in accordance with (a) of this subsection.

(2) All initial and reinstated landscape architect licenses will be issued for a three-year period with an expiration date of the licensee's birth date.) A courtesy renewal notice is mailed to your current address on file, approximately eight weeks prior to your license expiration date. The notice will show the due date, the amount of renewal fee, the penalty fee for late payment and other mailing instructions. It is essential that you notify the board of registration for landscape architects of any address changes.

(2) Your renewed landscape architect license is issued for a three-year period that expires on your birthdate.

**WSR 97-06-066  
PERMANENT RULES  
DEPARTMENT OF  
LABOR AND INDUSTRIES**

[Filed February 28, 1997, 8:05 a.m., effective April 1, 1997]

Date of Adoption: February 28, 1997.

Purpose: To clarify and revise rules relating to the methods, policies and rates used to reimburse hospitals for inpatient and outpatient services delivered to eligible workers.

Citation of Existing Rules Affected by this Order: Repealed and replaced chapter 296-23A WAC, Hospitals.

Statutory Authority for Adoption: RCW 51.04.020, 51.04.030, and 51.36.080.

Adopted under notice filed as WSR 96-24-105 on December 4, 1996.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 43, amended 0, repealed 33.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 43, amended 0, repealed 33.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 43, amended 0, repealed 33.

Effective Date of Rule: April 1, 1997.

February 22, 1997

Gary Moore

Director

**PART 1 - GENERAL INFORMATION**

NEW SECTION

**WAC 296-23A-0100 Where can I find general information and rules pertaining to the care of workers?** Hospitals may find general information and rules pertaining to the care of workers in chapters 296-20, 296-21 and 296-23 WAC, department bulletins and other department publications. This list is not exhaustive and hospitals remain responsible for other applicable rules.

NEW SECTION

**WAC 296-23A-0110 When will the department or self-insurer pay for hospital services?** The department or self-insurer will pay for hospital services when proper and necessary for the treatment of the accepted occupational disease or injury.

*See WAC 296-20-01002 for the definition of medically necessary.*

*See WAC 296-20-075 for further rules regarding hospitalization.*

*See WAC 296-20-03001 for treatment requiring authorization.*

*See WAC 296-20-03002 for treatment not authorized.*

NEW SECTION

**WAC 296-23A-0120 What services are subject to review by the department or self-insurer?** The department uses utilization review criteria and all hospital inpatient and outpatient services and billed charges are subject to review by the department, self-insurer or a representative chosen by the department or self-insurer.

NEW SECTION

**WAC 296-23A-0130 How does the department establish hospital payment rates?** The department will establish and update hospital payment rates, methods and policies in consultation with interested persons at times determined by the department. The department will publish a description of payment methods, rates, and policies for hospital services at least thirty calendar days prior to implementation.

PERMANENT

NEW SECTION

**WAC 296-23A-0140 How can interested persons request advance notice of changes to hospital payment rates, methods and policies?** The department will give at least thirty calendar days notice to interested persons who request advance notice of changes to hospital payment rates, methods and policies. Interested persons may request advance notice by contacting the department at the following address:

Department of Labor and Industries  
Health Services Analysis  
Mailing List for Hospital Payment Rates  
P.O. Box 44322  
Olympia, Washington 98504-4322

**PART 1.1 - SUBMITTING BILLS**

NEW SECTION

**WAC 296-23A-0150 How must hospitals submit bills for hospital services?** Hospitals must submit bills for hospital services using the current National Uniform Billing Form (billing form), or electronically using department file format specifications. Providers using the paper billing form must follow both the billing instructions provided by the department and the Washington state version of the *National Uniform Billing Data Element Specifications* as adopted by the National Uniform Billing Committee.

NEW SECTION

**WAC 296-23A-0160 How must hospitals submit charges for ambulance and professional services?** Hospitals must submit charges for ambulance services and professional services provided by hospital staff physicians on the Health Insurance Claim Form, HCFA 1500 using the provider account number(s) assigned by the department for these services. Hospitals using any of the electronic transfer options must follow department instructions for electronic billing.

NEW SECTION

**WAC 296-23A-0170 How must hospitals bill the department or self-insurer for preadmission services?** Preadmission services performed in a hospital outpatient setting within one day prior to hospital admission must be billed as hospital inpatient services.

**PART 1.2 - SUPPORTING DOCUMENTATION REQUIREMENTS**

NEW SECTION

**WAC 296-23A-0180 What supporting documentation must hospitals send for hospital services?** Hospitals must send the following supporting documentation for hospital services:

- Admission history and physical examination
- Discharge summary for stays over forty-eight hours
- Emergency room reports
- Operative reports
- Anesthesia records

- Other documentation as requested by the department or self-insurer.

Hospitals must place the worker's name and claim number on the upper right-hand corner of each page of supporting documentation submitted.

NEW SECTION

**WAC 296-23A-0190 Where must hospitals send supporting documentation for hospital services for state fund claims?** Do not submit supporting documentation with the bill for services. Hospitals must send supporting documentation for hospital services for state fund claims to:

Department of Labor and Industries  
Claims Section  
P.O. Box 44291  
Olympia, WA 98504-4291

NEW SECTION

**WAC 296-23A-0195 When must providers using electronic medium submit supporting documentation?** Providers using any of the electronic transfer options provided by the department must send the department or self-insurer the required supporting documentation within thirty calendar days of the date billing information was sent to the department on electronic medium. Providers must comply with the electronic billing instructions supplied by the department regarding the submission of hospital bill documentation.

**PART 2 - PAYMENT METHODS FOR HOSPITAL SERVICES**

NEW SECTION

**WAC 296-23A-0200 How does the department pay for hospital inpatient services?** The department will pay for hospital inpatient services according to the following table:

PERMANENT

<i>Hospital Type or Location</i>	<i>Do Diagnosis Related Group (DRG) payment methods apply?</i>	<i>Do per diem payment methods apply?</i>	<i>Do percent of allowed charges (POAC) payment methods apply to hospital inpatient services?</i>
Children's Hospitals	No	No	Yes, paid 100% of allowed charges
Chronic Pain Management Program	Exempt, paid per department agreement.	Exempt, paid per department agreement.	Exempt, paid per department agreement.
Health Maintenance Organizations	No	No	Yes, paid 100% of allowed charges
Military	No	No	Yes, paid 100% of allowed charges
Veterans Administration	No	No	Yes, paid 100% of allowed charges
State psychiatric facility	No	No	Yes, paid 100% of allowed charges
Hospitals not in Oregon, Idaho or Washington	No	No	Yes, paid 97% of allowed charges
Oregon and Idaho	No	No	Yes, paid the Washington statewide average POAC factor
Washington rural (Peer Group A)	No	Yes, statewide per diem rates apply for five DRG categories: chemical dependency, psychiatric, rehabilitation, medical, and surgical DRGs	No
All other Washington hospitals	Yes	Yes, state-wide average per diem rates apply for designated categories: chemical dependency, psychiatric, rehabilitation, low volume medical, and low volume surgical DRGs	Yes, applies to low cost outlier payments and high cost outlier payments above the high cost outlier threshold

PERMANENT

NEW SECTION

**WAC 296-23A-0210** How do self-insurers pay for hospital inpatient services? Self-insurers will pay for hospital inpatient services using percent of allowed charges (POAC) factors, according to the following table:

<i>Hospital Type or Location</i>	<i>Do percent of allowed charges (POAC) payment methods apply to hospital inpatient services?</i>
Military, Veteran's Administration, Health Maintenance Organizations, State Psychiatric Facilities, Children's Hospitals	Yes, paid 100% of allowed charges
Hospitals not in Oregon, Idaho or Washington	Yes, paid 97% of allowed charges
Oregon and Idaho	Yes, paid the Washington state-wide average POAC factor
All other Washington hospitals	Yes, paid the hospital specific POAC factor

NEW SECTION

**WAC 296-23A-0220** How does the department or self-insurer pay for hospital outpatient services? The department or self-insurer will pay for hospital outpatient services according to the following table:

<i>Hospital Type or Location</i>	<i>Do percent of allowed charges (POAC) payment methods apply?</i>	<i>Does the department's Medical Aid Rules and Fee Schedules apply to hospital outpatient radiology, laboratory, pathology and physical therapy services?</i>
Children's Hospitals	Yes, paid 100% of allowed charges	Yes
Chronic Pain Management Program	Exempt, paid per department agreement	Exempt, paid per department agreement
Health Maintenance Organizations	Yes, paid 100% of allowed charges	Yes
Military	Yes, paid 100% of allowed charges	No, paid 100% of allowed charges
Veterans Administration	Yes, paid 100% of allowed charges	No, paid 100% of allowed charges
State psychiatric facility	Yes, paid 100% of allowed charges	Yes
Hospitals not in Oregon, Idaho or Washington	Yes, paid 97% of allowed charges	No, paid 100% of allowed charges
Oregon and Idaho	Yes, paid the Washington statewide average POAC	Yes
Washington rural (Peer Group A)	Yes, applies to hospital outpatient services except radiology, laboratory, pathology and physical therapy	Yes
All other Washington hospitals	Yes, applies to hospital outpatient services except radiology, laboratory, pathology and physical therapy	Yes

PERMANENT

Hospitals are reimbursed only for the technical component of rates listed in the fee schedules, for outpatient radiology, pathology and laboratory services.

See chapter 296-23 WAC for rules on radiology, pathology, laboratory, physical therapy and work hardening services. See WAC 296-20-132 and 296-20-135 for information on the conversion factor used for hospital outpatient services.

**NEW SECTION**

**WAC 296-23A-0230** How does the department or self-insurer pay out-of-state hospitals for hospital services? The department or self-insurer pays out-of-state hospitals for hospital services using a percent of allowed charges (POAC) factor or department fee schedule. The POAC factor may differ for services performed in inpatient and outpatient settings. The department or self-insurer will pay out-of-state hospitals according to the following table:

<i>Hospital Location (State)</i>	<i>Hospital Outpatient Services</i>	<i>Hospital Inpatient Services</i>
Oregon and Idaho	Hospital outpatient radiology, pathology and laboratory, and physical therapy services are to be billed and will be paid using the appropriate Labor and Industries fee schedule procedure codes.  All other hospital outpatient services will be paid at the Washington state-wide average percent of allowed charges (POAC) factor.	Washington state-wide average percent of allowed charges (POAC) factor.
Hospitals not in Oregon, Idaho or Washington	Hospital outpatient radiology, pathology and laboratory, and physical therapy services are paid 100% of allowed charges.  All other hospital outpatient services are paid 97% of allowed charges.	97% of allowed charges.

PERMANENT

**NEW SECTION**

**WAC 296-23A-0240** How does the department define and pay a new hospital? New hospitals are those open for less than one year prior to the implementation of the department's most recent hospital payment rates. The department will pay new hospitals according to the following table:

PERMANENT

Hospital Type or Location	What Diagnosis Related Group (DRG) base price applies?	What Per Diem Payment Rates Apply?	What percent of allowed charges (POAC) factor applies?
Oregon and Idaho	Exempt	Exempt	Washington state-wide average POAC
Hospitals not in Oregon, Idaho, or Washington	Exempt	Exempt	Paid 97% of allowed charges
Military, Veterans Administration, State Psychiatric, Health Maintenance Organization, Children's,	Exempt	Exempt	Paid 100% of allowed charges
Chronic Pain Management Program	Exempt, paid per department agreement	Exempt, paid per department agreement	Exempt, paid per department agreement
Washington Rural Hospital (Peer Group A)	Exempt	Washington state-wide average per diem rates	Washington state-wide average POAC
Other Washington Hospital	Weighted median case-mix adjusted average cost per case for Washington DRG hospitals, except major teaching hospitals	Washington state-wide average per diem rates	Washington state-wide average POAC

A new hospital will be paid using its hospital-specific POAC within three years of receiving a provider account number(s) from the department.

**NEW SECTION**

**WAC 296-23A-0250 Does a change in hospital ownership affect a hospital's payment rate?** A change in ownership does not constitute the creation of a new hospital. If a hospital changes ownership, rates will remain the same as those payable to the previous owner.

**PART 2.1 - PERCENT OF ALLOWED CHARGES (POAC) PAYMENT METHODS AND POLICIES**

**NEW SECTION**

**WAC 296-23A-0300 When do percent of allowed charges (POAC) payment factors apply?** The department may designate from time to time, those hospitals and hospital services to be paid using POAC factors.

**NEW SECTION**

**WAC 296-23A-0310 What is the method for calculating percent of allowed charges (POAC) factors?** POAC factors are based on Medicare cost report data and are calculated by dividing adjusted operating expenses by adjusted patient revenues. The department will allow costs for graduate medical education and charity care. Allowable costs for charity care shall not exceed a maximum of two percent of the facility's total allowable costs. A hospital's

POAC factor shall not exceed one hundred percent of allowed charges.

Payment rates are calculated by multiplying the POAC factor by the allowed charges.

**Amount Paid = (POAC Factor) X (Allowed Charges)**

Each hospital will be notified of their revised POAC factor thirty days prior to implementation. Incorrect data or erroneous calculations can be appealed in accordance with WAC 296-23A-0600.

**PART 2.2 - PER DIEM PAYMENT METHODS AND POLICIES**

**NEW SECTION**

**WAC 296-23A-0350 When do per diem rates apply?**

The department may designate from time to time, those hospitals and hospital services paid on a per diem basis. For example, the department may develop per diem rates for the following diagnosis-related-group (DRG) categories:

- Psychiatric;
- Rehabilitation;
- Substance abuse;
- Medical;
- Surgical; and
- Other categories as determined by the department.

**NEW SECTION**

**WAC 296-23A-0360 What is the method for calculating per diem rates?** Per diem rates are calculated by dividing the total costs for all relevant cases in the historical data base by the total number of days. The total number of



days is equal to the sum of the number of days for each relevant case. The number of days per case is equal to last date of service minus the first date of service. The department will allocate costs at the detailed revenue code level using Medicare cost report data and Medicare definitions for allowable costs. The department will allow costs for graduate medical education and charity care. Allowable costs for charity care shall not exceed a maximum of two percent of the facility's total allowable costs.

Payment rates are equal to the applicable per diem rate multiplied by the number of days allowed by the department. The department does not pay for the day of discharge. Payment shall not exceed allowed billed charges.

**PART 2.3 - DIAGNOSIS-RELATED-GROUP PAYMENT METHODS AND POLICIES**

NEW SECTION

**WAC 296-23A-0400** What is a "diagnosis-related-group" payment system? A diagnosis-related-group (DRG) system categorizes patients into clinically coherent and homogenous groups with respect to resource use. The department will use an all-patient grouper to perform the diagnostic categorization. To the extent feasible, where DRG relative weights meet acceptable reliability and validity standards, the department will use DRG per case rates for payment of hospital inpatient services.

NEW SECTION

**WAC 296-23A-0410** How does the department calculate diagnosis-related-group (DRG) relative weights? In calculating DRG relative weights, the department will:

(1) Allocate costs for hospital services at a detailed revenue code level using Medicare cost report data and Medicare definitions for allowable costs. The department

will allow costs for graduate medical education and charity care. Allowable costs for charity care shall not exceed a maximum of two percent of the facility's total allowable costs.

(2) Classify department hospital admissions data and hospital discharge data in the Washington state department of health's comprehensive hospital abstract reporting system (CHARS), using an all-patient grouper.

(3) Establish relative weights from department of labor and industries' hospital admission data. If the department's data is not sufficient to calculate stable relative weights, the department may use hospital discharge data in the Washington state department of health's comprehensive hospital abstract reporting system (CHARS) or another appropriate data source.

(4) Exclude the following types of cases from DRG relative weight calculations: Transfers, statistical outliers, length of stay equal to zero, psychiatric, substance abuse and rehabilitation DRGs, out-of-state hospitals, other hospitals and services designated as exempt from DRG payment rates.

See WAC 296-23A-0470 and 296-23A-0480 for exclusions and exceptions to DRG payments for hospital services.

(5) Test each DRG statistically for adequacy of sample size to ensure that relative weights meet acceptable reliability and validity standards.

(6) Replace unstable department relative weights with stable CHARS derived relative weights.

(7) Standardize department and CHARS relative weights to a state-wide case-mix index of 1.0.

NEW SECTION

**WAC 296-23A-0420** How does the department determine the base price for hospital services paid using per case rates? The department determines the base price for hospital services paid using per case rates according to the following table:

<i>Type of Hospital</i>	<i>Base Price</i>
Major Teaching Hospital: Harborview Medical Center or University of Washington	Hospital-specific case-mix adjusted average cost per case
Other DRG Hospital	Weighted median case-mix adjusted average cost per case for DRG hospitals, except major teaching hospitals

NEW SECTION

**WAC 296-23A-0430** How does the department calculate a hospital specific case-mix adjusted average cost per case? The department determines the case-mix adjusted average cost per case for each hospital by:

(1) Allocating costs for hospital services at a detailed revenue code level using Medicare cost report data and Medicare definitions for allowable costs. The department will allow costs for graduate medical education and charity care. Allowable costs for charity care shall not exceed a maximum of two percent of the facility's total allowable costs;

(2) Totaling the costs of all DRG cases;  
(3) Dividing the total by the number of cases; and  
(4) Then dividing that number by the hospital's case-mix index.

(5) Per case costs are indexed to the payment period for inflation and other factors.

NEW SECTION

**WAC 296-23A-0440** How does the department calculate the base price for DRG hospitals, except major teaching hospitals? The department calculates the base price for DRG hospitals, except major teaching hospitals by:

PERMANENT

- (1) Calculating each hospital's case-mix adjusted average cost per case;
- (2) Weighting each hospital's case-mix adjusted average cost per case by the number of cases at that hospital;
- (3) Determining the median (fiftieth percentile) of the list of case-mix adjusted average costs per case.

**NEW SECTION**

**WAC 296-23A-0450 What cases does the department exclude from base price calculations?** The department excludes the following types of cases from base price calculations:

- Transfers;
- Statistical outliers;
- Length of stay equal to zero;
- Psychiatric, substance abuse and rehabilitation DRGs;
- Out-of-state hospitals; and
- Other hospitals and services designated as exempt from DRG payment rates.

See WAC 296-23A-0470 and 296-23A-0480 for exclusions and exceptions to DRG payments for hospital services.

**NEW SECTION**

**WAC 296-23A-0460 How does the department calculate the diagnosis-related-group (DRG) per case payment rate for a particular hospital?** The DRG per case rate for a particular hospital is calculated by multiplying the assigned DRG relative weight for that admission by the applicable base price.

**NEW SECTION**

**WAC 296-23A-0470 Which exclusions and exceptions apply to diagnosis-related-group (DRG) payments for hospital services?** The following exclusions and exceptions apply to DRG payments for hospital services:

- Psychiatric, rehabilitation, and chemical dependency (substance abuse) services will be excluded from payment by DRG rates. These services will be paid using per diem payment rates.
- Ambulance and air transportation services are excluded from DRG payments.
- Bills assigned to a DRG that is defined as ungroupable will be denied.
- Bills where the principal diagnosis is invalid as a discharge diagnosis will be denied.
- Bills where the injured worker has been admitted and discharged in less than twenty-four hours will be reviewed by the department and may be paid as hospital outpatient services.
- The department may choose to exclude other DRGs from DRG payment rates due to concerns about access, case volume or other considerations. These services will be paid using the applicable percent of allowed charges (POAC) factor and per diem rates.

**NEW SECTION**

**WAC 296-23A-0480 Which hospitals does the department exclude from diagnosis-related-group (DRG) payments?** The following hospitals are excluded from DRG payments:

- Military, Veterans Administration, state psychiatric facilities, health maintenance organizations (HMO), and children's hospitals will be paid their allowed charges.
- Department-approved chronic pain management programs will be paid according to department agreement or contract.
- Peer Group A hospitals, as defined by the department of health, will be paid using per diem rates.
- Hospitals located outside of Washington will be paid a percent of allowed charges (POAC).
- Other hospitals, as determined by the department, may be excluded from DRG reimbursement rates due to concerns about access, case volume or other considerations. These facilities will be paid using the applicable POAC factor and per diem rates.

**NEW SECTION**

**WAC 296-23A-0490 Which hospital services does the department include in diagnosis-related-group (DRG) rates?** Unless otherwise specified, the department will include in the DRG rate all hospital services provided to an injured worker admitted to a hospital. Hospital services must be medically necessary for the treatment of the accepted occupational disease or injury.

**NEW SECTION**

**WAC 296-23A-0500 When does a case qualify for high outlier status?** Outlier payments apply only to diagnosis-related-group (DRG) reimbursed cases with unusually high or low costs. Outlier status does not apply to cases paid using a percent of allowed charges (POAC) factor or per diem rates. To have a bill considered for outlier status, a hospital must enter "61" for the condition code, block 35 of the hospital billing form.

A case is considered a high cost outlier if the costs for the case exceed the outlier threshold for the assigned diagnosis-related-group. The costs for a case are determined by multiplying the allowed charges for the case by the hospital specific POAC factor. The threshold used to define a high outlier case is the greater of a dollar threshold of twelve thousand dollars or two standard deviations above the state-wide average cost for each DRG paid by the department.

The dollar threshold may be adjusted annually for inflation or other factors as determined by the department. The standard deviations for DRGs will be computed from all relevant cases in the historical data base, excluding statistical outliers.

**NEW SECTION**

**WAC 296-23A-0520 How does the department pay for high outlier cases?** Cases defined as high cost outliers will be reimbursed at the diagnosis-related-group (DRG) payment rate plus one hundred percent of costs in excess of the threshold. Costs are determined by multiplying the allowed charges by the hospital specific percent of allowed charges (POAC) factor.

NEW SECTION

**WAC 296-23A-0530 How does a case qualify for low outlier status?** To qualify as a low outlier, the allowed charges multiplied by that hospital's percent of allowed charges (POAC) factor must be less than ten percent of the state-wide diagnosis-related-group (DRG) rate or five hundred dollars whichever is greater. The standard deviations for DRGs will be computed from all relevant cases in the historical data base, excluding statistical outliers.

NEW SECTION

**WAC 296-23A-0540 How does the department pay for low outlier cases?** Low outlier cases are paid by multiplying each hospital's specific percent of allowed charges (POAC) factor by the allowed charges for the case.

NEW SECTION

**WAC 296-23A-0550 Under what circumstances will the department pay for interim bills?** The department will deny interim bills which are assigned to diagnosis-related-groups (DRGs) paid per case rates by the department.

If an interim bill is coded as a diagnosis-related-group (DRG) not paid per case rates by the department, then the bill will be paid using the applicable percent of allowed charges (POAC) factor and per diem rates. If a subsequent bill coded as a DRG paid per case rates by the department, for the same injured worker, has a first date of service within seven days of the last date of service of the previous bill, then the bills will be subject to review and adjustment by the department.

NEW SECTION

**WAC 296-23A-0560 How does the department define and pay for hospital readmissions?** The department will review hospital readmissions occurring within seven days of discharge and will determine whether the second admission resulted from premature discharge. Payment for services associated with readmission will depend upon the review. For example:

- If the second admission is determined unnecessary, reimbursement may be denied.
- If the admission was avoidable, the two admissions may be combined and a single diagnosis-related-group (DRG) payment made.
- If two different DRG assignments are involved, reimbursement for the appropriate DRG will be based upon review of the case.
- Readmissions involving different hospitals will be reviewed by the department and may be paid using the payment method for transfers.

NEW SECTION

**WAC 296-23A-0570 How does the department define a transfer case?** A transfer case is defined as an injured worker's admission to another acute care hospital within seven days of that worker's previous discharge. All bills for transfer cases will be subject to review by the department and payment will be determined based on that analysis. The transferring hospital may qualify for high and low outlier status.

NEW SECTION

**WAC 296-23A-0575 How does the department pay a transferring hospital for a transfer case?** When the stay at the transferring hospital is a diagnosis-related-group (DRG) paid by the department, and does not qualify as a low outlier, the transferring hospital is paid a graduated per diem rate for each day of care allowed by the department. If the case qualifies as a low cost outlier, the hospital will be paid the graduated per diem amount or low cost outlier payment amount, whichever is lower. The per diem rate is determined by dividing that hospital's rate for the appropriate DRG by that DRG's average length of stay as determined by the department. Payment for the first day of service will be two times the per diem rate. For subsequent allowed days, the basic per diem rate will be paid up to the full DRG payment amount. Unless the case qualifies as a high outlier, payment to the transferring hospital will not exceed the appropriate DRG rate that would have been paid had the injured worker not been transferred to another hospital.

NEW SECTION

**WAC 296-23A-0580 How does the department pay the receiving hospital for a transfer case?** The hospital receiving a transfer will be paid according to the department's review of the case. If the receiving hospital's stay is a diagnosis-related-group (DRG) paid by the department, then the hospital will receive the appropriate per case and outlier payments. If the case is not a DRG paid by the department, then the hospital is paid using applicable percent of allowed charges (POAC) factor or per diem rates.

**PART 3 - REQUESTING A HOSPITAL RATE ADJUSTMENT**NEW SECTION

**WAC 296-23A-0600 How can a hospital request a rate adjustment?** Hospitals may submit a request for adjustment to their rate if:

- The rate methodology or principles of reimbursement established in department publications were incorrectly applied, or
- Incorrect data or erroneous calculations were used in the establishment of the hospital's rate.

In all circumstances, requests for adjustments to rates must show how the rate adjustment was calculated and contain sufficient detail to permit an audit. Requests must specify the nature and the amount of the adjustment sought. The burden of proof is on the requesting hospital.

NEW SECTION

**WAC 296-23A-0610 Where must hospitals submit requests for rate adjustments?** Hospitals must submit requests for rate adjustments in writing to:

Department of Labor and Industries  
Health Services Analysis  
Request for Hospital Rate Adjustment  
P.O. Box 44322  
Olympia, Washington 98504-4322.

Requests must be received within sixty days after the facility receives notice of its payment rates.

**NEW SECTION**

**WAC 296-23A-0620** What action will the department take upon receipt of a request for a rate adjustment? Upon receipt of the request, the department shall determine the need for a conference with the hospital and will contact the facility to arrange a conference if needed. The conference, if needed, must be held within sixty days of the department's receipt of the request.

Within thirty calendar days of the receipt of the request for review or the date of the conference, the department shall notify the facility of the action to be taken by the department.

If the department's review of the material submitted by the hospital results in a favorable determination for the hospital, the department will modify the hospital's payment rate(s). The revised rate(s) will apply to all bills with a date of admission on or after a date chosen by the department. The chosen date will be within one hundred twenty days of the department's and hospital's agreement to modify the rate(s).

If the department's review of the material submitted by the hospital results in an unfavorable determination for the hospital, the hospital may file an appeal with the board of industrial insurance appeals.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

- WAC 296-23A-100 General information.
- WAC 296-23A-105 Payment for hospital inpatient and outpatient services.
- WAC 296-23A-106 Reimbursement for inpatient services by per case rates and percentage of allowed charges.
- WAC 296-23A-110 Hospital outpatient fee schedule information.
- WAC 296-23A-115 Hospital outpatient services conversion factors.
- WAC 296-23A-120 Questionable eligibility.
- WAC 296-23A-125 Refund of incorrect payments.
- WAC 296-23A-130 Treatment of unrelated illness or injury.
- WAC 296-23A-135 Closed claims.
- WAC 296-23A-140 Take-home Rx's.
- WAC 296-23A-145 Routine laboratory procedures on admission.
- WAC 296-23A-150 Billing procedures.
- WAC 296-23A-155 New hospitals.
- WAC 296-23A-160 Excluded and included services.
- WAC 296-23A-165 Out-of-state hospitals.
- WAC 296-23A-170 Outliers.
- WAC 296-23A-175 Interim bills.
- WAC 296-23A-180 Readmissions.
- WAC 296-23A-185 Transfers.
- WAC 296-23A-190 Adjustment of rates.
- WAC 296-23A-200 General information—Hospital outpatient radiology.
- WAC 296-23A-205 Billing procedures.

- WAC 296-23A-210 Injection procedures.
- WAC 296-23A-215 Responsibility for x-rays.
- WAC 296-23A-220 Duplication of x-rays.
- WAC 296-23A-225 Additional views.
- WAC 296-23A-230 Unlisted service or procedure.
- WAC 296-23A-235 Special report.
- WAC 296-23A-300 General information—Hospital outpatient pathology and laboratory.
- WAC 296-23A-310 Billing procedures.
- WAC 296-23A-315 Unlisted service or procedure.
- WAC 296-23A-320 Special report.
- WAC 296-23A-400 Hospital outpatient physical therapy rules.
- WAC 296-23A-430 Work hardening.

**WSR 97-06-074**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Economic Services Administration)  
 (Public Assistance)

[Filed February 28, 1997, 2:18 p.m.]

Date of Adoption: February 28, 1997.

Purpose: Limits food stamp program eligibility to noncitizens who are: (a) Refugees, asylees, and aliens with deportation withheld (for five years from date of entry, grant of asylum or withholding of deportation date); (b) permanent resident aliens (admitted under INA) with forty qualifying work quarters who did not receive any federal means-tested benefits during any qualifying work quarter after December 31, 1996; or (c) veterans and active-duty military, lawfully residing in the United States, plus spouse and unmarried dependent child.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-310.

Statutory Authority for Adoption: RCW 74.04.510.

Other Authority: Section 402 of HR 3734 (Public Law 104-193) (1996).

Adopted under notice filed as WSR 97-02-078 on December 31, 1996.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 1, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

February 28, 1997

Merry A. Kogut, Manager  
 Rules and Policies Assistance Unit

PERMANENT

AMENDATORY SECTION (Amending Order 3409, filed 6/23/92, effective 7/24/92)

**WAC 388-49-310 Citizenship and alien status.** (1) The department shall require applicants to sign the application attesting to their citizenship or alien status as described under WAC 388-49-030(6).

(2) The department shall consider applicants ~~((failing))~~ as of January 1, 1997 and current recipients as of April 1, 1997 who fail to meet the requirements of subsections (1) and (3) of this section as ineligible household members under WAC 388-49-190(4), 388-49-420(5), and 388-49-480(2).

(3) The department shall consider the following persons residing in the United States eligible for participation in the food stamp program:

(a) A United States citizen; ~~((or))~~

(b) An alien lawfully admitted for permanent residence ~~((or))~~ under the Immigration and Nationality Act who has worked forty qualifying quarters of coverage as defined under Title II of the Social Security Act or can be credited with such qualifying quarters.

(i) An alien can be credited for each qualifying quarter worked by a:

(A) Parent while the alien was under age eighteen, or

(B) Spouse during their marriage if the alien remains married to the spouse or the spouse is deceased.

(ii) Beginning January 1, 1997, any quarter in which the alien received any federal means-tested public benefit is not counted as a qualifying quarter.

(iii) The department shall accept a statement under penalty of perjury signed by the applicant or recipient that he or she has earned or can be credited with forty qualifying quarters of coverage, until Social Security Administration (SSA) either confirms or denies the existence of such forty qualifying quarters of coverage, when:

(A) The applicant or recipient cannot provide SSA documents verifying forty qualifying quarters of coverage; and

(B) The applicant or recipient, alone or in combination with the person's spouse, or the person's parent have lived in the United States a sufficient number of years consistent with the applicant or recipient having earned or being credited with forty qualifying quarters; and

(C) The applicant or recipient provides the full name, date of birth, social security number, and sex of each person whose work history is relevant to the determination of eligibility. The applicant or recipient must sign or have each individual sign a consent form to give permission to SSA to release qualifying quarters information to the department.

(iv) If SSA cannot initially confirm forty qualifying quarters of coverage, the client will be considered ineligible unless the applicant or recipient:

(A) Presents to the department a SSA document indicating a SSA review is in process; or

(B) Presents evidence or statements satisfactory to the department of qualifying quarters for the calendar years 1996 and 1997 such that the individual will establish, in addition to SSA information, a total of forty qualifying quarters.

(v) The individual, who provides the department with a SSA document indicating a review of the individual's records is in process, can continue, if otherwise eligible, to receive benefits for six months from the date of SSA's initial

response or until SSA has completed its review, whichever is earlier.

(vi) If, after recipient completes the SSA verification and review process, forty qualifying quarters of coverage have not been established, the recipient may present evidence to the department to establish forty qualifying quarters. Evidence may include a credible statement from the individual in addition to corroborating evidence, if available, to assist the department in making an independent assessment of the forty qualifying quarters requirement.

(vii) If forty qualifying quarters of coverage cannot be established, the department shall establish a claim for the overissuance.

(c) A ~~((n))~~ qualified alien, as defined under section 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, and the qualified alien spouse or unmarried dependent qualified alien child of the alien, lawfully residing in the United States, who is:

(i) ~~((Entered the United States before January 1, 1972, or some later date as required by law; and))~~ A veteran, as defined in section 101 of Title 38, United States Code, with a discharge characterized as an honorable discharge and not on account of alienage; or

(ii) ~~((Has continuously maintained residency in the United States since then; and~~

(iii) Is not ineligible for citizenship but is considered to be lawfully admitted for permanent residence as a result of an exercise of discretion by the attorney general under section 249 of the Immigration and Nationality Act)) On active duty, other than active duty for training, in the Armed Forces of the United States.

(d) An alien ~~((who qualified for entry after March 17, 1980, because of persecution or fear of persecution on account of race, religion, or political opinion under sections 203 (a)(7), 207, and 208 of the Immigration and Nationality Act; or))~~ admitted to the United States as a refugee under section 207 of the Immigration and Nationality Act until five years after the date of such admission as a refugee;

(e) An alien ~~((qualified for conditional entry before March 18, 1980, under former section 203 (a)(7) of the Immigration and Nationality Act; or~~

(f) An alien)) granted asylum ~~((through an exercise of discretion by the attorney general))~~ under section 208 of the Immigration and Nationality Act until five years after the date of granting such status; or

~~((g))~~ An alien lawfully present in the United States as a result of:

(i) An exercise of discretion by the attorney general for emergent reasons or reasons deemed strictly in the public interest under section 212 (d)(5) of the Immigration and Nationality Act; or

(ii) A grant of parole by the attorney general.

~~((h))~~ (f) An alien living ~~((within))~~ in the United States ~~((for whom the attorney general withheld))~~ whose deportation ~~((is withheld under section 243(h) of the Immigration and Nationality Act((because the attorney general judges the alien is subject to persecution because of race, religion, or political opinion; or~~

(i) An alien having temporary resident status as a special agricultural worker under section 210 of the Immigration and Nationality Act; or

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~~(j) An aged, blind, or disabled alien admitted for temporary or permanent residence under section 245A of the Immigration and Nationality Act; or~~

~~(k) An alien who is not aged, blind, or disabled admitted under section 245A of the Immigration and Nationality Act when:~~

~~(i) Permanent status has been gained; and~~

~~(ii) A five year period has expired from date lawfully admitted.~~

~~(l) An alien who is:~~

~~(i) Granted family unity status by the immigration and naturalization service; and~~

~~(ii) Whose newly legalized alien spouse or parent is eligible to participate in the food stamp program)) until five years after the date such deportation is withheld.~~

(4) The household shall provide verification when:

- (a) Citizenship is questionable; or
- (b) One or more of its members are aliens.

(i) The department shall not contact the immigration and naturalization service to obtain information without the alien's written consent.

(ii) The department shall give the household failing to provide verification the option of:

- (A) Withdrawing the application; or
- (B) Participating without the alien member.

(5) An applicant shall be ineligible until:

- (a) Questionable citizenship is verified; or
- (b) Lawful alien status is verified.

(6) The department shall accept a statement under a penalty of perjury signed by a United States citizen that the applicant is a United States citizen when:

(a) The applicant cannot produce acceptable citizenship verification; and

(b) The household can reasonably explain why the verification is not available.

(7) The department shall notify immigration and naturalization services when any household member is ineligible because that person is present in the United States in violation of a known deportation order of the Immigration and Nationality Act.

(8) Lawfully admitted aliens who are ineligible include:

- (a) Alien visitors;
- (b) Tourists;
- (c) Diplomats; ~~(and)~~
- (d) Students with temporary status; and
- (e) Aliens not identified in subsection (3) of this section as eligible for participation in the food stamp program.

Statutory Authority for Adoption: RCW 74.08.090, 74.04.050, 74.04.055.

Other Authority: RCW 74.04.005 (10)(b), Public Law 104-193, Section 103 (a)(1) (1996).

Adopted under notice filed as WSR 97-03-050 on January 10, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 1, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.  
February 28, 1997

Merry A. Kogut, Manager  
Rules and Policies Assistance Unit

**AMENDATORY SECTION** (Amending Order 3732, filed 5/3/94, effective 6/3/94)

**WAC 388-216-2500 Resources—Exempt as a resource with no ceiling value.** (~~"Goodwill" means the reputation and patronage of a company. Goodwill can generally be valued as the amount a company would sell for over the value of its physical property, money owed it, and other assets.~~)

(1) Irrespective of value, the department shall exempt the following resources:

(a) The client's home, subject to the conditions specified in sections WAC 388-216-2550 through 388-216-2590.

(b) Household furnishings and personal clothing essential for daily living. The department shall not exempt household furnishings and personal clothing in storage without evidence that these items are essential for daily living.

(c) One cemetery plot for each member of the assistance household.

(d) Personal property of "great sentimental value" when the applicant/recipient establishes the circumstances and conditions giving the personal property this value. "Sentimental value" as used in this section means personal property held primarily because of personal attachment or hobby interest, rather than for its intrinsic value.

(2) The department may declare real and personal property which will be used in a self-employment enterprise as an exempt resource:

- (a) On the basis of an agreed plan; and
- (b) When the department determines that the real or personal property:

- (i) Is necessary to restore the client's independence; or
- (ii) Will aid in rehabilitating the client or the client's dependents by providing self-employment experience which can reasonably be expected to lead to full or partial self-support.

**WSR 97-06-075**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)  
(Public Assistance)

[Filed February 28, 1997, 2:20 p.m.]

Date of Adoption: February 28, 1997.

Purpose: RCW 74.04.005, allows applicants/recipients of temporary assistance for needy families (TANF) to retain personal property having great sentimental value as an exempt resource.

Citation of Existing Rules Affected by this Order: Amending WAC 388-216-2500.

(3) The department shall consider any increase in value to exempted stock, raw materials, or inventory as:

(a) Exempt, when the increase is necessary to the health of the enterprise; or

(b) Income, when such increase might reasonably be used towards the client's self-support.

(4) In the absence of an agreed plan, the department shall consider the business assets of a self-employment enterprise, if available and nonexempt, as available to the owner in the amount of the sale value minus encumbrances.

(5) Under an agreed plan, the department shall consider accounts receivable as:

(a) An exempt resource when:

(i) The client makes a diligent effort to collect; or

(ii) If efforts to collect are unsuccessful, the client turns the accounts over to a collection agency;

(b) A nonexempt resource when the client does not meet the requirements in (a) of this subsection; and

(c) Earned income from self-employment, when payment is received.

(6) The department shall consider goodwill as an unavailable resource until the business is sold. Goodwill as used in this section means the reputation and patronage of a company. Goodwill can generally be valued as the amount a company would sell for over the value of its physical property, money owed it, and other assets.

**WSR 97-06-076**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)  
(Public Assistance)  
[Filed February 28, 1997, 2:23 p.m.]

Date of Adoption: February 28, 1997.

Purpose: To comply with the federal requirement in Public Law 104-193 (1996) that temporary assistance to families (TANF) be denied to unmarried minor parents who have not completed a high school education and are not participating in activities leading to the attainment of a high school diploma or equivalent.

Citation of Existing Rules Affected by this Order: Amending WAC 388-215-1650 Assistance to a minor child. Statutory Authority for Adoption: RCW 74.04.050 and 74.04.055.

Other Authority: Public Law 104-193, Section 103 (a)(1) (1996).

Adopted under notice filed as WSR 97-03-055 on January 10, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 1, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

February 28, 1997

Merry A. Kogut, Manager  
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending Order 3732, filed 5/3/94, effective 6/3/94)

**WAC 388-215-1650 Assistance to a minor child.** (1) A minor is a person seventeen years of age and younger.

(2) Under state law, (chapter 74.13 RCW, Child welfare services), the department shall protect and care for homeless, dependent, or neglected children or children in danger of becoming delinquent.

(3) If a minor applies for assistance for himself or herself, the department shall determine eligibility for AFDC as required under this chapter. If an unmarried pregnant minor is requesting an abortion, parental consent is not required. The decision to proceed with an abortion rests solely with the minor. Involvement and/or consultation with parents in reaching this decision should be a matter of individual case judgment.

(4) Prior to authorizing assistance for a minor, the department shall determine the parent's ability to financially support and willingness to contribute. See WAC 388-506-0610 (1) and (2) for responsibility for medical care. Parental contact is not required when the minor applicant:

(a) Is married;

(b) Is in the military service;

(c) Has been declared emancipated by a court of competent jurisdiction prior to the application for assistance; or

(d) Is applying for medical assistance related to pregnancy.

(5) The minor's emancipation status is not an eligibility factor. The identification of emancipation status is necessary to determine if there is parental responsibility for support.

(6) The department shall inform the minor applicant that there will be communication with the minor's parents during the eligibility determination process in order to determine the parents' willingness to contribute to the support of the minor.

(7) If a minor parent and his or her child live with such minor's parent or parents, the department shall establish the assistance unit of the minor according to WAC 388-215-1600 through 388-215-1610. If the minor parent's parent is not included in the assistance unit of the minor parent, the department shall consider the income of such parent available to meet the needs of the minor parent as specified under WAC 388-218-1660 and 388-218-1680.

(8) If a minor parent's legal guardian has a court-ordered responsibility for the support of such minor parent, the department shall treat such legal guardian's income, with respect to determining the availability of such income to meet the needs of the minor parent, the same as the income of a minor parent's parent as specified in subsection (7) of this section.

(9) The department shall require an unmarried minor parent who has not completed a high school education (or its equivalent), and whose youngest child is at least twelve weeks old, to participate in educational activities leading to the attainment of a high school diploma or its equivalent, or

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participate in an alternative educational or training program that has been approved by the department. The following conditions apply:

(a) "Participate" means maintaining satisfactory attendance as required by the school or program in which the minor parent is enrolled.

(b) No TANF benefits will be issued for a minor parent who is not participating as required above. The eligibility of the minor parent's child is not affected by this rule.

(c) The income of a minor parent who is disqualified under this section shall be allocated under WAC 388-218-1640 as if the minor parent were ineligible due to sanction or noncooperation.

**WSR 97-06-077**

**PERMANENT RULES**

**DEPARTMENT OF**

**SOCIAL AND HEALTH SERVICES**

(Economic Services Administration)

(Public Assistance)

[Filed February 28, 1997, 2:24 p.m.]

Date of Adoption: February 28, 1997.

Purpose: To comply with the federal requirement that temporary assistance for needy families (TANF) be denied to fugitive felons and probation or parole violators as stated in Public Law 104-193 (1996).

Citation of Existing Rules Affected by this Order: Amending WAC 388-215-1550 Temporary assistance to needy families—Denial of assistance to fugitive felons and probation and parole violators.

Statutory Authority for Adoption: RCW 74.04.050 and 74.04.055.

Other Authority: Public Law 104-193, Section 103 (a)(1) (1996).

Adopted under notice filed as WSR 97-03-052 on January 10, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 1, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

February 28, 1997

Merry A. Kogut, Manager  
Rules and Policies Assistance Unit

**NEW SECTION**

**WAC 388-215-1550 Temporary assistance to needy families (TANF)—Denial of assistance to fugitive felons and probation and parole violators.** (1) The department shall not authorize TANF on behalf of an individual who is:

(a) Fleeing to avoid prosecution, or custody or confinement after conviction, for a crime, or an attempt to commit a crime, which is a felony under the laws of the place from which the individual flees, or which is a high misdemeanor under the laws of a state, as in the case of New Jersey; or

(b) Violating a condition of probation or parole imposed under federal or state law as determined by an administrative body or court of competent jurisdiction.

(2) Subsection (1) of this section shall not apply to an individual in any month after that individual has been pardoned by the President of the United States for such conduct described in subsection (1).

**WSR 97-06-078**

**PERMANENT RULES**

**DEPARTMENT OF**

**SOCIAL AND HEALTH SERVICES**

(Economic Services Administration)

(Public Assistance)

[Filed February 28, 1997, 2:26 p.m.]

Date of Adoption: February 28, 1997.

Purpose: Implements state statute to treat compensatory lump sum awards as a resource and for all other lump sums to exempt the difference of a nonrecurring lump sum payment between the client's existing resource value and the resource ceiling limit and treat the remainder as newly acquired income when received by an applicant/recipient of the temporary assistance for needy families (TANF) program (1996).

Citation of Existing Rules Affected by this Order: Amending WAC 388-218-1820, 388-218-1530, and 388-216-2900.

Statutory Authority for Adoption: RCW 74.08.090, 74.04.050, 74.04.055.

Other Authority: RCW 74.04.005 (11)(b), Public Law 104-193, Section 103 (a)(1) (1996).

Adopted under notice filed as WSR 97-03-051 on January 10, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 3, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 3, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.



February 28, 1997  
Merry A. Kogut, Manager  
Rules and Policies Assistance Unit

**AMENDATORY SECTION** (Amending Order 3732, filed 5/3/94, effective 6/3/94)

**WAC 388-218-1820 Treatment of nonrecurring income—Lump sum(s) payments.** The department shall treat nonrecurring lump sum payments received by a client and used to accumulate cash reserves in the following manner:

(1) ~~((The department shall consider nonrecurring lump sum payments as income in the month received))~~ **Compensatory awards or related settlements shall be treated as follows:**

(a) Awards or settlements for destroyed or stolen exempt property or medical bills as provided under WAC 388-218-1530; and

(b) All other compensatory awards or settlements as newly acquired resources as provided under WAC 388-216-2900.

(2) ~~((When the assistance unit's nonrecurrent lump sum income, plus other income, after applicable disregards exceeds the payment standard, plus authorized additional requirements, the assistance unit shall be ineligible for assistance))~~ **All other lump sum payments shall be treated as follows:**

(a) The department shall exempt the difference between the resource ceiling and the client's existing resources when the client received the lump sum. Any excess shall be considered as newly acquired income in the month received.

(b) In determining the client's existing resources, the department shall deduct any unexpended grant monies received within thirty days of the date the client received the lump sum.

(c) Such exemption shall apply once for each nonrecurring lump sum received.

(3) The department shall also apply these requirements to the income of persons required to be included in the assistance unit but are excluded for reasons of sanction or noncooperation.

(4) ~~((Ineligibility shall exist for the number of full months derived by dividing this total income by the need standard plus authorized additional requirements))~~ **If the client's newly acquired income, plus any other income, after applicable disregards is less than the payment standard, plus authorized additional requirements, the department shall deduct the difference from the corresponding payment month.**

(5) ~~((A minimum period of ineligibility shall be one month))~~ **If the client's newly acquired income, plus any other income, after applicable disregards is equal to or exceeds the payment standard plus authorized additional requirements, the department shall discontinue assistance:**

(a) If such income is equal to or in excess of one month's payment standard, but less than two months' payment standard plus authorized additional requirements, the department shall:

(i) Suspend assistance effective the first day of the payment month;

(ii) Deduct the income in excess of one month's payment standard plus authorized additional requirements from the grant for the month following the month of suspension; and

(iii) Treat a person acquiring income during suspended status as a recipient in terms of eligibility.

(b) If the income, plus other income, is in excess of two months' payment standard plus authorized additional requirements, the department shall terminate assistance effective the first day of the month of receipt of the income:

(i) Ineligibility shall continue for two months (maximum period of ineligibility is two months);

(ii) Upon completion of the two-month period of ineligibility, the department shall determine eligibility for those that reapply on the same basis as other new applicants.

(6) ~~((The department shall treat any income remaining after this calculation is treated as income received in the first month following the period of ineligibility.~~

(7)) The department may shorten the period of ineligibility specified in subsection (5)(b) of this section when the following conditions are met:

(a) An event occurs which, had the assistance unit been receiving assistance, would result in an increase in the ~~((need))~~ payment standard; or

(b) The income received, or any part thereof, has become unavailable to the members of the assistance unit for reasons beyond their control; or

(c) Members of the assistance unit incur, become responsible for, and pay medical expenses.

~~((8))~~ (7) Assistance is authorized only after the events in subsection ~~((7))~~ (6)(a), (b), or (c) of this section have been verified and current eligibility has been established.

**AMENDATORY SECTION** (Amending Order 3732, filed 5/3/94, effective 6/3/94)

**WAC 388-218-1530 Determining net income—Other income.** (1) Net income from any other nonexempt source shall be the gross amount less any cost of securing or maintaining the income.

(2) The department shall consider any payments on mortgages or contracts as income less any cost of securing or maintaining the income.

(3) The department shall consider a compensatory award or related settlement covering destroyed or stolen exempt property as a newly acquired ~~((nonexempt income))~~ resource as provided under WAC 388-216-2900 unless the client, within sixty days of receipt:

(a) Expends the funds to repair or replace the destroyed or stolen exempt property for which the settlement was intended; or

(b) Pays medical bills for which the settlement was intended.

(4) The department shall consider funds deposited into a joint account or into an account held for another, or funds held for others as the income of the client since the entire amount is at the client's disposal, except when the client can show that all or a portion of the funds are:

(a) Derived from funds belonging exclusively to the other holder; and

(b) Held and/or utilized solely for the benefit of that holder. The department shall not consider all funds so verified as actually available to the client.

(5) When appointment of a legal guardian is required by the Social Security Administration or the Veterans Administration as a condition for receipt of a benefit from either agency, the necessary costs of securing a guardian shall be

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deducted from the benefit received to determine the client's net income.

**AMENDATORY SECTION** (Amending Order 3732, filed 5/3/94, effective 6/3/94)

**WAC 388-216-2900 Resources—Newly acquired resources.** When a client obtains a newly acquired resource, the department shall:

(1) Apply the resource exemptions to newly acquired resources.

(2) Treat income tax refunds as follows:

(a) ~~((The department shall))~~ Consider an income tax refund as a nonexempt resource in the month of receipt; and

(b) ~~((The department shall))~~ Consider the Earned Income Tax Credit (EITC) portion of an income tax refund as an exempt resource in the month of receipt and in the month following the month of receipt. The department shall consider the EITC as a nonexempt resource in the second month following the month of receipt.

(3) Treat lump sum compensatory awards and related settlements not exempt under WAC 388-218-1530 as resources exempt within ceiling limits on the first of the month following the month of receipt. A recipient may reduce the value of a compensatory award or settlement prior to the first of the month following the month of receipt provided the award or settlement monies are not transferred for less than adequate consideration with the intent to qualify for assistance as provided under chapter 388-217 WAC.

(4) Add the value of the client's newly acquired resources to the client's existing nonexempt resources. If the recipient's total nonexempt resources are in excess of the resource standard, the recipient is ineligible.

~~((4))~~ (5) Any increase in the value of a resource (such as interest on a savings account, stock dividends, or livestock births) affects eligibility only to the extent the increased value causes the total value of the client's nonexempt resources to exceed the resource standard. The excess is considered income.

**WSR 97-06-080**  
**PERMANENT RULES**  
**POLLUTION LIABILITY**  
**INSURANCE AGENCY**  
[Filed March 3, 1997, 9:58 a.m.]

Date of Adoption: March 3, 1997.

Purpose: This rule is being adopted to amend existing language in chapter 374-70 WAC. RCW 70.149.070 directs disbursement from the trust fund established by RCW 70.149.080. The Pollution Liability Insurance Agency is amending sections of chapter 374-70 WAC to protect the trust fund from future pollution liability insurance claims based on suspected heating oil releases from active heating oil tanks. This rule change will ensure that the purpose of the program is satisfied, but that program funds will not be expended to discover whether or not contamination actually exists. The burden of proof that a release has occurred is the responsibility of the tank owner/operator. Excavation of an underground heating oil tank is the responsibility of the tank owner/operator. These amendments will ensure fairness in the distribution of services and solvency of the heating oil pollution liability insurance program.

Citation of Existing Rules Affected by this Order: Repealing WAC 374-70-110; and amending WAC 374-70-020, 374-70-030, 374-70-060, 374-70-070, 374-70-080, 374-70-090, 374-70-100, 374-70-120, and 374-70-130.

Statutory Authority for Adoption: Chapter 70.149 RCW.

Adopted under notice filed as WSR 97-03-113 on January 21, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 9, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

March 3, 1997

James M. Sims

Director

**AMENDATORY SECTION** (Amending WSR 96-01-101, filed 12/19/95, effective 1/19/96)

**WAC 374-70-020 Definitions.** Unless the context requires otherwise, the definitions in this section shall apply throughout this chapter.

(1) "Abandoned heating oil tank" means a heating oil tank system that has been abandoned or decommissioned and is no longer active and in use.

(2) "Accidental release" means a sudden or nonsudden release of heating oil from an active heating oil tank that results in bodily injury, property damage, or a need for corrective action, neither expected nor intended by the owner or operator.

(3) "Active" heating oil tank means a heating oil tank that:

(a) Is in use at the time of registration for the heating oil pollution liability insurance program;

(b) Has been in continuous use for a period of eighteen months prior to registration; and

(c) Has been continuously in use between registration and submission of a notice of claim.

(4) "Agency" means the Washington state pollution liability insurance agency established pursuant to chapter 70.148 RCW. For purposes of chapter 70.149 RCW, agency shall also mean staff or employees of the pollution liability insurance agency.

(5) "Bodily injury" means bodily injury, sickness, or disease sustained by a person, including death at any time, resulting from the injury, sickness, or disease.

(6) "Claim" means a demand made by a named insured, or the insured's representative, for payment of the benefits provided under the heating oil pollution liability insurance program.

(7)(a) "Corrective action" means those actions reasonably required to be undertaken by the insured to remove, treat, neutralize, contain, or clean up an accidental release in order to comply with a statute, ordinance, rule, regulation, directive, order, or similar legal requirement, in effect at the time of an accidental release, of the United States, the state of Washington, or a political subdivision of the United States or the state of Washington. "Corrective action" includes, where agreed to in writing, in advance by the insurer, action to remove, treat, neutralize, contain, or clean up an accidental release to avert, reduce, or eliminate the liability of the insured for corrective action, bodily injury, or property damage. "Corrective action" also includes actions reasonably necessary to monitor, assess, and evaluate an accidental release.

(b) "Corrective action" does not include:

(i) Removal, replacement or repair of heating oil tanks or other receptacles; ~~((e))~~

(ii) Replacement or repair of piping, connections, and valves of tanks or other receptacles; ~~or~~

(iii) Costs directly associated with tank removal.

(8) "Director" means the director of the Washington state pollution liability insurance agency or the director's appointed representative.

(9) "Heating oil" means any petroleum product used for space heating in oil-fired furnaces, heaters, and boilers, including stove oil, diesel fuel, or kerosene. "Heating oil" does not include petroleum products used as fuels in motor vehicles, marine vessels, trains, buses, aircraft, or any off-highway equipment not used for space heating, or for industrial processing or the generation of electrical energy.

(10) "Heating oil tank" means an active tank and its connecting pipes, whether above or below ground, or in a basement, with pipes connected to the tank for space heating of human living or working space on the premises where the tank is located. "Heating oil tank" does not include a decommissioned or abandoned heating oil tank, or a tank used solely for industrial process heating purposes or generation of electrical energy.

(11) "Heating oil tank service provider" is an independent contractor responsible for ~~((all aspects of))~~ corrective action including ~~((excavation, tank line removal,))~~ sampling and testing, remedial actions, site restoration, and submittal of required reports to PLIA.

(12) "Insurer" means the commercial insurance company providing pollution liability insurance to registered owners of heating oil tanks under the heating oil pollution liability insurance program. PLIA is the reinsurer of the commercial insurance company and acts as the designated representative of the insurer for the heating oil pollution liability insurance program.

(13) "MTCA" means the Model Toxics Control Act (chapter 70.105D RCW).

~~((13))~~ (14) "Named insured" means the individual insureds who are heating oil tank owners registered for coverage under the heating oil pollution liability insurance program.

~~((14))~~ (15) "Occurrence" means an accident, including continuous or repeated exposure to conditions, that results in an accidental release from an active heating oil tank.

~~((15))~~ (16) "Owner" means the person, or his or her authorized representative, legally responsible for a heating oil

tank, its contents, and the premises upon which the heating oil tank is located.

~~((16))~~ (17) "Owner or operator" means a person in control of, or having responsibility for, the daily operation of a heating oil tank.

~~((17))~~ (18) "Per occurrence, per site, per year" means one accidental release per site, per year.

~~((18))~~ (19) "Pollution liability insurance agency" (PLIA) means the Washington state pollution liability insurance agency established pursuant to chapter 70.148 RCW. For purposes of chapter 70.149 RCW, pollution liability insurance agency shall also mean staff or employees of the pollution liability insurance agency.

~~((19))~~ (20) "Pollution liability insurance agency trust account" means the pollution liability insurance agency trust account established under chapter 70.148 RCW and established in the custody of the state treasurer. Expenditures from the account are used for the purposes of chapter 70.148 RCW including the payment of costs of administering the pollution liability insurance program, and payment of reinsurance claims.

~~((20))~~ (21) "Property damage" means:

(a) Physical injury to, destruction of, or contamination of tangible property, including the loss of use of the property resulting from the injury, destruction, or contamination; or

(b) Loss of use of tangible property that has not been physically injured, destroyed, or contaminated but has been evacuated, withdrawn from use, or rendered inaccessible because of an accidental release.

~~((21))~~ (22) "Property damage restoration" means the restoration of property to a similar condition to that of the property prior to the accidental release. Restoration includes the replacement of sod, plants or concrete driveway or walkway, or the cleaning or replacement of carpet in the case of a basement tank.

~~((22))~~ (23) "Release" means a spill, leak, emission, escape, or leaching into the environment.

~~((23))~~ (24) "Third-party claimant" means a person alleged to have suffered property damage requiring corrective action or bodily injury as a direct result of a leak or spill from the heating oil tank of a named insured.

~~((24))~~ (25) "Third-party liability" means the liability of a heating oil tank owner to another person due to property damage requiring corrective action or bodily injury that results from a leak or spill from an active heating oil tank.

AMENDATORY SECTION (Amending WSR 96-01-101, filed 12/19/95, effective 1/19/96)

**WAC 374-70-030 Responsibility.** (1) The director of the pollution liability insurance agency is directed by chapter 70.149 RCW to establish the heating oil pollution liability insurance program to assist owners and operators of active heating oil tanks. The agency implements and administers the pollution liability insurance program established by chapter 70.148 RCW and the heating oil pollution liability insurance program established by chapter 70.149 RCW.

(2) The location of the principal office and the mailing address of the agency is:

Pollution Liability Insurance Agency  
State of Washington  
1015 10th Avenue, S.E.  
P.O. Box 40930  
Olympia, WA 98504-0930

(3) The principal administrative and appointing officer of the agency is the director. The director may designate other employees of the agency to act in his or her behalf in the director's absence or with respect to those matters in which so doing would enhance the efficiency of the agency's operations.

(4) In administering the heating oil pollution liability insurance program, PLIA acts as the designated representative of the insurer providing pollution liability insurance to registered owners of heating oil tanks.

**AMENDATORY SECTION** (Amending WSR 96-01-101, filed 12/19/95, effective 1/19/96)

**WAC 374-70-060 Coverage.** (1) The effective date of coverage under the heating oil pollution liability insurance program is January 1, 1996. Thereafter, individual heating oil tank coverage shall become effective upon receipt, by PLIA, of the completed registration form. Corrective action for an accidental release occurring prior to the effective date of coverage will not be covered under the program.

(2) The heating oil pollution liability insurance program provides coverage for corrective action costs up to sixty thousand dollars per occurrence, per site, per year, exclusive of other valid insurance or warranties.

**(3) Corrective action costs covered under the heating oil pollution liability insurance program include:**

(a) Corrective action if the accidental release occurs after the registration of an active heating oil tank;

(b) Actions necessary to determine the extent and severity of an accidental release;

(c) Costs, not to exceed sixty thousand dollars per occurrence, per site, per year;

(d) Costs in excess of other valid insurance or warranties;

(e) First-party property damage restoration, including landscaping, limited to one thousand five hundred dollars per occurrence, per site, per year;

(f) Third-party property damage restoration, including landscaping, limited to one thousand five hundred dollars for each third-party claimant per occurrence, per site, per year;

(g) Excavation, treatment and/or removal and proper disposal of any soil or water contaminated by the accidental release and ~~((removal and))~~ proper disposal of nonrepairable heating oil tank or tanks; and

(h) Required soil and water sampling and testing to determine if corrective action standards have been met.

**(4) Corrective action costs not covered under the heating oil pollution liability insurance program include:**

(a) Corrective action if the accidental release occurred prior to the registration of an active heating oil tank;

(b) Costs covered by other valid insurance or warranties;

(c) Costs in excess of sixty thousand dollars per occurrence, per site, per year, exclusive of other valid insurance or warranties;

(d) Cleanup of contamination from other sources;

(e) Removal, repair or replacement of the heating oil tank, lines, or furnace;

(f) Emergency heat restoration procedures;  
(g) Cleanup of a site beyond the MTCA cleanup levels;  
(h) Corrective action associated with an abandoned or decommissioned heating oil tank or site;

(i) First-party property damage restoration, including landscaping, in excess of one thousand five hundred dollars per occurrence, per site, per year;

(j) Third-party property damage restoration, including landscaping, in excess of one thousand five hundred dollars for each third-party claimant per occurrence, per site, per year; and

(k) Defense costs, including the costs of legal representation, expert fees, and related costs and expenses incurred in defending against claims or actions brought by or on behalf of:

(i) The United States, the state of Washington, or a political subdivision of the United States or state of Washington to require corrective action or to recover costs of corrective action; or

(ii) A third party for bodily injury or property damage caused by an accidental release.

(5) If a claim exceeds sixty thousand dollars in total damages, coverage within the sixty thousand dollar policy limit shall be on a pro rata basis between the insured heating oil tank owner and third-party claimant(s).

(6) A claim will be accepted for coverage only after an investigation has confirmed the existence of an accidental release which is eligible for coverage under these rules.

**AMENDATORY SECTION** (Amending WSR 96-01-101, filed 12/19/95, effective 1/19/96)

**WAC 374-70-070 Parties involved with an accidental release and corrective action.** Among the potential parties involved when an accidental release is suspected from a heating oil tank or line are the heating oil tank owner or operator, adjacent property owners, heating oil supplier, PLIA, third-party administrator, department of ecology, and heating oil tank service providers.

(1) Heating oil tank owner or operator. All liabilities caused by an accidental release originating from a heating oil tank are the sole responsibility of the heating oil tank owner. The pollution liability insurance agency and/or the state of Washington accepts no liability, nor portion of the liability, from the heating oil tank owner. The heating oil tank operator may submit forms to PLIA on behalf of the owner, however, no corrective action may be performed without the specific written consent of the heating oil tank owner. The heating oil tank owner or operator is responsible for ~~((selecting a heating oil tank service provider from the prequalified list supplied by PLIA, working with that service provider to file the appropriate forms and reports with PLIA, and for))~~ notifying the heating oil supplier in the case of a suspected accidental release and investigating the source and extent of the suspected accidental release. The heating oil tank owner is responsible for notification of homeowner's insurer and determination of whether coverage will be provided. If corrective action is implemented, the heating oil tank owner is responsible for selecting a service provider approved by the insurer and approving the completed corrective action.

(2) Adjacent property owners. If an accidental release migrates off-site, or is suspected to have migrated, the adjacent property owner may be involved in the corrective action. In this situation, the heating oil tank owner or

operator shall notify PLIA of the occurrence and provide the adjacent property owner's name, address and telephone number.

(3) Heating oil supplier. Some heating oil suppliers provide customer services which may be a resource to evaluate a suspected accidental release to the environment. If after investigating a heating system malfunction, a heating oil supplier determines that an accidental release may have occurred, the heating oil supplier should inform the owner or operator of the accidental release.

~~(4) ((PLIA. PLIA registers heating oil tanks, purchases insurance and provides reinsurance, provides a list of prequalified heating oil tank service providers, manages claims, investigates sites and provides certification that a claim is closed.~~

~~(5) Third party administrator. PLIA will appoint a third party administrator to perform all initial investigations and site assessments. Investigation will include, but not necessarily be limited to, verification that the accidental release is from an active, registered heating oil tank, investigation of the existence of any other valid insurance or warranties providing coverage for the heating oil tank and/or property, and determination of the extent and severity of the accidental release. The heating oil tank owner or operator shall cooperate fully with the third party administrator and supply any information necessary for the third party administrator to complete the initial investigation and site assessment, including, but not limited to, a copy of any homeowner, pollution liability, or environmental impairment insurance policy(ies). A report of the investigation will be submitted to PLIA. If no contamination requiring corrective action is discovered during the investigation, all costs associated with the investigation will be the responsibility of the heating oil tank owner.)) PLIA acts as the designated representative of the insurer for purposes of the heating oil pollution liability insurance program. PLIA provides informal advice and assistance to heating oil tank owners and operators, registers heating oil tanks for insurance coverage, provides listings of service providers approved by the insurer, manages claims for the insurer and provides certification that a claim is closed.~~

~~(5) Third-party administrator. PLIA may appoint a third-party administrator to assist in monitoring, investigation and corrective action.~~

(6) Department of ecology. The department of ecology administers state-wide laws and rules detailing MTCA cleanup standards for both soil and ground water. To be eligible for coverage under the heating oil pollution liability insurance program, corrective action must satisfy MTCA and pertinent local government requirements.

(7) Heating oil tank service provider. A heating oil tank service provider is an independent contractor ~~((responsible for all aspects of corrective action including excavation, tank/line removal, sampling and testing, remedial actions, site restoration, and submittal of required reports to PLIA))~~ who contracts with an owner or operator to perform corrective action, including submitting reports to PLIA on behalf of the owner or operator.

AMENDATORY SECTION (Amending WSR 96-01-101, filed 12/19/95, effective 1/19/96)

WAC 374-70-080 Claims ((procedures)). Coverage under the heating oil pollution liability insurance program shall be in excess of other valid insurance and warranties. Payment of a claim will be made only if the cleanup of contamination resulting from an accidental release is not covered by other valid insurance and warranties. Corrective action will be accomplished by the most cost-effective method available. To receive payment from the heating oil pollution liability insurance program for covered corrective action costs, the following actions are required:

(1) The claim must be for corrective action resulting from an accidental release from an active heating oil tank which has been registered with PLIA prior to the accidental release;

(2) The claim must satisfy all requirements and restrictions established by chapter 70.149 RCW and this chapter. Any failure to satisfy all requirements and restrictions may be a basis for denial of claim;

(3) The heating oil tank owner or operator must provide notice to PLIA that a potential claim exists within ~~((seven))~~ ten days of discovery that an accidental release may have occurred;

(4) Upon receipt of notice of a potential claim, PLIA will commence completion of the notice of claim, and will provide the heating oil tank owner or operator with a list of ~~((prequalified))~~ insurer approved heating oil tank service providers;

(5) The heating oil tank operator may submit reports and forms on behalf of the heating oil tank owner; however, no corrective action will be initiated or performed without the specific written consent of the heating oil tank owner;

~~(6) ((Initial investigation and site assessment will be performed by a third party administrator appointed by PLIA. Investigation will include, but not necessarily be limited to, verification that the accidental release is from an active, registered heating oil tank, investigation of the existence of any other valid insurance or warranties providing coverage for the heating oil tank and/or property, and determination of the extent and severity of the accidental release. The heating oil tank owner or operator shall cooperate fully with the third party administrator and supply any information necessary for the third party administrator to complete the initial investigation and site assessment, including, but not limited to, a copy of any homeowner, pollution liability, or environmental impairment insurance policy(ies). A report of the investigation will be submitted to PLIA. If no contamination requiring corrective action is discovered during the investigation, all costs associated with the investigation will be the responsibility of the heating oil tank owner.))~~ The heating oil tank owner is responsible for investigation to determine the source and extent of a suspected accidental release. The heating oil tank owner is also responsible for notification of the homeowner's insurer and determination of whether coverage will be provided;

(7) If the claim is determined by PLIA to be valid, PLIA will so notify the heating oil tank owner or operator ~~((will be notified by PLIA to select)).~~ The corrective action shall be performed by a heating oil tank service provider((from the list of prequalified heating oil tank service providers, to perform corrective action. PLIA's list of prequalified heating oil tank service providers will be updated quarterly.

~~The heating oil tank owner or operator must contact PLIA, prior to selecting a heating oil tank service provider, to confirm that the heating oil tank service provider is still included on the agency's list of prequalified heating oil tank service providers)) approved by the insurer;~~

(8) The ~~((prequalified))~~ heating oil tank service provider will notify PLIA of selection by the heating oil tank owner or operator. PLIA will then forward to the heating oil tank service provider the following forms:

(a) Scope of work proposal. This form will provide the heating oil tank owner or operator and PLIA a proposal of the extent and elements of corrective action, as well as a specific cost proposal;

(b) Change order. This form provides a proposal for change or deviation from the scope of work proposal;

(c) Project field report. This form provides a record of all corrective action and work elements, as well as a record of detailed costs. The project field report must include color photographs of the project at commencement, completion, and any significant steps in between, as well as appropriate project sketches and/or plans; and

(d) Claim report. This form will include a project closeout report, final cleanup report, and corrective action cost claim;

(9) The ~~((prequalified))~~ heating oil tank service provider will submit for approval to the heating oil tank owner or operator and to PLIA a scope of work proposal for corrective action at the heating oil tank site;

(10) Upon receipt of approval by the heating oil tank owner or operator and PLIA of the scope of work proposal, the heating oil tank service provider may commence work to accomplish corrective action ~~((in compliance with MTCIA independent remedial action))~~;

(11) All work performed by the heating oil tank service provider on behalf of the heating oil tank owner or operator and PLIA must be within the terms of the contract and the approved scope of work proposal and shall not exceed costs included in the scope of work proposal. Any change(s) or deviation(s) from the approved scope of work proposal must be accomplished through a change order request which must be approved in advance by the heating oil tank owner or operator and PLIA. Any work performed by the heating oil tank service provider that has not been approved, prior to performance, by the heating oil tank owner or operator and PLIA, or is beyond the terms of the scope of work proposal or change order(s), or is in excess of costs approved in the scope of work proposal or change order(s), will not be paid or reimbursed under the heating oil pollution liability insurance program. Such work or excess costs will be the responsibility of the heating oil tank owner and/or heating oil tank service provider;

(12) Corrective action activities and costs must be recorded by the heating oil tank service provider on the project field report form provided by PLIA ~~((The project field report must include color photographs of the project at commencement, completion and any significant steps between, as well as appropriate project sketches and/or plans))~~;

(13) Upon completion of all corrective action, the heating oil tank owner or operator must sign the project closeout report indicating approval of and satisfaction with all work performed by the heating oil tank service provider;

(14) Upon completion of ~~((all))~~ corrective action and approval by the heating oil tank owner or operator, the heating oil tank service provider must submit to PLIA a complete claim report ~~((The claim report will include the project closeout report, project field report, final cleanup report and corrective action cost claim. After review and approval of the claim report by PLIA, the heating oil tank service provider will receive payment))~~;

(15) Upon completion of corrective action that appears to satisfy the requirements of all applicable state and local statutes, the director will certify that the claim has been closed;

(16) Approval of claims and payment of covered costs are contingent upon the availability of revenue. The director reserves the right to defer payment at any time that claim demands exceed the revenue available for the heating oil pollution liability insurance program. Payment will commence with sufficient revenue;

(17) PLIA will maintain all records associated with a claim for a period of ten years; and

(18) In the case of an emergency, the director may authorize deviation from this procedure to the extent necessary to adequately respond to the emergency.

AMENDATORY SECTION (Amending WSR 96-01-101, filed 12/19/95, effective 1/19/96)

**WAC 374-70-090 Third-party claims ~~((procedures))~~.**  
Coverage under the heating oil pollution liability insurance program shall be in excess of other valid insurance and warranties. Payment of a claim will be made only if the cleanup of contamination resulting from an accidental release is not covered by other valid insurance and warranties. Corrective action will be accomplished by the most cost-effective method available. For a third party to receive payment from the heating oil pollution liability insurance program for covered corrective action costs, the following actions are required:

(1) The claim must be for corrective action resulting from a leak or spill from an active heating oil tank which has been registered with PLIA prior to the leak or spill;

(2) The claim must satisfy all requirements and restrictions established for third-party claims by chapter 70.149 RCW and this chapter. Any failure to satisfy all requirements and restrictions may be a basis for denial of claim;

(3) The third-party claimant must provide notice to PLIA that a potential third-party claim may exist within ~~((ten))~~ fifteen days of discovery that damage may have occurred from a leak or spill from a named insured's active heating oil tank;

(4) Upon receipt of notice of a potential claim, PLIA will commence completion of the notice of claim;

(5) ~~((Initial investigation and site assessment will be performed by a third party administrator appointed by PLIA. Investigation will include, but not necessarily be limited to, verification that the leak or spill is from an active, registered heating oil tank, investigation of the existence of any other valid insurance or warranties providing coverage for the heating oil tank and/or property, and determination of the extent and severity of the leak or spill. The third party claimant shall cooperate fully with the third party administrator and supply any information necessary for the third party administrator to complete the initial investigation and site assessment. A report of the investigation will be submitted~~

to PLIA. ~~If no contamination requiring corrective action is discovered during the investigation, all costs associated with the investigation will be the responsibility of the heating oil tank owner;)~~ If an accidental release from a named insured's heating oil tank has been confirmed, PLIA, as designated representative of the insurer will initiate an investigation to determine the extent and source of the contamination. Investigation will be performed by PLIA or a designated representative approved by the insurer. PLIA may also assist the named insured heating oil tank owner in determining if the insured's homeowner's insurance provides coverage for third-party damage. The third-party claimant shall cooperate fully with the investigator and provide any information or access necessary to complete the investigation;

(6) If the claim is determined by PLIA to be valid, the third-party claimant will be notified by PLIA to select a heating oil tank service provider, ~~((from the list of prequalified heating oil tank service providers)) approved by the insurer, to perform corrective action((PLIA's list of prequalified heating oil tank service providers will be updated quarterly. The third party claimant must contact PLIA, prior to selecting a heating oil tank service provider, to confirm that the heating oil tank service provider is still included on the agency's list of prequalified heating oil tank service providers));~~

(7) The ~~((prequalified))~~ heating oil tank service provider will notify PLIA of selection by the third-party claimant. PLIA will then forward to the heating oil tank service provider the following forms:

(a) Scope of work proposal. This form will provide the third-party claimant and PLIA a proposal of the extent and elements of corrective action, as well as a specific cost proposal;

(b) Change order. This form provides a proposal for change or deviation from the scope of work proposal;

(c) Project field report. This form provides a record of all corrective action and work elements, as well as a record of detailed costs. The project field report must include color photographs of the project at commencement, completion, and any significant steps in between, as well as appropriate project sketches and/or plans; and

(d) Claim report. This form will include a project closeout report, final cleanup report, and corrective action cost claim;

(8) The ~~((prequalified))~~ heating oil tank service provider will submit for approval to the third-party claimant and to PLIA a scope of work proposal for corrective action;

(9) Upon receipt of approval by the third-party claimant and PLIA of the scope of work proposal, the heating oil tank service provider may commence work to accomplish corrective action ~~((in compliance with MTCA independent remedial action));~~

(10) All work performed by the heating oil tank service provider on behalf of the third-party claimant and ~~((PLIA))~~ the insurer must be within the terms of the contract and the approved scope of work proposal and shall not exceed costs included in the scope of work proposal. Any change(s) or deviation(s) from the approved scope of work proposal must be accomplished through a change order request which must be approved in advance by the third-party claimant and PLIA. Any work performed by the heating oil tank service provider that has not been approved, prior to performance,

by the third-party claimant and PLIA, or is beyond the terms of the scope of work proposal or change order(s), or is in excess of costs approved in the scope of work proposal or change order(s), will not be paid or reimbursed under the heating oil pollution liability insurance program. Such work or excess costs will be the responsibility of the third-party claimant and/or heating oil tank service provider;

(11) Corrective action activities and costs must be recorded by the heating oil tank service provider on the project field report form provided by PLIA ~~((The project field report must include color photographs of the project at commencement, completion and any significant steps between, as well as appropriate project sketches and/or plans));~~

(12) Upon completion of all corrective action, the third-party claimant must sign the project closeout report indicating approval of and satisfaction with all work performed by the heating oil tank service provider;

(13) Upon completion of ~~((all))~~ corrective action and approval by the third-party claimant, the heating oil tank service provider must submit to PLIA a complete claim report. ~~((The claim report will include the project closeout report, project field report, final cleanup report and corrective action cost claim.))~~ After review and approval of the claim report by PLIA, the heating oil tank service provider will receive payment;

(14) Upon completion of corrective action that appears to satisfy the requirements of all applicable state and local statutes, the director will certify that the claim has been closed;

(15) Approval of claims and payment of covered costs are contingent upon the availability of revenue. The director reserves the right to defer payment at any time that claim demands exceed the revenue available for the heating oil pollution liability insurance program. Payment will commence with sufficient revenue;

(16) PLIA will maintain all records associated with a claim for a period of ten years; and

(17) In the case of an emergency, the director may authorize deviation from this procedure to the extent necessary to adequately respond to the emergency.

**AMENDATORY SECTION** (Amending WSR 96-01-101, filed 12/19/95, effective 1/19/96)

**WAC 374-70-100 Service provider requirements and procedures.** (1) All corrective action shall be performed by ~~((prequalified))~~ insurer approved heating oil tank service providers. A heating oil tank service provider is an independent contractor responsible for ~~((all aspects of))~~ corrective action including excavation, ~~((tank line removal,))~~ sampling and testing, remedial actions, site restoration, and submittal of required reports to PLIA. ~~((PLIA will maintain a list of prequalified heating oil tank service providers. This list will be made available to heating oil tank owners and operators. PLIA will continually monitor the performance of the prequalified heating oil tank service providers.~~

(2) To qualify as a prequalified heating oil tank service provider, a contractor must submit to PLIA the following documents:

~~(a) Certificates of insurance covering general liability, vehicles, and workers' compensation, including limits of coverage;~~

~~(b) Copy of state general contractor's license; and~~

PERMANENT

~~(e) A signed agreement to terms and conditions, established by PLIA, for prequalified heating oil tank service providers.~~

~~(3))~~ (2) Once retained, the heating oil tank service provider works with the insurer, PLIA, as the insurer's designated representative, the heating oil tank owner or operator and/or the third-party claimant to perform the following:

- (a) Perform the corrective action;
- (b) Document the costs of the corrective action; and
- (c) File the forms required to receive payment from the heating oil pollution liability insurance program.

~~((4))~~ (3) All ~~((prequalified))~~ heating oil tank service providers must follow claims procedures as outlined in WAC 374-70-070.

~~((5))~~ (4) Whenever possible, all corrective action activities must meet the criteria established by MTCA and any pertinent local ordinances or requirements.

AMENDATORY SECTION (Amending WSR 96-01-101, filed 12/19/95, effective 1/19/96)

**WAC 374-70-120 Appeals.** (1) A person may appeal any of the following decisions made under the heating oil pollution liability insurance program to the director:

- (a) A denial of eligibility for coverage;
- (b) Amount of payment allowed for corrective action;
- (c) Amount of payment allowed for property damage;
- (d) Amount of payment allowed for a third-party claim;

and

(e) A determination that cleanup does not meet MTCA standards;

~~(f) A denial of inclusion on the agency's list of prequalified heating oil tank service providers; and~~

~~(g) Removal of a heating oil tank service provider from the agency's list of prequalified heating oil tank service providers).~~

(2) A person has forty-five days after the decision to file a written request for a hearing.

(3) If the written request for a hearing is received within forty-five days, the director shall conduct an adjudicative hearing proceeding under chapter 34.05 RCW.

(4) If the written request for a hearing is not received within forty-five days after the decision, no further consideration will be given to the appeal.

AMENDATORY SECTION (Amending WSR 96-01-101, filed 12/19/95, effective 1/19/96)

**WAC 374-70-130 Confidentiality of information.** (1) All information obtained during heating oil tank registration shall be confidential and may not be ~~((made))~~ subject to public ((or otherwise disclosed to any person, firm, corporation, agency, association, government body, or other entity)) disclosure under chapter 42.17 RCW.

(2) All examination and proprietary reports and information obtained in soliciting bids from insurers and in monitoring the selected insurer shall be confidential and may not be made public or otherwise disclosed to any person, firm, corporation, agency, association, government body, or other entity.

## REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 374-70-110 Quality assurance.

**WSR 97-06-085**

**PERMANENT RULES**

**PUBLIC DISCLOSURE COMMISSION**

[Filed March 3, 1997, 1:15 p.m.]

Date of Adoption: February 25, 1997.

Purpose: Amend the summary contribution and expenditure form (C-4) to better track independent expenditures.

Citation of Existing Rules Affected by this Order: Amending WAC 390-16-041.

Statutory Authority for Adoption: RCW 42.17.370(1) and 42.17.090 (1)(k).

Adopted under notice filed as WSR 97-03-117 on January 21, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 1, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

February 28, 1997

Melissa Warheit

Executive Director

AMENDATORY SECTION (Amending WSR 94-05-011, filed 2/3/94)

**WAC 390-16-041 Forms—Summary of total contributions and expenditures.** (1) The official form for reports of contributions and expenditures by candidates and political committees who use the "full" reporting option is designated "C-4", revised ((11/93)) 3/97, and includes Schedule A, revised 11/93, Schedule B, revised 11/93, Schedule C, revised 3/93, and Schedule L, revised 11/93.

(2) The official form for reports of contributions and expenditures by candidates and political committees who use the "abbreviated" reporting option is designated "C-4abb," revised 11/93.

(3) Copies of these forms are available at the commission office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504. Any attachments shall be on 8-1/2" x 11" white paper.





**SUMMARY, FULL REPORT  
RECEIPTS AND EXPENDITURES**

<b>C4</b>	PDC OFFICE USE
	(6/96)

Candidate or Committee Name (Do not abbreviate. Include full name) \_\_\_\_\_

Mailing Address \_\_\_\_\_ City \_\_\_\_\_

Zip + 4	Office Sought (Candidates)	<b>For PACs Only*:</b> During this report period, did the committee make an <u>independent expenditure</u> (i.e., an expense not considered a contribution) <u>supporting or opposing a state or local candidate</u> ? *See reverse side. Yes ___ No ___
Report Period Covered	From (last C-4) _____ To (end of period) _____ Final Report? Yes ___ No ___	

**RECEIPTS**

- Previous total cash and in kind contributions (From line 8, last C-4) (if beginning a new campaign or calendar year, see instruction booklet) \_\_\_\_\_
- Cash received (From line 2, Schedule A) \_\_\_\_\_
- In kind contributions received (From line 1, Schedule B) \_\_\_\_\_
- Total cash and in kind contributions received this period (Line 2 plus 3) \_\_\_\_\_
- Loan principal repayments made (From line 2, Schedule L) \_\_\_\_\_ ( \_\_\_\_\_ )
- Corrections (From line 1 or 3, Schedule C) \_\_\_\_\_ Show + or (-) \_\_\_\_\_
- Net adjustments this period (Combine line 5 & 6) \_\_\_\_\_ Show + or (-) \_\_\_\_\_
- Total cash and in kind contributions during campaign (Combine lines 1, 4 & 7) \_\_\_\_\_
- Total pledge payments due (From line 2, Schedule B) \_\_\_\_\_

**EXPENDITURES**

- Previous total cash and in kind expenditures (From line 17, last C-4) (if beginning a new campaign or calendar year, see instruction booklet) \_\_\_\_\_
- Total cash expenditures (From line 4, Schedule A) \_\_\_\_\_
- In kind expenditures (goods & services) (From line 1, Schedule B) \_\_\_\_\_
- Total cash and in kind expenditures made this period (Line 11 plus line 12) \_\_\_\_\_
- Loan principal repayments made (From line 2, Schedule L) \_\_\_\_\_ ( \_\_\_\_\_ )
- Corrections (From line 2 or 3, Schedule C) \_\_\_\_\_ Show + or (-) \_\_\_\_\_
- Net adjustments this period (Combine lines 14 & 15) \_\_\_\_\_ Show + or (-) \_\_\_\_\_
- Total cash and in kind expenditures during campaign (Combine lines 10, 13 and 16) \_\_\_\_\_

<p><b>CANDIDATES ONLY</b></p> <table border="0"> <tr> <td></td> <td>Won</td> <td>Lost</td> <td>Unopposed</td> <td>Name not on ballot</td> </tr> <tr> <td>Primary election</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>General election</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table> <p>Treasurer's Daytime Telephone No.: _____ ( _____ )</p>		Won	Lost	Unopposed	Name not on ballot	Primary election	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	General election	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>CASH SUMMARY</b></p> <p>18. Cash on hand (Line 8 minus line 17) _____  <small>(Line 18 should equal your bank account balance(s) plus your petty cash balance.)</small></p> <p>19. Liabilities: (Sum of loans and debts owed) _____ ( _____ )</p> <p>20. Balance (Surplus or deficit) (Line 18 minus line 19) _____</p>
	Won	Lost	Unopposed	Name not on ballot												
Primary election	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>												
General election	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>												

**CERTIFICATION:** I certify that the information herein and on accompanying schedules and attachments is true and correct to the best of my knowledge.

Candidate's Signature _____	Date _____	Treasurer's Signature _____	Date _____
-----------------------------	------------	-----------------------------	------------

PERMANENT



PDC FORM

**C4**

(8/96)

**SUMMARY OF RECEIPTS  
AND EXPENDITURES**

Please consult PDC instruction manuals when completing this report.  
 Reporting requirements are contained in and governed by RCW 42.17 and WAC 390.

**WHO MUST FILE**

Each candidate and political committee using Full Reporting.

**FILING DATES**

- 1) File with C-1 or C-1pc (Registration form) if you received contributions or made expenditures before registering.
- 2) File on the 10th of each month if contributions or expenditures are over \$200 since last C-4 was filed. (These 10th-of-the-month reports are not required if another C-4 must be filed during that month. See #3 below.)
- 3) For each primary, general and special election in which the candidate or political committee makes an expenditure, file
  - 21 days prior to the election
  - 7 days prior to the election
  - 10th of the first month after the election — see note below

(Note: Not required after primary election from candidates who will be in the general election or from continuing political committees.)

- 4) File final report when campaign is finished or committee closes operation. Often, this coincides with the primary or general post-election, 10th-of-the-month report.

All reports are considered filed as of the postmark date or the date hand-delivered to PDC.

**WHERE TO SEND  
REPORTS**

Send original C-4 reports, along with all schedules and attachments, to PDC. Candidates send a duplicate copy to their County Auditor (County Elections Department). Political committees send a copy to County Auditor of the county in which their headquarters is located or, if no headquarters, the county in which their treasurer resides.

Candidates for city offices, city ballot issue committees and other political committees who give to city candidates or ballot issue committees should check with city clerk regarding any local filing requirements.

**\*FOR PACS ONLY**

The question posed near the top of the front side of this form regarding independent expenditures only applies to PAC filers. The following filers **DO NOT** need to answer the question:

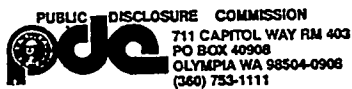
- Candidates for state or local office;
- Bona fide political party committees;
- Caucus political committees; and
- Ballot issue committees that neither contribute to candidates, nor make independent expenditures regarding them.

**All other Political Committees and PACs must respond to the question!**

If the response is "yes," the independent expenditure(s) **MUST** be itemized on the appropriate schedule (either Schedule A, or Part 3 of Schedule B), showing:

- the date of the expense;
- the name and address of the vendor or recipient of the funds;
- if using Schedule A, an "I" in the Code column;
- the name and office sought of the candidate supported or opposed;
- an indication of support or opposition; and
- a brief description of the expense (e.g., brochure mailed to absentee voters).

PERMANENT



SUMMARY, FULL REPORT RECEIPTS AND EXPENDITURES

C4 (397)

PDC OFFICE USE

Candidate or Committee Name (Do not abbreviate. Include full name)

Mailing Address

City

Table with columns: Zip + 4, Office Sought (Candidates), Report Period Covered, From (last C-4), To (end of period), Final Report? Yes/No

\*For PACs, Parties & Caucus Committees: During this report period, did the committee make an independent expenditure (i.e., an expense not considered a contribution) supporting or opposing a state or local candidate?

\*See reverse side. Yes \_\_\_ No \_\_\_

RECEIPTS

- 1. Previous total cash and in kind contributions (From line 8, last C-4)
2. Cash received (From line 2, Schedule A)
3. In kind contributions received (From line 1, Schedule B)
4. Total cash and in kind contributions received this period (Line 2 plus 3)
5. Loan principal repayments made (From line 2, Schedule L)
6. Corrections (From line 1 or 3, Schedule C)
7. Net adjustments this period (Combine line 5 & 6)
8. Total cash and in kind contributions during campaign (Combine lines 1, 4 & 7)
9. Total pledge payments due (From line 2, Schedule B)

EXPENDITURES

- 10. Previous total cash and in kind expenditures (From line 17, last C-4)
11. Total cash expenditures (From line 4, Schedule A)
12. In kind expenditures (goods & services) (From line 1, Schedule B)
13. Total cash and in kind expenditures made this period (Line 11 plus line 12)
14. Loan principal repayments made (From line 2, Schedule L)
15. Corrections (From line 2 or 3, Schedule C)
16. Net adjustments this period (Combine lines 14 & 15)
17. Total cash and in kind expenditures during campaign (Combine lines 10, 13 and 16)

CANDIDATES ONLY

Table with columns: Won, Lost, Unopposed, Name not on ballot. Rows: Primary election, General election

Treasurer's Daytime Telephone No.:

( )

CASH SUMMARY

- 18. Cash on hand (Line 8 minus line 17)
19. Liabilities: (Sum of loans and debts owed)
20. Balance (Surplus or deficit) (Line 18 minus line 19)

CERTIFICATION: I certify that the information herein and on accompanying schedules and attachments is true and correct to the best of my knowledge.

Candidate's Signature

Date

Treasurer's Signature

Date

PDC form C-4 (3/97) \* \* \*

SEE INSTRUCTIONS ON REVERSE

PERMANENT



PDC FORM <b>C4</b> <small>(3/97)</small>	<b>SUMMARY OF RECEIPTS          AND EXPENDITURES</b>
--	--

**Please consult PDC instruction manuals when completing this report.  
 Reporting requirements are contained in and governed by RCW 42.17 and WAC 390.**

- WHO MUST FILE** Each candidate and political committee using Full Reporting.
- FILING DATES**
- 1) File with C-1 or C-1pc (Registration form) if you received contributions or made expenditures before registering.
  - 2) File on the 10th of each month if contributions or expenditures are over \$200 since last C-4 was filed. (These 10th-of-the-month reports are not required if another C-4 must be filed during that month. See #3 below.)
  - 3) For each primary, general and special election in which the candidate or political committee makes an expenditure, file
    - 21 days prior to the election
    - 7 days prior to the election
    - 10th of the first month after the election — see note below
- (Note: Not required after primary election from candidates who will be in the general election or from continuing political committees.)
- 4) File final report when campaign is finished or committee closes operation. Often, this coincides with the primary or general post-election, 10th-of-the-month report.

All reports are considered filed as of the postmark date or the date hand-delivered to PDC.

**WHERE TO SEND REPORTS**

Send original C-4 reports, along with all schedules and attachments, to PDC. Candidates send a duplicate copy to their County Auditor (County Elections Department). Political committees send a copy to County Auditor of the county in which their headquarters is located or, if no headquarters, the county in which their treasurer resides.

Candidates for city offices, city ballot issue committees and other political committees who give to city candidates or ballot issue committees should check with city clerk regarding any local filing requirements.

**\*FOR ALL PACS,  
 POLITICAL PARTIES  
 & CAUCUS POLITICAL  
 COMMITTEES**

The question posted near the top of the front side of this form regarding independent expenditures applies to **ALL POLITICAL COMMITTEES** required to file C-4 reports, **except ballot issue committees** that neither contribute to candidates nor make independent expenditures regarding them and **candidate committees** (because they are prohibited from making expenditures that are not directly related to their own campaigns).

**All other Political Committees and PACs must indicate whether they made any independent expenditures supporting or opposing one or more candidates for state or local office.**

If the response is "yes," the independent expenditure(s) **MUST** be itemized on the appropriate schedule (either Schedule A, or Part 3 of Schedule B), showing:

- the date of the expense;
- the name and address of the vendor or recipient of the funds;
- if using Schedule A, an "I" in the Code column;
- the name and office sought of the candidate supported or opposed;
- an indication of support or opposition; and
- a brief description of the expense (e.g., brochure mailed to absentee voters).

PERMANENT

**CASH RECEIPTS AND EXPENDITURE**

SCHEDULE **A**  
to C4  
(11/93)

Candidate or Committee Name (Do not abbreviate. Use full name.) \_\_\_\_\_

**1. CASH RECEIPTS (Contributions) which have been reported on C3. List each deposit made since last C4 report was submitted.**

Date of deposit	Amount	Date of deposit	Amount	Date of deposit	Amount	Total deposits

**2. TOTAL CASH RECEIPTS**

Enter also on line 2 of C4 \_\_\_\_\_

**CODES FOR CLASSIFYING EXPENDITURES:** If one of the following codes is used to describe an expenditure, no other description is generally needed. The exceptions are:

- 1) If expenditures are in-kind or earmarked contributions to a candidate or committee or independent expenditures that benefit a candidate or committee, identify the candidate or committee in the Description block;
- 2) When reporting payments to vendors for travel expenses, identify the traveller and travel purpose in the Description block; and
- 3) If expenditures are made directly or indirectly to compensate a person or entity for soliciting signatures on a statewide initiative or referendum petition, use code "V" and provide the following information on an attached sheet: name and address of each person/entity compensated, amount paid each during the reporting period, and cumulative total paid all persons to date to gather signatures.

<p>CODE DEFINITIONS ON REVERSE</p>	<p>C - Contributions (monetary, in-kind &amp; transfers) I - Independent Expenditures L - Literature, Brochures, Printing B - Broadcast Advertising (Radio, TV) N - Newspaper and Periodical Advertising O - Other Advertising (yard signs, buttons, etc.) V - Voter Signature Gathering</p>	<p>P - Postage, Mailing Permits S - Surveys and Polls F - Fundraising Event Expenses T - Travel, Accommodations, Meals M - Management/Consulting Services W - Wages, Salaries, Benefits G - General Operation and Overhead</p>
--	--	--

**3. EXPENDITURES**

- a) Expenditures of \$50 or less, including those from petty cash, need not be itemized. Add up these expenditures and show the total in the amount column on the first line below.
- b) Itemize each expenditure of more than \$50 by date paid, name and address of vendor, code/description, and amount.
- c) For each payment to a candidate, campaign worker, PR firm, advertising agency or credit card company, attach a list of detailed expenses or copies of receipts/invoices supporting the payment.

Date Paid	Vendor or Recipient (Name and Address)	Code	Purpose of Expense and/or Description	Amount
N/A	Expenses of \$50 or less	N/A	N/A	

Total from attached pages \_\_\_\_\_

**4. TOTAL CASH EXPENDITURES**

Enter also on line 11 of C4 \_\_\_\_\_

PERMANENT

## EXPENDITURE CODE DEFINITIONS AND USES

(for use on Schedule A and Schedule B, Item 3)

- C MONETARY, IN-KIND AND EARMARKED CONTRIBUTIONS** your campaign legally makes to other campaigns. Put a "C" in the Code column, in the Description column specify who was benefited and, if in-kind, what was purchased.
- I INDEPENDENT EXPENDITURES** (those expenditures that benefit other candidates or committees but are made independently of them). Put an "I" in the Code column and fully describe purpose.
- L LITERATURE**. Use "L" for expenditures made for the preparation and production of campaign literature and printed solicitations, including expenditures for mailing lists, design, photography, copy, layout, printing and reproduction. Use "P" for literature mailing costs.
- B BROADCAST ADVERTISING**. Use "B" for expenditures associated with the production and purchase of radio and television advertising.
- N NEWSPAPER & PERIODICAL ADVERTISING**. Use "N" for expenditures associated with the production and purchase of advertising in newspapers, periodicals and other publications.
- O OTHER ADVERTISING**. Use "O" for expenditures associated with the production and purchase of advertising on billboards, yard signs and campaign paraphernalia such as buttons, bumper stickers, T-shirts, etc.
- V VOTER SIGNATURE GATHERING**. Use "V" for expenditures made directly or indirectly to compensate a person or entity for soliciting or procuring signatures on a statewide initiative or referendum petition. Attach itemization of each such payment.
- P POSTAGE**. Use "P" for expenditures for stamps, postage, United Parcel Service, Federal Express and direct mail services (postage only). Use "L" for design and other production costs associated with producing campaign literature.
- F FUNDRAISING EVENTS**. Use "F" for expenditures associated with holding a fundraiser, including payments to restaurants, hotels, caterers, other food and refreshment vendors, entertainers and speakers. Use "L" for expenditures for printed matter produced in connection with fundraising events.
- S SURVEYS AND POLLS**. Use "S" for expenditures associated with designing or producing polls, reports on election trends, voter surveys, telemarketing, telephone banks, GOTV drives, etc.
- T TRAVEL, ACCOMMODATIONS, MEALS**. Use "T" for expenditures associated with travel. If vendor has been paid directly, identify the traveller in Description column. If travel payment was made to credit card company or traveller (for out-of-pocket expenses), itemize expenses on separate sheet and attach to Schedule A.
- M MANAGEMENT AND CONSULTING SERVICES**. Use "M" for salaries, fees and commissions paid to campaign management companies and contract consultants, including law firms, whether the person is retained or formally employed by the campaign (for tax withholding purposes).
- W WAGES, SALARIES, BENEFITS**. Use "W" for expenditures associated with hiring campaign employees and other freelance workers who provide miscellaneous services other than campaign management or consulting.
- G GENERAL OPERATION AND OVERHEAD**. Use "G" for general campaign operating expenses and overhead, including filing fees, miscellaneous campaign expenses, headquarters rental, utilities, and purchase or rental of office equipment and furniture for the campaign.



**IN KIND CONTRIBUTIONS, PLEDGES, ORDERS, DEBTS, OBLIGATIONS**

SCHEDULE **B**  
to C4 (11/83)

Candidate or Committee Name (Do not abbreviate. Use full name.)

**1. IN KIND CONTRIBUTIONS RECEIVED (goods, services, discounts, etc.)**

Date Received	Contributor's Name and Address	Description of Contribution	Fair Market Value	Aggregate Total	P R I G E N		If \$100 or more, Employer Name, City, State & Occup.
					P	G	
							Occupation
							Occupation
							Occupation
	<input type="checkbox"/> Check here if additional pages are attached	<b>TOTAL</b> (Enter also on line 3 and line 12 of C4)					Occupation

**2. PLEDGES RECEIVED BUT NOT YET PAID. List each pledge of \$100.00 or more.**

Date Notified of Pledge	Name and Address of Pledge Maker	Fair Market Value	Aggregate Total	P R I G E N		If \$100 or more, Employer Name, City, State & Occup.
				P	G	
						Occupation
						Occupation
	<input type="checkbox"/> Check here if additional pages are attached	<b>TOTAL</b> (include new pledges above and all other outstanding pledges. (Enter also on line 9 of C4)				Occupation

**3. ORDERS PLACED, DEBTS, OBLIGATIONS. (Give estimate if actual amount not know. Exclude loans. Report loans on Schedule L.)**

- a. List each debt, obligation or estimated expenditure that is more than \$250.00.
- b. List each debt, obligation or estimated expenditure that is more than \$50.00 and has been outstanding for over 30 days.

Expenditure Date	Vendor's/Recipient's Name and Address)	Amount Owed	Code*	OR	Description of Obligation
	<input type="checkbox"/> Check here if additional pages are attached	<b>TOTAL</b> (Include in line 19 of C4)			

PERMANENT



## EXPENDITURE CODE DEFINITIONS AND USES

(for use on Schedule A and Schedule B, Item 3)

- C MONETARY, IN-KIND AND EARMARKED CONTRIBUTIONS** your campaign legally makes to other campaigns. Put a "C" in the Code column, in the Description column specify who was benefited and, if in-kind, what was purchased.
- I INDEPENDENT EXPENDITURES** (those expenditures that benefit other candidates or committees but are made independently of them). Put an "I" in the Code column and fully describe purpose.
- L LITERATURE**. Use "L" for expenditures made for the preparation and production of campaign literature and printed solicitations, including expenditures for mailing lists, design, photography, copy, layout, printing and reproduction. Use "P" for literature mailing costs.
- B BROADCAST ADVERTISING**. Use "B" for expenditures associated with the production and purchase of radio and television advertising.
- N NEWSPAPER & PERIODICAL ADVERTISING**. Use "N" for expenditures associated with the production and purchase of advertising in newspapers, periodicals and other publications.
- O OTHER ADVERTISING**. Use "O" for expenditures associated with the production and purchase of advertising on billboards, yard signs and campaign paraphernalia such as buttons, bumper stickers, T-shirts, etc.
- V VOTER SIGNATURE GATHERING**. Use "V" for expenditures made directly or indirectly to compensate a person or entity for soliciting or procuring signatures on a statewide initiative or referendum petition. Attach itemization of each such payment.
- P POSTAGE**. Use "P" for expenditures for stamps, postage, United Parcel Service, Federal Express and direct mail services (postage only). Use "L" for design and other production costs associated with producing campaign literature.
- F FUNDRAISING EVENTS**. Use "F" for expenditures associated with holding a fundraiser, including payments to restaurants, hotels, caterers, other food and refreshment vendors, entertainers and speakers. Use "L" for expenditures for printed matter produced in connection with fundraising events.
- S SURVEYS AND POLLS**. Use "S" for expenditures associated with designing or producing polls, reports on election trends, voter surveys, telemarketing, telephone banks, GOTV drives, etc.
- T TRAVEL, ACCOMMODATIONS, MEALS**. Use "T" for expenditures associated with travel. If vendor has been paid directly, identify the traveller in Description column. If travel payment was made to credit card company or traveller (for out-of-pocket expenses), itemize expenses on separate sheet and attach to Schedule A.
- M MANAGEMENT AND CONSULTING SERVICES**. Use "M" for salaries, fees and commissions paid to campaign management companies and contract consultants, including law firms, whether the person is retained or formally employed by the campaign (for tax withholding purposes).
- W WAGES, SALARIES, BENEFITS**. Use "W" for expenditures associated with hiring campaign employees and other freelance workers who provide miscellaneous services other than campaign management or consulting.
- G GENERAL OPERATION AND OVERHEAD**. Use "G" for general campaign operating expenses and overhead, including filing fees, miscellaneous campaign expenses, headquarters rental, utilities, and purchase or rental of office equipment and furniture for the campaign.

**CORRECTIONS**

SCHEDULE **C**  
to C4

Candidate or Committee Name (Do not abbreviate. Use full name.) Date

**1. CONTRIBUTIONS AND RECEIPTS (Include mathematical corrections.)**

Date of report	Contributor's name or description of correction	Amount reported	Corrected amount	Difference (+ or -)
				Total corrections to contributions Enter on line 6 of C4. Show + or (-).

**2. EXPENDITURES (Include mathematical corrections.)**

Date of report	Vendor's 's name or description of correction	Amount reported	Corrected amount	Difference (+ or -)
				Total corrections to expenditures Enter on line 15 of C4. Show + or (-).

**3. REFUNDS FROM VENDORS.** The below listed amounts have been received as refunds on expenditures previously reported. The refund has been deposited and reported on C3 report, Line 1d.

Date of refund	Source / person making refund	Amount of refund
		Total refunds, Enter as (-) on line 6 & line 15 of C4.

PERMANENT

**LOANS**

See instructions and examples on reverse

SCHEDULE TO C3 OR C4

**L**  
(11/93)

Candidate or committee name \_\_\_\_\_

**1. LOAN RECEIVED.** (Loans are considered contributions and are subject to any applicable limit.)

Date loaned	Lender's name and address	<table border="1"><tr><td>P</td><td>R</td><td>I</td></tr><tr><td>G</td><td>E</td><td>N</td></tr></table>	P	R	I	G	E	N	Amount of loan	Annual interest rate	Repayment schedule	Date due
P	R	I										
G	E	N										

Also include this amount on line 1c, C3 report ➤

Name and Address of Each Loan Endorser, Co-signer	<table border="1"><tr><td>P</td><td>R</td><td>I</td></tr><tr><td>G</td><td>E</td><td>N</td></tr></table>	P	R	I	G	E	N	Amount Liable For	Aggregate Total	If Total Contributed is \$100 or More, Show Endorser's Occupation and Name, City, & State of Employer
P	R	I								
G	E	N								

Check here if continued on attached sheet.

**2. LOAN PAYMENTS.** (Candidates may be repaid amount loaned or \$3,000 per election, which ever is less. See instruction manual for details.)

Date paid	Lender's name and address	Principal paid	Interest paid	Total payment	Balance owed

Total Principal Paid (Enter also on lines 5 and 14, C-4 report) ➤

Total Payments (Enter as an expenditure on Schedule A) ➤

**3. LOAN FORGIVEN.**

Date	Lender's name and address	Original amount	Principal repaid	Amount forgiven	Balance owed

**4. LOAN STILL OWED.** (List each loan which has previously been reported and still has a balance due.)

Date	Lender's name and address	Original amount	Principal repaid or forgiven	Amount owed

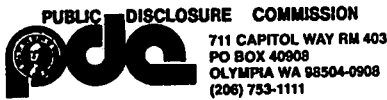
Subtotal \_\_\_\_\_

New loans received during this reporting period \_\_\_\_\_

Check here if continued on attached sheet.

Total Loans Owed (Include in total on line 19, C-4 report) \_\_\_\_\_

PERMANENT



SCHEDULE TO C3 OR C4	<b>L</b> (11/93)	<b>LOANS</b>
----------------------------	---------------------	--------------

Please consult PDC instruction manuals when completing this schedule.  
 Reporting requirements are contained in and governed by chapters 42.17 RCW and 390-16 WAC.

**WHO MUST FILE** Each candidate and political committee using full reporting that receives one or more campaign loans..

**FILING DATES** When a loan is received by the campaign, complete Part 1 and file the Schedule L with the C-3 report that corresponds with the loan's deposit into the account. Use a separate schedule for each loan received.

When a loan is paid or forgiven, in whole or in part, complete Part 2 and/or Part 3 and file the Schedule L with the C-4 covering the period when the payment or forgiveness occurred.

When one or more loans remain unpaid, complete Part 4 and file the schedule with each C-4 report until all loans are repaid in full or forgiven. (The same schedule may be used to show loan payments, forgiveness information and to show which loans remain unpaid.)

PERMANENT

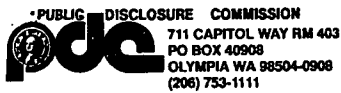
LOAN RECEIVED  
 (Information would appear on separate Schedule L)

LOAN PAYMENTS

LOAN FORGIVEN

LOANS STILL OWED

LOANS		See instructions and examples on reverse		SCHEDULE TO C3 OR C4		L (11/93)	
Candidate or committee name Adrian Adams for State Representative							
1. LOAN RECEIVED. (Loans are considered contributions and are subject to any applicable limit.)							
Date loaned	Lender's name and address	Amount of loan	Annual interest rate	Payment schedule	Date due		
2/12/9X	Tyler Adams (candidate's wife)	\$500	12%	\$100/month	Not fixed		
2/12/9X	Tyler Adams	500	Same	Same	Same		
		Also include this amount on the C-3 report		\$1,000			
Name and Address of Each Loan Endorser, Co signer		Amount Liability For	Aggregate Total	If Total Contributed is \$100 or More, Show Endorser's Occupation and Name, City, & State of Employer			
Conrad Smith 8419 West View Court Arlingplace, WA 98000		\$500	\$500	ABC Company, Madison, WI Sales Manager			
[ ] Check here if continued on attached sheet.							
2. LOAN PAYMENTS. (Candidates may be repaid amount loaned or \$3,000 per election, whichever is less. See instruction manual for details.)							
Date paid	Lender's name and address	Principal paid	Interest paid	Total payment	Balance owed		
3/30/9X	Tyler Adams	\$100	\$10	\$110	\$900		
3/31/9X	Michael Murray	100	None	100	400		
		Total Principal Paid (Enter also on lines 5 and 14, C-4 report)		Total Payments (Enter as an expenditure on Schedule A)			
		\$200		\$210			
3. LOAN FORGIVEN.							
Date	Lender's name and address	Original amount	Principal repaid	Amount forgiven	Balance owed		
3/15/9X	Kelly Adams	\$250	None	\$150	\$100		
4. LOAN STILL OWED. (List each item which has previously been reported and still has a balance due.)							
Date	Lender's name and address	Original amount	Principal repaid or forgiven	Amount owed			
2/12/9X	Tyler Adams	\$1,000	\$100	\$ 900			
1/22/9X	Michael Murray	500	100	400			
3/01/9X	Kelly Adams	250	150	100			
3/11/9X	K. M. Lawrence	1,000	0	1,000			
				Subtotal		\$2,400	
				New loans received during this reporting period		0	
				Total Loans Owed (Include in total on line 15, C-4 report)		\$2,400	
[ ] Check here if continued on attached sheet.							



ABBREVIATED REPORT RECEIPTS AND EXPENDITURES

ABB C4 (11/93) PDC OFFICE USE POST RECEIVED

Candidate or Committee Name (Do not abbreviate. Include full name)
Mailing Address
City Zip + 4 Office Sought (Candidates)

1. PERIOD COVERED BY REPORT: From: To: Final Report: Yes No

- a. Candidates: Start of campaign through the end of the month in which the election occurred.
b. Ballot Measure Committees: Start of campaign through the end of the month in which the election occurred.
c. Continuing Committees filing post-election report: January 1 through end of the month in which election occurred.
d. Continuing Committees filing annual report: Calendar year (January 1 through December 31).

2. RECEIPTS

- a. Cash on hand from previous campaign or year (Include money in checking, savings and other accounts)
b. Cash contributions received this campaign or year (Include monetary contributions, loans, fund raising and cash contributions by a candidate)
c. Total cash receipts (Add lines 2a + 2b)
d. Other contributions, including in-kind (Include candidate's and committee workers' out of pocket expenditures, donated goods and services, filing fees paid by others and similar non-cash contributions)
e. Total contributions (Add lines 2c + 2d)

3. EXPENSES

- a. Cash expenditures
b. Other expenditures. (Enter the amount shown on line 2d above here. Non-cash contributions are listed as both received and expended. Disregard any materials which may remain on hand.)
c. Total expenditures (Add lines 3a + 3b)

4. SURPLUS/DEFICIT

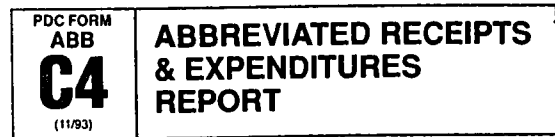
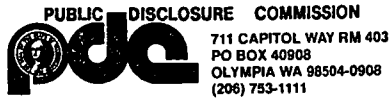
- a. Cash on hand at end of reporting period (Subtract: line 3a from 2c)
b. Debts and obligations owed
c. Surplus or deficit

CANDIDATES Won Lost Unopposed Name not on ballot
Please complete: Primary election
General election

CERTIFICATION: I certify that this report is true and correct to the best of my knowledge.

Candidate's Signature Date Treasurer's Signature (if a political committee) Date

PERMANENT



Please consult PDC instruction manuals when completing this report.  
Reporting requirements are contained in and governed by chapters 42.17 RCW and 390-16 WAC.

- WHO MUST FILE** Each candidate and political committee using Abbreviated Reporting.
- FILING DATES**
- 1) Special election candidates and political committees supporting or opposing special election candidates or ballot issues file on the 10th of the month following the election.
  - 2) Candidates who lose in the primary and political committees supporting or opposing primary election ballot issues file on October 10.
  - 3) Candidates who are in the general election and political committees making expenditures supporting or opposing general election candidates or ballot measures file on December 10.
  - 4) Continuing political committees not taking part in elections during a year file annual reports on January 10 cover the preceding calendar year.
  - 5) A final report is filed whenever a candidate's committee or a political committee ceases operation, disposes of any surplus campaign funds and has a zero account balance. Final reports may be filed at any time and may coincide with one of the due dates listed above.

All reports are considered filed as of the postmark date or the date hand-delivered to PDC.

**WHERE TO FILE**

Send original C-4 ABB report to PDC at the above address. Candidates send a duplicate copy to their County Auditor (County Elections Department). Political committees send a copy to County Auditor of the county in which their headquarters is located or, if no headquarters, the county in which their treasurer resides.

(Candidates for city offices, city ballot issue committees and other political committees who give to city candidates or ballot issue committees check with city clerk regarding any local filing requirement.)

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

**Reviser's note:** The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 97-06-095**  
**PERMANENT RULES**  
**EASTERN WASHINGTON UNIVERSITY**

[Filed March 4, 1997, 10:30 a.m.]

Date of Adoption: January 24, 1997.

Purpose: Sexual misconduct and harassment, hazing, and abuse of computing facilities. Also, to amend potential sanctions and the disciplinary proceedings used in enforcing appropriate student conduct. Student rights under the code are also amended and the section on academic misconduct repealed.

Citation of Existing Rules Affected by this Order: Repealing WAC 172-120-150; and amending WAC 172-120-020, 172-120-030, 172-120-040, 172-120-050, 172-120-060, 172-120-070, 172-120-080, 172-120-090, 172-120-100, 172-120-110, 172-120-120, 172-120-130, and 172-120-140.

Statutory Authority for Adoption: RCW 28B.35.120.

Adopted pursuant to notice filed as WSR 97-01-078 on December 17, 1996.

Effective Date of Rule: Thirty days after filing.

March 2, 1997

Jo Rogers, Director  
 Administrative Personnel  
 and University Training

**NEW SECTION**

**WAC 172-120-015 Definitions.** For purposes of the student conduct code, chapter 172-120 WAC, the definitions of this section apply throughout the chapter.

(1) "Student" includes all persons taking courses at the university, both full and part time. Nonmatriculated, international students attending language institutes or foreign study programs at the university are also considered students under the terms of this code.

(2) "University" refers to the facilities, property, programs, activities and members of the Eastern Washington University community.

**AMENDATORY SECTION** (Amending Order 1-22-81, filed 2/25/81)

**WAC 172-120-020 Interest of the university relevant to a student code.** The university is a special-purpose, as opposed to general-purpose community, and as such must devise procedures and regulations to control disruptive elements which would deter the university from furthering its mission—providing learning experiences for its students, transmitting and advancing knowledge and providing services to the greater community. Special university interests provide a foundation for building a code of conduct.

(1) The university has a primary concern with matters which impinge (~~upon~~) on academic achievement and integrity.

(2) The university has a concern with conduct which breaches the peace, causes disorder(~~er~~) and substantially interferes with the rights of others.

(3) The university has an interest in behavior which threatens or actions which imperil the physical and mental health and safety of members of the university community.

(4) The university has an obligation to protect its property and the property of members of its community from theft, damage, destruction(~~er~~) or misuse.

(5) The university has a commitment to meet its contractual agreements.

(6) The university has an obligation to support and be guided by laws of the land.

**AMENDATORY SECTION** (Amending Order 87-01, filed 10/2/87)

**WAC 172-120-030** (~~The problems of dual membership~~) **Relationship between civil and criminal laws and university disciplinary proceedings.** (~~Activities of students may upon occasion result in violation of law. Students who violate the law may incur penalties prescribed by civil authorities, but institutional authority should never be used merely to duplicate the function of general laws. Only where the institution's interests as an academic community are distinct and clearly involved should the special authority of the institution be asserted. Students who incidentally violate institutional regulations in the course of their off campus activity, such as those relating to class attendance, should be subject to no greater penalty than would normally be imposed. Institutional action should be independent of community pressure.~~) **Many offenses actionable under this code are also violations of federal, state or local laws. A student may face criminal and civil prosecution as well as university disciplinary action for violation of these laws. The university reserves the right to initiate action for offenses that have an impact on the educational or administrative functions or the general well-being of the university. Proceedings under this code may be carried out prior to, simultaneously with, or following civil or criminal proceedings in the courts. University proceedings are not subject to challenge or dismissal referencing, as a basis, that criminal charges involving the same incident have been dismissed or reduced.**

**AMENDATORY SECTION** (Amending Order 87-01, filed 10/2/87)

**WAC 172-120-040 Conduct code.** The following are defined as offenses which are subject to disciplinary action by the university. The university has the authority to promulgate additional or more specific rules supplementary to the offenses listed in this section (~~provided they are consistent with the student bill of rights in effect at the time and public notification has been given~~).

(1) **Dishonesty and misrepresentation.** All forms of academic dishonesty (including but not limited to cheating(~~s~~) and plagiarism), knowingly furnishing false information to the university, forgery, alteration or misuse of university documents, records or instruments of identification (~~with intent to defraud~~).

(2) **Disruptive conduct.** Conduct which intentionally disrupts or obstructs teaching, research, administration, disciplinary proceedings, freedom of movement or other lawful activities on the university campus.

(3) **Physical abuse and threat of physical abuse.** Detention (~~er~~), physical abuse, threats, intimidation or coercion of any person<sub>2</sub> or conduct which is intended to threaten imminent bodily harm or endanger the health or safety of any person on any property owned or controlled by the university, or at any university-sponsored or supervised functions.

(4) Sexual misconduct. Sexual misconduct includes, but is not limited to:

(a) Unwanted verbal (including telephone), written (including electronic media), pictorial or physical conduct of a sexual nature which a reasonable person would consider to be harassing, intimidating, hostile, offensive and/or which adversely affects the learning or living environment of the campus;

(b) Unwanted, forceful, sexual contact. The use of force may include, but is not limited to use of body weight, pushing or hitting, coercion or threats;

(c) The use of force (body weight, hitting or pushing, use of a weapon, threats to kidnap or kill, for example) to overcome earnest resistance to engaging in sexual intercourse. Earnest resistance may be verbal, physical or both;

(d) Sexual intercourse, when the victim is incapable of consent by reason of mental incapacity, drug/alcohol intoxication or physical helplessness, and force is or is not used.

(5) Harassment. Harassment of any sort is prohibited. Any malicious act which causes harm to any person's physical or mental well-being is prohibited. Harassment is defined as conduct which has the purpose or effect or unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile or offensive environment.

(6) Property violations. Theft from, or malicious damage to, or malicious misuse of university property or the property of any person, when such property is located on the university campus.

~~((5))~~ (7) Failure to comply with a proper order.

(a) Failure to comply with lawful and/or reasonable directions of university officials or law enforcement officers acting in performance of their duties on campus or affecting conduct on campus.

~~((6) Being an accessory to any person on the university campus who is or who is not a member of the associated students of Eastern Washington University who violates this code.~~

(7)) (b) Failure to identify oneself to university officials in their course of duty, refusal or failure to appear before university officials or disciplinary bodies when directed to do so or the violation of sanctions imposed after such proceedings.

(8) Alcohol and substance violations.

(a) Use, possession, distribution, or sale of alcoholic beverages except as permitted by university policy and state law on university premises or in university-controlled facilities.

(b) Use, possession, distribution, or sale of any controlled substance or illegal drug on university premises or in university-controlled facilities.

~~((8))~~ (9) Possession of weapons. No individual shall have on his/her person, in his/her vehicle(,) or otherwise in his/her possession any gun, pistol, or firearm or explosives, dangerous chemicals or other dangerous weapons or instruments on the university campus or other university property except as follows:

(a) Authorized law enforcement officers (~~shall be~~) are permitted to carry arms while on duty and engaged in their regular duties.

(b) Activities requiring use of the prohibited items may be conducted (~~upon~~) on approval of the activity by the board of trustees.

(c) Persons (~~shall be~~) are permitted to have firearms in their possession directly (~~en route~~) en route to or from campus firearm storage facilities where such possession is incidental to approved on or off campus possession or use of such firearms.

~~((9))~~ (10) Violation of local, county, state or federal law. Violation of a local, county, state, or federal law, whether it be on-campus or off-campus, only when a definite university interest is involved and where the student misconduct distinctly and adversely affects the university's pursuit of its educational mission.

~~((10))~~ (11) Incitement. Intentionally inciting others to engage in any of the conduct prohibited in this code, which incitement leads directly to such conduct.

~~((11))~~ (12) Assisting conduct violations. Being an accessory to any person on the university campus who is or who is not a member of the associated students of Eastern Washington University who violates this code. The unauthorized entry into or onto, or the unauthorized remaining in, or upon, any public or university facilities.

~~((12))~~ (13) Attempted violations. All attempts to perform acts of misconduct prohibited by this section (~~shall~~) are also (~~be~~) subject to disciplinary action.

(14) Trespass. The unauthorized entry into or onto, or the unauthorized remaining in or on any public or university facilities.

(15) Disorderly conduct. Disorderly or obscene conduct on university property or at university-sponsored events.

(16) Violation of university policies. Violation of the university general conduct code, chapter 172-122 WAC.

(17) Abuse of computing facilities. Theft or other abuse of computer facilities, access or time as defined in university computing guidelines and policies.

(18) Unauthorized representation. The unauthorized use of the name of the university or the names of members or organizations in the university community.

(19) Obstruction. Obstruction of the free flow of pedestrian or vehicular traffic on university premises or at university-sponsored or university-supervised events.

(20) Demonstration. Participation in a campus demonstration which violates the university regulations governing campus assembly and peaceful demonstration.

(21) Hazing. Any action required of or imposed on current or potential members of an organization or group which, regardless of location of the incident or consent of the participant(s):

(a) Produces or is reasonably likely to produce bodily harm or danger, mental or physical discomfort, embarrassment, harassment, fright, humiliation or ridicule; or

(b) Compels an individual to participate in any activity which is illegal, perverse or publicly indecent or contrary to university rules, regulations or policies, or which is known by the compelling person(s) to be contrary to the individual's moral or religious beliefs.

(22) Group offenses. Clubs, organizations, societies or similarly organized groups in or recognized by the university and/or ASEWU are subject to the same standards as are individuals in the university community. The commission of any of the offenses in subsections (1) through (22) of this section by such groups or the knowing failure of any organized group to exercise preventive measures relative to violations of the code by their members shall constitute a group offense.



AMENDATORY SECTION (Amending Order 87-01, filed 10/2/87)

WAC 172-120-050 Sanctions. ~~((If any person is found guilty, one or more of the sanctions available shall be:))~~ If any student or student organization is found to have violated any of the offenses enumerated at WAC 172-120-040, one or more of the following sanctions may be imposed against the student or student organization. Failure to comply with any imposed sanctions may result in additional sanctions.

(1) Minor disciplinary sanction:

(a) Admonition: An oral statement to a student that he/she is violating ~~((or has violated institution))~~ university rules and regulations.

(b) Warning: Notice, orally or in writing, that continuation or repetition of conduct found wrongful, within a specified period of time stated in the warning, may cause ~~((far))~~ more severe disciplinary action.

(c) Censure: A written reprimand for violation of specified regulations, including notice of the possibility of more severe disciplinary sanctions in the event of the finding of a violation of any regulation within a stated period of time.

(d) Disciplinary probation: Formal action placing condition ~~((upon))~~ on the student's continued attendance for violation of specified regulations. The disciplinary probation shall specify, in writing, the period of probation and the conditions~~((s))~~ which may include conditions such as limiting the student's participation in university-related ~~((privileged))~~ privileges or extra-curricular activities or enforcing a "no contact" order which would prohibit direct or indirect physical and/or verbal contact with specific individuals or groups. Disciplinary probation further shall give the student notice that any further misconduct will automatically raise the question of suspension from the university. Disciplinary probation shall be for a specified period of time.

(e) Restitution: Reimbursement for damage or destruction to the property of the university or others for loss of property as a result of theft or negligence, or for medical expenses from violations of this code. This may take the form of appropriate service or other compensation. Failure to make arrangements to pay will result in cancellation of the student's registration and will prevent the student from ~~((re-registration))~~ future registration until the conditions of sanction are satisfied.

(f) Fines: The disciplinary officer and the university disciplinary committee may assess monetary fines up to a maximum of two hundred dollars against individual students for violation of university rules or regulations or for failure to meet the university's standards of conduct. Failure to pay promptly such fines ~~((promptly))~~ will prevent the student from ((re-registration)) future registration. Failure to pay may result in additional sanctions. Appeal through chapter 172-124 WAC is solely to dispute the existence of the alleged debt and not to rehear the matter which resulted in the sanction of the fine itself.

(g) Loss of privileges: Denial of specified privileges for a designated period of time.

(h) Discretionary sanctions: Work assignments, service to the university community or other related discretionary assignments for a specified period of time as directed to the disciplinary officer or judicial body.

(i) Loss of financial aid: In accordance with RCW 28B.30.125, a person who participates in the hazing of another forfeits entitlement to state-funded grants, scholarships or awards for a specified period of time.

(j) Assessment: Referral for drug/alcohol or psychological assessment may be required. Results of the assessment may lead to the determination that conditions of treatment and further assessment apply to either continued attendance or return after a period of suspension.

(2) Major disciplinary sanction:

(a) Suspension: Exclusion from classes and other privileges or activities as set forth in a written notice for a specified period of time. Conditions of readmission shall be stated in the order of suspension.

(b) Dismissal: Permanent separation of the student from the university with no promise (implied or otherwise) that the student may return at any future time. The student will also be barred from university premises.

(3) Loss of institutional, financial aid funds. Formal withholding of all or a part of institutional funds currently being received by the student or promised for future disbursement to the student for a specified period of time.

(4) Group sanctions:

(a) Probation: Formal action placing conditions on the group's continued recognition by or permission to function at the university. The probationary conditions will apply for a specified period of time. Violation of the conditions of probation or additional violations while under probation may result in more severe sanctions.

(b) Social probation: Prohibition of the group from sponsoring any organized social activity, party or function, or from obtaining a permission for the use of alcoholic beverages at social functions for a specified period of time.

(c) Charter restriction: The temporary withdrawal of university or ASEWU recognition for a group, club, society or other organization. It may be recommended by the appropriate judicial body, but may only be imposed by the president of the university or the president's designee.

(d) Charter revocation: The permanent withdrawal of university or ASEWU recognition for a group, club, society or other organization. It may be recommended by the appropriate judicial body, but can only be imposed by the president of the university or the president's designee.

(e) Additional sanctions: In addition to or separately from the above, any one or a combination of the following may be concurrently imposed on the group:

(i) Exclusion from intramural competition as a group;

(ii) Denial of use of university facilities for meetings, events, etc.;

(iii) Restitution; and/or

(iv) Fines.

AMENDATORY SECTION (Amending Order 87-01, filed 10/2/87)

WAC 172-120-060 Discipline functionaries. (1) University disciplinary officer:

The university president shall designate a person to be the university disciplinary officer who shall review and decide questions of university interest. The university disciplinary officer may investigate and make decisions in some instances of code violation.

(2) University disciplinary committee:

A university disciplinary committee composed equally of student and faculty representatives will provide a hearing and will make decisions on all disciplinary cases referred or appealed to it. The members of the committee and their terms of office shall be:

(a) ~~((Five))~~ Six members of the faculty and/or administration appointed by the president of the university for three-year terms.

(b) ~~((Five))~~ Six students who shall be appointed by the president of the associated students of Eastern Washington University, with the advice and consent of the associated students legislature, as provided for in the constitution of the associated students of Eastern Washington University for one-year terms. No student shall be eligible for appointment who holds any position with any of the associated student courts, serves as an attorney general or assistant attorney general in any of the student courts, or is in any way affiliated with any judicial, quasi-judicial, or advocacy position with the courts of the associated students of Eastern Washington University.

(c) A nonvoting chair shall be elected for a one year term by the committee from outside the committee. Reelection of the chair is permissible.

(d) Six voting members constitute a quorum.

(e) In the event the chair is not in attendance, the quorum shall select a voting member to preside at the hearing.

(f) Members of the disciplinary committee shall not participate in any case in which they are a defendant, complainant~~((s))~~ or witness, in which they have a direct or personal interest or bias, or in which they have acted previously in an advisory or adjudicatory capacity. A committee member's eligibility to participate in a case may be challenged by parties to the case or by other committee members, but decisions in this regard shall be made by the committee as a whole.

(g) In the event members of the disciplinary committee are disqualified or disqualify themselves from hearing a case, a temporary (for that case only) replacement shall be appointed. If the member is a student, the temporary appointment will be made by the associated students of Eastern Washington University president. If the member is a faculty member or administrator, the temporary appointment will be made by the university president.

(3) Student courts:

Student courts, the associated students superior court and those established by the associated students legislature as lesser courts to the associated students superior court, may act on such internal disciplinary problems as they feel competent to deal with effectively. If the student court is inoperative, or if it decides to do so, the student court may refer cases involving alleged violations of rules ~~((upon))~~ on which that court may extend jurisdiction to the university disciplinary officer or the university disciplinary committee.

AMENDATORY SECTION (Amending Order 1-22-81, filed 2/25/81)

**WAC 172-120-070 Initiation of disciplinary procedures.** The object of this code is to provide fair and reasonable procedures with which to deal with problems of student conduct. ~~((The student charged with misconduct shall be entitled to due process as defined in Article II,~~

~~section 10, of the associated students of Eastern Washington University constitution and WAC 172-120-140.~~

~~A person wishing to charge a student with a violation of the conduct code may:~~

~~(a) Make the charge in a student court if that system has jurisdiction; or~~

~~(b) Prefer charges with the university disciplinary officer. Nothing in this code shall prohibit or limit the right of persons to go directly to the civil authorities and prefer charges in instances of alleged violations of local, county, state, or federal law.~~

~~The university disciplinary committee shall have appellate jurisdiction in those situations where the student has appealed from the imposition of a disciplinary action by the university disciplinary officer or by a student court.)~~

(1) Any student, faculty member, staff member or the university may file a complaint against a student or student organization for any violation of the student conduct code.

(2) A person wishing to charge a student with a violation of the conduct code may:

(a) File a written charge with a student court when that system has jurisdiction; or

(b) File a written charge with the office of the dean of students or other designated officer.

(3) In instances of alleged violations of local, county, state or federal law, nothing in this conduct code will prohibit or limit the right of persons to go directly to the civil and/or criminal authorities and file charges.

(4) University disciplinary proceedings may be instituted against a student charged with the violation of a local, county, state, or federal law which is also a violation of this conduct code; for example, if both violations result from the same, factual situation, without regard to the possibility of civil litigation or criminal prosecution. Proceedings under this conduct code may be carried out prior to, simultaneously with or following criminal proceedings off campus.

AMENDATORY SECTION (Amending Order 87-01, filed 10/2/87)

**WAC 172-120-080 Authority of university disciplinary officer.** When the university disciplinary officer receives a complaint against a student or student organization for a violation of the code, the disciplinary officer will review the complaint to determine if there is sufficient evidence to hear the matter and explain to the complainant his/her rights under the student conduct code and possible avenues of action which the complainant has against the student or student organization, including reference to remedies under civil law as well as possible remedies under the student code. If the university disciplinary officer decides to initiate a disciplinary proceeding against the accused student or student organization, the disciplinary officer will then ~~((and))~~ notify the accused student ~~((charged))~~ or student organization for an initial conference. ~~((At this time))~~ This notification includes a written list of charges. During the initial conference, the university disciplinary officer will ~~((provide the accused student with a))~~ review with the accused student the written list of ~~((the))~~ charges, provide the student with a copy of the student conduct code and any other relevant university policies and ~~((will))~~ explain the student's rights under the student code and what possible ramifications may occur under civil law, if any. The disciplinary officer will further explain the

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disciplinary procedures, the individual's or organization's rights and responsibilities in the disciplinary process, and possible penalties under the student code and advise that the student (~~that he/she~~) must, within twenty-four hours after receipt of this explanation, decide (~~whether he/she wishes~~) to have (~~his/her~~) the case heard by the university disciplinary officer, or by the university disciplinary committee, and sign a statement declaring the same. The committee must receive at least seventy-two hours notice as to the time and place of the hearing. The student may, at this time, waive his/her right to prior notice about a disciplinary hearing and request that the case be heard immediately following the initial conference.

(1) If the student accused of violating the student conduct code chooses a hearing before the university disciplinary officer, that officer, after considering the evidence against a student so charged, (~~the university disciplinary officer~~) may take any of the following actions:

~~((1))~~ (a) Terminate the complaint, exonerating the student.

~~((2))~~ (b) Dismiss the charge after whatever counseling and advice is deemed appropriate.

~~((3))~~ (c) Refer the student to the mental health review board when it is reasonably determined from the available evidence that such referral is appropriate.

~~((4))~~ (d) Impose any number of sanctions from WAC 172-120-050(1) (minor disciplinary sanction).

~~((5))~~ (e) Refer the case to the university disciplinary committee in the event the university disciplinary officer deems major disciplinary sanction may be warranted or if the student requests that his/her case be heard by the committee.

(2) If the student requests that the case be heard by the university disciplinary committee rather than the university disciplinary officer, the committee may take any of the sanctions listed in subsections (1), (2), (3)(~~g~~) and (4) of this section, except that the committee may impose a major disciplinary sanction as defined in WAC 172-120-050(2).

(3) If a student accused of violating the conduct code has withdrawn or withdraws from the university after the filing of any charge against him/her, either:

(a) A registration hold will be placed on the student's academic record and the student will be notified that disciplinary action may be initiated on the student's reentry or application for readmission; or

(b) The university may proceed with the disciplinary action or disciplinary committee hearing.

(4) The disciplinary officer has the right to place a hold on a student's transcript or registration pending the student's satisfaction of a disciplinary sanction imposed for violation of this code.

AMENDATORY SECTION (Amending Order 87-01, filed 10/2/87)

**WAC 172-120-090 Consolidation of cases permissible.** In the event that one or more students are charged with the same misconduct arising from the same occurrence, the disciplinary committee or university disciplinary officer shall be authorized to consolidate the hearings as practical(~~;~~ however), as long as consolidation does not prejudice the rights of any students.

AMENDATORY SECTION (Amending Order 87-01, filed 10/2/87)

**WAC 172-120-100 Hearings procedure.** Hearings shall be conducted in a manner which is informal and, at the same time, assures fundamental fairness of procedure.

(1) Hearings before the university disciplinary officer or the university disciplinary committee (~~will generally be open~~) shall be closed hearings(~~;~~ but upon request by either the complaining witness or the student charged, the hearing shall be closed). Admission of any person to the hearing shall be at the discretion of the judicial body or officer. In hearings involving more than one accused student, the chairperson of the judicial body or the disciplinary officer, at his/her discretion may permit the hearings concerning each student to be conducted separately.

~~((a) In all cases in which an open hearing occurs, the chair of the committee shall have the discretion to reasonably limit the amount of attendees at such hearing. If at any time during the conduct of a hearing, invited guests or attendees are disruptive of the proceedings, the chair of the committee may exclude such persons from the hearing room. In those cases in which the chair decides that because of disruption the hearing cannot be conducted fairly in an open session, the chair may direct that the hearing be recessed and that the remainder be conducted in closed session.~~

~~(b) Any students attending a disciplinary committee hearing as an invited guest or as attendee who continues to disrupt the proceedings after the chair of the committee has asked them to cease and desist thereof, shall be subject to disciplinary action.)~~

(2) A written record or a tape recording of the testimony before the university disciplinary committee shall be kept. It may be reviewed by the student at any reasonable time prior to the final disposition of the case. (~~A record of~~) Records from all proceedings will be kept and filed with the university disciplinary officer for a period of seven years. These disciplinary proceedings and records shall be the property of the university and are confidential.

~~((3) Students may have an adviser of his/her choice to present or assist in the presentation of his/her case, subject to the limitations of (b) of this subsection. Students must render three days' notice prior to the hearing of the prospective representation if he/she intends to be represented by a duly licensed attorney. In the event the student chooses a duly licensed attorney to represent him/her in proceedings before the disciplinary committee, an assistant attorney general for the state of Washington shall represent the university therein.~~

~~(a) In those instances in which both sides are represented by a duly licensed attorney, the assistant attorney general of the state of Washington representing the university shall present the case against the student to the disciplinary committee or the university disciplinary officer for appropriate findings and action.~~

~~(b) In the instance where duly licensed attorneys are not representing either the university or the accused student, the university shall be represented by the university disciplinary officer, or his/her designee; however, the representative of the university shall be acceptable to the complaining witness or witnesses; however, no one may represent the university or the student charged unless he/she is a member of the student body, faculty, classified staff, or administrative staff of Eastern Washington University.~~

(4)) (a) Disciplinary records will be made available to hearing boards and university personnel as needed for valid educational purposes.

(b) Any student may review his/her own disciplinary records by contacting the dean of students' office.

(c) Except as outlined in these procedures, the university will not communicate a student's disciplinary record to any person or agency outside the university without the prior, written consent of the student, except as required by law. If the student is a minor, the student's parents or legal guardians may review these records.

(3) The complainant and the accused have the right to be assisted by any (one) advisor they choose, at their own expense. The advisor may be an attorney. The complainant and/or the accused is responsible for presenting his or her own case and, therefore, advisors are not permitted to speak or to participate directly in any hearing before the university disciplinary officer or the university disciplinary committee.

The accused student can, however, speak with his or her advisor during the hearing. If the student utilizes an attorney as an advisor, the student must give to the university disciplinary officer or committee two days' notice of intent to do so. If the student elects to be advised by an attorney, the university disciplinary officer or committee may elect to have the university advised by an assistant attorney general.

(4) The following guidelines apply only to hearings before the university disciplinary committee:

(a) The complainant, the accused and the disciplinary committee shall have the privilege of presenting witnesses, subject to the right of cross-examination by the disciplinary committee. The complainant and the accused may submit questions to be asked of all witnesses to the disciplinary committee:

(b) Any person, including the accused student or any member of the accused organization, who disrupts a hearing may be excluded from the proceedings;

(c) Pertinent records, exhibits and written statements may be accepted as evidence for consideration by the disciplinary committee at the discretion of the chairperson.

(5) The disciplinary officer or presiding chairperson of the disciplinary committee will exercise control over the hearing. All procedural questions are subject to the final decision of the disciplinary officer or the chairperson of the disciplinary committee.

(6) Only those matters presented at the hearing in the presence of the accused student, except where the student fails to attend after receipt of proper notice that a hearing regarding the university's allegation that he/she violated the student code is being held at a certain time and place, will be considered in determining whether the (~~university disciplinary committee~~) judicial body hearing the case has sufficient cause to believe that the accused student is guilty of violating any of the written list of charges presented him/her pursuant to WAC 172-120-080. However, the complete record of the student's or student organization's prior conduct and academic performance may be taken into account by the disciplinary officer or disciplinary committee in imposing any sanction(s).

(a) In determining whether sufficient cause, as stated in the foregoing paragraph, (~~does~~) exists, the university disciplinary officer or in the instance of a hearing, the university disciplinary committee, shall decide whether a preponderance of the evidence indicates that the student

charged (~~did violate~~) violated the student code by engaging in the conduct for which he/she was charged pursuant to WAC 172-120-080.

(b) For the purposes of this code, the phrase, "preponderance of the evidence," (~~shall~~) means that it is more likely that the student charged (~~did violate~~) violated the student code by engaging in the conduct for which he/she is charged than that he/she did not.

(c) The chair of the university disciplinary committee (~~shall, in the course of presiding at the disciplinary hearing, give effect to the rules of privilege recognized by law~~) is not bound by the rules of evidence observed by courts and may exclude incompetent, irrelevant, immaterial(~~and~~) and unduly repetitious evidence.

AMENDATORY SECTION (Amending Order 87-01, filed 10/2/87)

WAC 172-120-110 (~~Disciplinary committee~~)  
Deliberations and sanctions. (1) (~~The university disciplinary committee~~) After the hearing, the judicial body having heard the matter will meet in closed session and decide by majority vote whether the preponderance of the evidence indicates that the student (~~has or has not~~) violated the (~~rules he/she is charged with having violated~~) conduct code. If the decision is that the student (~~did engage~~) engaged in an act of misconduct in violation of the rules with which he/she is charged with having violated, the committee will by majority vote determine what sanction from WAC 172-120-050 shall be imposed. If the university disciplinary committee was the body which heard the matter, it will deliberate in the manner described above, but will determine what sanctions it will recommend that the president impose (~~upon~~) on the student. This recommendation to the president must be (~~accomplished~~) made within five working days of the time when the (~~proceedings are~~) hearing is terminated.

(2) In the course of (~~the committee's decision as to~~) determining what sanctions (~~it~~) shall (~~recommend~~) be imposed (~~by the president, it~~) or recommended, the judicial body hearing the matter may consider any evidence of past misconduct that the chair of the committee deems relevant; such evidence may be presented by the university disciplinary officer or his/her designee.

(3) No (~~recommendation for the imposition of~~) sanction(s) may be imposed based solely (~~upon~~) on the failure of the accused student to answer the charges or appear at the hearing(~~, but~~). The decision must be based (~~upon~~) on the evidence (~~considered prior to the committee's decision or on~~) presented at the hearing to include the evidence of past misconduct deemed relevant (~~by the chair of the university disciplinary committee~~).

AMENDATORY SECTION (Amending Order 87-01, filed 10/2/87)

WAC 172-120-120 Appeals. (1) (~~Any student feeling aggrieved by the imposition of minor disciplinary sanctions by the university disciplinary officer or by a student court shall have a right of appeal to the disciplinary committee, provided a written notice of appeal is received by the committee within five days after notice of disciplinary action is given.~~) If the accused student or student organization feels aggrieved by the imposition of disciplinary sanctions by

the disciplinary officer or by a judicial body other than the university disciplinary committee, that student or student organization shall have a right to appeal the decision to the university disciplinary committee. The appeal must be in writing and received by the committee within five days after imposition of the sanction. Appeals to the university disciplinary committee shall be filed with the dean of students or other designated office. The written notice of appeal shall set forth:

(a) The student's name;  
 (b) The nature of the disciplinary action imposed; and  
 (c) The reasons why the ((~~recommendation regarding disciplinary action should be reversed, set aside or modified. The~~) student or student organization feels that the imposition of that sanction is unjust and what remedy the student or student organization is seeking. Before making a decision, the university disciplinary committee may request a written report of the case from the ((~~disciplinary officer or student court before making its decision~~)) judicial body which heard the case. The committee shall also have the right to request additional written information or explanation from any of the parties to the proceeding before rendering its decision. In making its decision, the committee shall only consider the written record before it, the student's notice of appeal((~~, the written report of the disciplinary officer or student court~~)) and such other information and explanation it has requested from the parties to the proceeding. ((~~There shall be no further appeal from any action of the disciplinary officer.~~)) The committee may consider the complete record of the student's or student organization's prior conduct and academic performance in imposing any sanctions. The committee is empowered to affirm, reverse, remand, or modify (only to a less severe sanction) ((~~the recommendation regarding disciplinary action of the university disciplinary officer or a student court~~)). The university disciplinary committee's hearing of a matter on appeal is the final level of appeal on the matter.

(2) Appeals to the president:

((~~(a) Any student aggrieved by the disciplinary committee's recommendation as to what disciplinary action the president should take (as distinguished from appellate consideration by the committee), shall have~~) When the university disciplinary committee is the judicial body to first hear a case, the aggrieved student or student organization has a right of appeal to the president, or the president's designee((~~, within five days after notice of the recommendation of disciplinary action is given~~)) by following the steps listed in subsection (1) of this section for filing an appeal. The president or the president's designee may request a written report of the case from the university disciplinary committee before making a decision. The president or the president's designee may also request additional information from any of the parties to the proceedings before rendering a decision. In making a decision, the president of the university or the president's designee shall only consider the written record and such other information requested from the parties to the proceeding.

((~~(b) If a complaining witness feels aggrieved by the decision of the university disciplinary officer or by the university disciplinary committee's recommendation to the president, he/she may petition the president to remand the charges back to the disciplinary officer or the university~~

disciplinary committee for a rehearing of the matter as charged.

(3) The written notice of appeal by an aggrieved student or a petition by an aggrieved complaining witness shall set forth:

(a) The student's name or the complaining witness's name;

(b) The nature of the disciplinary action requested or imposed; and

(c) Reasons why the disciplinary sanction recommended should be reversed, set aside, or modified, or in the case of a petitioning complaining witness, the reasons why the disciplinary matter should be reheard by the university disciplinary officer or the university disciplinary committee.

(4) The president may request a written report of the case from the disciplinary committee before making a decision. The president shall also have the right to request additional information or explanation from any of the parties to the proceeding before rendering a decision. In making a decision, the president shall only consider the written record, the student's notice of appeal, the petition of a complaining witness if such is filed, the written record of the disciplinary committee, and such other information and an explanation requested from the parties to the proceeding. In the instance in which the president has received a finding that the university student code has been violated, the president may, in considering what disciplinary sanction should be imposed, affirm, reverse, remand((~~,~~)) or modify ((~~only to a less severe sanction~~)) the recommendation of the university disciplinary committee. In imposing any sanctions, the president may consider the complete record of the student's or student organization's prior conduct and academic performance.

AMENDATORY SECTION (Amending Order 87-01, filed 10/2/87)

**WAC 172-120-130 Interim suspension permitted.**

(1) Disciplinary actions of the university will be implemented by the president of the university, except as such implementation may be delegated by the president or the board of trustees. Ordinarily, the disciplinary authority of the university will be invoked only after completion of the procedures established for the review of disciplinary cases and after the ((~~employee or~~) student, if he/she so wishes, has availed himself/herself of the appeal procedures. However, ((if the safety of one or more individuals is imperiled, property is endangered, or the university's ability to function is in question, the president or an authorized representative may summarily suspend for stated cause an employee or the enrollment of any student. In all such cases, the individual is entitled to a hearing, upon written request, before the appropriate group or official as specified under discipline procedures as soon as such a hearing can be held, but not to exceed ten days after the date of summary suspension. During the period of interim suspension, the individual shall not enter or remain on the campus or other property owned or controlled by the university)) in situations where there is cause to believe that the student or the student organization poses an immediate threat to himself or herself, to others or to property, or is incapable of continuing as a student for medical or psychological reasons, or where it is believed that the student's continued attendance or presence may cause disorder or substantially interfere with or impede

the lawful activities of others or imperil the physical or mental health and safety of members of the university community, interim actions may be taken immediately without prior notice or hearing. These actions, taken by the president or the president's designee, may include:

(a) Interim restrictions, including but not limited to assignment to alternate university housing or removal from university housing, limitation of access to university facilities, or restriction of communication with specific individuals or groups;

(b) Interim suspension, including temporary total removal from the university or restriction of access to campus;

(c) Mandatory medical/psychological assessment, including referral to outside, medical professionals and/or to the mental health advisory board for assessment of the student's capability to remain in the university.

(2) In all such cases, the student or student organization is entitled to personally appeal before the dean of students or designee as soon as is reasonably possible but not later than ten days after the action is taken, unless the student requests an extension in order to review the following issues only:

(a) The reliability of the information concerning the student's behavior;

(b) Whether or not the student's continued presence or prior or present behavior warrants interim suspension for the causes listed in subsection (1) of this section.

As a result of the meeting between the dean of students and the student, the dean may recommend to the president or the president's designee either continuation or termination of the interim suspension action and/or initiate disciplinary procedures in accordance with this conduct code.

AMENDATORY SECTION (Amending Order 87-01, filed 10/2/87)

WAC 172-120-140 ((Judicial proceedings—))Procedural rights of students. ((1) Rights of the accused:

(a) An accused student has the right to a fair and impartial hearing before the appropriate committee composed of members of the campus community.

(b) No student may be asked by a university official or judiciary body to give information or to answer any question concerning the alleged violation of this chapter which he/she is suspected of having committed until he/she has been informed of:

(i) The fact that he/she is suspected of having violated this chapter and the section he/she is suspected of having violated;

(ii) The nature and approximate date of the activity in which he/she is suspected of having engaged;

(iii) The fact that he/she need not give any information regarding the alleged acts.

(c) In all judicial proceedings, the student shall enjoy the right to speak on his/her own behalf.

(d) Both the judiciary body and the student shall enjoy the right to call any persons whom he/she wishes to speak concerning the case, subject to the rules of privilege recognized by law and rules excluding evidence which is incompetent, irrelevant, immaterial or unduly repetitious.

(e) The accused student has the right to know his/her accusers and to cross examine them and any others presenting evidence against the accused.

(f) A student shall not be subjected to university judicial action more than once for the same violation of a regulation.

(g) The burden of proof rests with the accuser. Said burden shall be carried if guilt is indicated by a fair preponderance of the evidence considered as a whole.) (1) Any student or student organization charged with any violation(s) of the student conduct code has the following rights in disciplinary procedure:

(a) A fair and impartial hearing before the appropriate judicial body composed of members of the campus community;

(b) Notice of the charge(s) against them and the basis for the charge(s);

(c) To remain silent when charged with any act which may be a violation of criminal law, to avoid self incrimination;

(d) Seven calendar days' notice before a disciplinary hearing;

(e) To know who is bringing the accusation(s) against the accused;

(f) The right to speak on his/her own behalf in all judicial proceedings;

(g) To consult an advisor;

(h) One appeal; and

(i) To be subjected to university judicial action only one time for the same offense.

(2) Any student or student organization brought before the university disciplinary committee has these additional rights:

(a) To call any person(s) as a witness who may have information regarding the case;

(b) To view the material to be presented against them in advance of the hearing;

(c) To hear the testimony of all witnesses;

(d) To present questions to be asked of all witnesses;

and (e) To have a record made of the hearing.

(3) The burden of proof rests with the accuser. This burden shall be carried if guilt is indicated by a fair preponderance of the evidence when considered as a whole.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 172-120-150 Academic misconduct.

**WSR 97-06-096**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Economic Services Administration)

(Public Assistance)

[Filed March 4, 1997, 1:57 p.m.]

Date of Adoption: March 4, 1997.

Purpose: WAC 388-49-020 Definitions, includes fleeing felons as an ineligible household member.

Consider able-bodied adults eighteen through fifty years old without dependents as nonhousehold members.

Children under the age of eighteen who live with an adult that is not a parent can no longer be considered a

separate household from the adult when living with a spouse or their children.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-020, ineligible household member, nonhousehold member, and under parental control definitions.

Statutory Authority for Adoption: RCW 74.04.510 and Public Law 104-193. Sections 803, 821, and 824 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

Adopted under notice filed as WSR 97-02-075 on December 31, 1996.

Changes Other than Editing from Proposed to Adopted Version: Deleting the "household employment representative" definition because it is no longer needed.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 1, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing,

March 4, 1997

Merry A. Kogut, Manager  
Rules and Policies Assistance Unit

**AMENDATORY SECTION** (Amending WSR 96-23-022, filed 11/12/96, effective 1/1/97)

**WAC 388-49-020 Definitions.** ~~((+))~~ **"Administrative disqualification hearing"** means a formal hearing to determine whether or not a person committed an intentional program violation.

~~((2))~~ **"Administrative error overissuance"** means any overissuance caused solely by:

~~((a))~~ **(1)** Department action or failure to act when the household properly and accurately reported all the household's circumstances to the department; or

~~((b))~~ **(2)** Department failure to timely implement an intentional program violation disqualification; or

~~((c))~~ **(3)** For households determined categorically eligible under WAC 388-49-180(1), department action or failure to act which resulted in the household's improper eligibility for public assistance, provided a claim can be calculated based on a change in net food stamp income and/or household size.

~~((3))~~ **"Administrative law judge"** means an employee of the office of administrative hearings empowered to preside over adjudicative proceedings.

~~((4))~~ **"Aid to families with dependent children (AFDC) program"** means the federally funded public assistance program for dependent children and their families authorized under Title IV-A of the Social Security Act.

~~((5))~~ **"Allotment"** means the total value of coupons a household is certified to receive during a calendar month.

~~((6))~~ **"Application process"** means the filing and completion of an application form, interview or interviews, and verification of certain information.

~~((7))~~ **"Authorized representative"** means an adult nonhousehold member sufficiently aware of household circumstances designated, in writing, by the head of the household, spouse, or other responsible household member to act on behalf of the household.

~~((8))~~ **"Beginning months"** means the first month the household is eligible for benefits, and the month thereafter. The first beginning month cannot follow a month in which a household was certified eligible to receive benefits.

~~((9))~~ **"Benefit level"** means the total value of food stamps a household is entitled to receive based on household income and circumstances.

~~((10))~~ **"Boarder"** means an individual residing with the household, except a person described under WAC 388-49-190 (2)(a), (b), or (c) who is a person:

~~((a))~~ **(1)** Paying reasonable compensation to the household for lodging and meals; or

~~((b))~~ **(2)** In foster care.

~~((11))~~ **"Budget month"** means the first month of the monthly reporting cycle; the month for which the household reports their circumstances.

~~((12))~~ **"Certification period"** means definite period of time within which the household has been determined eligible to receive food stamps.

~~((13))~~ **"Child"** means someone seventeen years of age or younger, and under parental control.

~~((14))~~ **"Collateral contact"** means oral contact in person or by telephone with someone outside of the household to confirm the household's circumstances.

~~((15))~~ **"Commercial boarding home"** means an enterprise offering meals and lodging for compensation with the intent of making a profit.

~~((16))~~ **"Department"** means the department of social and health services.

~~((17))~~ **"Dependent care deduction"** means costs incurred by a household member for care provided by a nonhousehold member when the care is necessary for a household member to seek, accept, or continue employment, or attend training or education preparatory to employment.

~~((18))~~ **"Destitute household"** means a household with a migrant or seasonal farmworker with little or no income at the time of application and in need of immediate food assistance.

~~((19))~~ **"Disabled person"** means a person who meets one of the following criteria:

~~((a))~~ **(1)** Receives Supplemental Security Income (SSI) under Title XVI of the Social Security Act;

~~((b))~~ **(2)** Receives disability or blindness payments under Titles I, II, XIV, or XVI of the Social Security Act;

~~((c))~~ **(3)** Is a veteran:

~~((i))~~ **(a)** With service-connected or nonservice-connected disability rated or paid as total under Title 38 of the United States Code (USC); or

~~((ii))~~ **(b)** Considered in need of regular aid and attendance, or permanently housebound under Title 38 of the USC.

~~((d))~~ **(4)** Is a surviving:

PERMANENT

((#)) (a) Spouse of a veteran and considered in need of aid and attendance, or permanently housebound; or

((#)) (b) Child of a veteran and considered permanently incapable of self-support under Title 38 of the USC;

((#)) (5) A surviving spouse or child of a veteran and:

((#)) (a) Entitled to compensation for service-connected death or pension benefits for a nonservice-connected death under Title 38 of the USC; and

((#)) (b) Has a disability considered permanent under section 221(i) of the Social Security Act.

((#)) (6) Receives disability retirement benefits from a federal, state, or local government agency because of a disability considered permanent under section 221(i) of the Social Security Act;

((#)) (7) Receives an annuity payment as part of the Railroad Retirement Act of 1974 under:

((#)) (a) Section 2 (a)(1)(iv) and is determined eligible to receive Medicare by the Railroad Retirement Board; or

((#)) (b) Section 2 (a)(1)(v) and is determined disabled based on the criteria under Title XVI of the Social Security Act.

((#)) (8) Is a recipient of disability-related medical assistance under Title XIX of the Social Security Act.

((20)) "Documentary evidence" means written confirmation of a household's circumstances.

((21)) "Documentation" means the process of recording the source, date, and content of verifying information.

((22)) "Elderly person" means a person sixty years of age or older.

((23)) "Eligible food" means:

((#)) (1) For a homeless food stamp household, meals prepared and served by an authorized homeless meal provider; or

((#)) (2) For a blind or a disabled resident, meals prepared and served by a group living arrangement facility.

((24)) "Entitlement" means the food stamp benefit a household received including a disqualified household member.

((25)) "Equity value" means fair market value less encumbrances.

((26)) "Expedited services" means providing food stamps within five calendar days to an eligible household which:

((#)) (1) Has liquid resources of one hundred dollars or less; and

((#)) (2) Has gross monthly income under one hundred fifty dollars; or

((#)) (3) Has combined gross monthly income and liquid resources which are less than the household's current monthly rent or mortgage and either the:

((#)) (a) Standard utility allowance as set forth in WAC 388-49-505; or

((#)) (b) Limited utility allowance; or

((#)) (c) Actual utility costs, whichever is higher; or

((#)) (4) Includes all members who are homeless individuals; or

((#)) (5) Includes a destitute migrant or seasonal farmworker.

((27)) "Fair hearing" means an adjudicative proceeding in which the department hears and decides an applicant/recipient's appeal from the department's action or decision.

((28)) "Fair market value" means the value at which a prudent person might sell the property if the person was not forced to sell.

((29)) "Fleeing felon" means a person who is:

((#)) (1) Fleeing to avoid prosecution, or custody or confinement after conviction, for a crime, or attempt to commit a crime, that is a felony under the law of the place from which the person is fleeing; or

((#)) (2) Violating a condition of probation or parole imposed under a federal or state law as determined by an administrative body or court of competent jurisdiction.

((30)) "Food coupon" means any coupon, stamp, type of certificate, authorization card, cash or check issued in lieu of a coupon, or access device, including an electronic benefit transfer card or personal identification number.

((31)) "Food coupon authorization (FCA) card" means the document issued by the local or state office to authorize the allotment the household is eligible to receive.

((32)) "Food stamp monthly reporting cycle" means the three-month reporting cycle consisting of the budget month, the process month, and the payment month.

((33)) "Gross income eligibility standard" means one hundred thirty percent of the federal poverty level for the forty-eight contiguous states.

((34)) "Group living arrangement" means a public or private nonprofit residential setting which:

((#)) (1) Serves not more than sixteen blind or disabled residents as defined under WAC 388-49-020(19); and

((#)) (2) Is certified by the appropriate state agency under section 1616(e) of the Social Security Act.

((35)) "Head of household" means the person designated by the household to be named on the case file, identification card, and FCA card.

~~((36) "Household employment representative" means:~~

~~(a) The household member selected as the head of household for employment and training purposes and voluntary quit provisions. Selection is limited to households with:~~

~~(i) An adult parent of children, of any age, living in the household; or~~

~~(ii) An adult who has parental control over children, under eighteen years of age, living in the household; or~~

~~(b) The principal wage earner if no selection is made by the household, or the household is not entitled to make a selection.)~~

((37)) "Home visit" means a personal contact at the person's residence by a department employee. The home visit shall be scheduled in advance with the household.

((38)) "Homeless individual" means a person lacking a fixed and regular nighttime residence or a person whose primary nighttime residence is a:

((#)) (1) Supervised shelter designed to provide temporary accommodations;

((#)) (2) Halfway house or similar institution providing temporary residence for persons needing or coming out of institutionalization;

((#)) (3) Temporary accommodation in the residence of another person for not more than ninety days; or

((#)) (4) Place not designed for, or ordinarily used as, a regular sleeping accommodation for humans.

((39)) "Homeless meal provider" means a public or private nonprofit establishment (for example, soup kitchen, temporary shelter, mission, or other charitable organizations)



feeding homeless persons, approved by the division of income assistance (DIA) and authorized by food and consumer service (FCS).

((40)) **"Household"** means the basic client unit in the food stamp program.

((41)) **"Household disaster"** means when food coupons, food purchased with food coupons, or food coupon authorization cards are destroyed by a natural disaster, such as flood, fire, etc.

((42)) **"Identification card"** means the document identifying the bearer as eligible to receive and use food stamps.

((43)) **"Inadvertent household error overissuance"** means any overissuance caused by either:

((a)) (1) Misunderstanding or unintended error by a household:

((i)) (a) Not determined categorically eligible under WAC 388-49-180(1); or

((ii)) (b) Determined categorically eligible under WAC 388-49-180(1) if a claim can be calculated based on a change in net food stamp income and/or household size; or

((b)) (3) Social Security Administration action or failure to take action which resulted in the household's categorical eligibility, if a claim can be calculated based on a change in net food stamp income and/or household size.

((44)) **"Ineligible household member"** means the member excluded from the food stamp household because of:

(a) Disqualification for intentional program violation;  
(b) Failure to apply for or provide a Social Security number;

(c) Failure to comply with work requirements as described under WAC 388-49-360;

(d) Status as an ineligible alien; ((e))  
(e) Failure to sign the application attesting to the member's citizenship or alien status; or

(f) Status as a fleeing felon.

((45)) **"Initial month"** means:  
((a)) (1) The first month for which a household is issued an allotment; or

((b)) (2) The first month for which a household is issued an allotment following any period when the household was not certified due to expired eligibility or termination during a certification period; or

((c)) (3) For migrant and seasonal farmworker households, the first month for which the household is issued an allotment when applying more than one calendar month after a prior certification ends.

((46)) **"Institution"** means any place of residence (private or public) providing maintenance and meals for two or more persons.

((47)) **"Institution of higher education"** means any institution normally requiring a high school diploma or equivalency certificate for enrollment. This includes any two-year or four-year college. Also included is any course in a trade or vocational school that normally requires a high school diploma or equivalency for admittance to the course.

((48)) **"Intentional program violation"** means intentionally:

((a)) (1) Making a false or misleading statement;  
((b)) (2) Misrepresenting, concealing, or withholding facts; or

((e)) (3) Committing any act constituting a violation of the Food Stamp Act, the food stamp program regulations, or any state statute relating to the use, presentation, transfer, acquisition, receipt, or possession of food stamp coupons or FCAs.

((49)) **"Intentional program violation overissuance"** means any overissuance caused by an intentional program violation.

((50)) **"Live-in attendant"** means a person residing with a household to provide medical, housekeeping, child care, or other similar personal services.

((51)) **"Lump sum"** means money received in the form of a nonrecurring payment including, but not limited to:

((a)) (1) Income tax refunds,  
((b)) (2) Rebates,  
((c)) (3) Retroactive payments, and  
((d)) (4) Insurance settlements.

((52)) **"Mandatory fees"** means those fees charged to all students within a certain curriculum. Transportation, supplies, and textbook expenses are not uniformly charged to all students and are not considered as mandatory fees.

((53)) **"Migrant farmworker"** means a person working in seasonal agricultural employment who is required to be absent overnight from the person's permanent residence.

((54)) **"Net income eligibility standard"** means the federal income poverty level for the forty-eight contiguous states.

((55)) **"Nonhousehold member"** means a person who is not considered a member of the food stamp household such as a:

((a)) (1) Roomer;  
((b)) (2) Live-in attendant;  
((c)) (3) Ineligible student; ((e))  
((d)) (4) Person who does not purchase and prepare meals with the food stamp household except for persons described under WAC 388-49-190(2); or

(5) Person eighteen through fifty years old without dependents who is no longer eligible for food stamps because of time limits.

((56)) **"Nonstriker"** means any person:  
((a)) (1) Exempt from work registration the day before the strike for reasons other than their employment;

((b)) (2) Unable to work as a result of other striking employees, e.g., truck driver not working because striking newspaper pressmen not printing output;

((c)) (3) Not part of the bargaining unit on strike but not wanting to cross picket line due to fear of personal injury or death; or

((d)) (4) Unable to work because workplace is closed to employees by employer in order to resist demands of employees, e.g., a lockout.

((57)) **"Offset"** means reduce restored benefits by any overissue (claim) owed by the household to the department.

((58)) **"Overissuance"** means the amount of coupons issued to a household in excess of the amount eligible to receive.

((59)) **"Overpayment"** means the same as "overissuance" and shall be the preferred term used in procedures.

((60)) **"Payment month"** means the third month of the budget cycle; the month in which the food stamp

allotment is affected by information reported on the monthly report for the budget month.

((61)) **"Period of intended use"** means the period for which an FCA or food coupon is intended to be used.

((62)) **"Post secondary education"** means a school not requiring a high school diploma or equivalency for enrollment. This includes trade school, vocational schools, business colleges, beauty schools, barber schools, etc.

((63)) **"Principal wage earner"** means the household member with the greatest source of earned income in the two months prior to the month of violation of employment and training and voluntary quit provisions, including members not required to register.

((64)) **"Process month"** means the second month of the monthly reporting cycle; the month in which the monthly report is to be returned by the household to the local office.

((65)) **"Project area"** means the county or similar political subdivision designated by the state as the administrative unit for program operations.

((66)) **"Prospective budgeting"** means the computation of a household's income based on income received or anticipated income the household and department are reasonably certain will be received during the month of issuance.

((67)) **"Prospective eligibility"** means the determination of eligibility based on prospective budgeting rules and other household circumstances anticipated during the month of issuance.

((68)) **"Qualified alien"** means an alien who, at the time the alien applies for or receives food stamps, is:

((a)) (1) An alien who is lawfully admitted for permanent residence under the Immigration and Nationality Act,

((b)) (2) An alien who is granted asylum under section 208 of such Act,

((c)) (3) A refugee who is admitted to the United States under section 207 of such Act,

((d)) (4) An alien who is paroled into the United States under section 212 (d)(5) of such Act for a period of at least one year,

((e)) (5) An alien whose deportation is being withheld under section 243(h) of such Act,

((f)) (6) An alien who is granted conditional entry pursuant to section 203 (a)(7) of such Act as in effect prior to April 1, 1980, or

((g)) (7) An alien who or an alien whose child:

((i)) (a) Has been battered or subjected to extreme cruelty in the United States by a spouse, parent, or the family of the spouse or parent living in the same household and the U.S. Attorney General determines that there is a substantial connection between such battery or cruelty and the alien's need for benefits;

((ii)) (b) Has a petition under the Violence Against Women Act for adjustment for immigration status approved or pending with Immigration and Naturalization Service; and

((iii)) (c) Does not reside in the same household as the individual responsible for the battery or extreme cruelty.

((69)) **"Quality control review"** means a review of a statistically valid sample of cases to determine the accuracy of budgeting, issuance, denial, withdrawal, and termination actions taken by the department.

((70)) **"Quality control review period"** means the twelve-month period from October 1 of each calendar year through September 30 of the following calendar year.

((71)) **"Recent work history"** means being employed and receiving earned income in one of the two months prior to the payment month.

((72)) **"Recertification"** means approval of continuing benefits based on an application submitted prior to the end of the current certification period.

((73)) **"Resident of an institution"** means a person residing in an institution that provides the person with the majority of meals as part of the institution's normal service.

((74)) **"Retrospective budgeting"** means the computation of a household's income for a payment month based on actual income received in the corresponding budget month of the monthly reporting cycle.

((75)) **"Retrospective eligibility"** means the determination of eligibility based on retrospective budgeting rules and other circumstances existing in the budget month.

((76)) **"Roomer"** means a person to whom a household furnishes lodging, but not meals, for compensation.

((77)) **"Seasonal farmworker"** means a person working in seasonal agricultural employment who is not required to be absent overnight from the person's permanent residence.

((78)) **"Shelter costs"** means:

((a)) (1) Rent or mortgage payments plus taxes on a dwelling and property;

((b)) (2) Insurance on the structure only, unless the costs for insuring the structure and its contents cannot be separated;

((c)) (3) Assessments;

((d)) (4) Utility costs such as heat and cooking fuel, cooling and electricity, water, garbage, and sewage disposal;

((e)) (5) Standard basic telephone allowance;

((f)) (6) Initial installation fees for utility services; and

((g)) (7) Continuing charges leading to shelter ownership such as loan repayments for the purchase of a mobile home including interest on such payments.

((79)) **"Shelter for battered women and children"** means a public or private nonprofit residential facility serving battered women and children.

((80)) **"Sibling"** means a natural or an adopted brother, sister, half brother, half sister, or stepbrother or stepsister.

((81)) **"Sponsor"** means a person who executed an affidavit of support or similar agreement on behalf of an alien as a condition of the alien's admission into the United States as a permanent resident.

((82)) **"Sponsored alien"** means an alien lawfully admitted for permanent residence who has an affidavit of support or similar agreement executed by a person on behalf of the alien as a condition of the alien's admission into the United States as a permanent resident.

((83)) **"Spouse"** means:

((a)) (1) Married under applicable state law; or

((b)) (2) Living with another person and holding themselves out to the community as husband and wife by representing themselves as such to relatives, friends, neighbors, or trades people.

((84)) **"Striker"** means any person:

((a)) (1) Involved in a strike or concerted stoppage of work by employees including stoppage due to expiration of a collective bargaining agreement; or

((b)) (2) Involved in any concerted slowdown or other concerted interruption of operations by employees.

((85)) "Student" means any person:

((a)) (1) At least eighteen but less than fifty years of age;

((b)) (2) Physically and mentally fit for employment; and

((c)) (3) Enrolled at least half time in an institution of higher education.

((86)) "Systematic alien verification for entitlements (SAVE)" means the immigration and naturalization service (INS) program whereby the department may verify the validity of documents provided by aliens applying for food stamp benefits by obtaining information from a central data file.

((87)) "Temporary disability" means a nonpermanent physical illness or injury that incapacitates beyond the initial issuance month.

((88)) "Thrifty food plan" means the diet required to feed a family of four as determined by the United States Department of Agriculture. The cost of the diet is the basis for all allotments, taking into account the household size adjustments based on a scale.

((89)) "Under parental control" means living with any adult other than the parent. A person is not under parental control when that person is:

((a)) (1) Receiving an AFDC grant as the person's own payee; or

((b)) (2) Receiving, as the person's own payee, gross income equal to, or exceeding, the AFDC grant payment standard as described under WAC 388-250-1400(2);

(c) Married and living with a spouse; or

(d) Living with the person's own child).

((90)) "Vehicle" means any device for carrying or conveying persons and objects, including travel by land, water, or air.

((91)) "Vendor payment" means money payments not owed or payable directly to a household, but paid to a third party for a household expense, such as:

((a)) (1) A payment made in money on behalf of a household whenever another person or organization makes a direct payment to either the household's creditors or a person or organization providing a service to the household; or

((b)) (2) Rent or mortgage payments, made to landlords or mortgagees by the department of housing and urban development or by state or local housing authorities.

((92)) "Verification" means the use of documentation or third-party information to establish the accuracy of statements on the application. Sources of verification shall be documentary evidence, collateral contacts, or a home visit.

**WSR 97-06-105**  
**PERMANENT RULES**  
**BOARD OF**  
**PILOTAGE COMMISSIONERS**  
[Filed March 5, 1997, 8:33 a.m.]

Date of Adoption: February 13, 1997.

Purpose: To establish annual pilot license fees in accordance with legislative action.

Citation of Existing Rules Affected by this Order: Amending WAC 296-116-070.

Statutory Authority for Adoption: RCW 88.16.090.

Other Authority: Chapter 175, Laws of 1995, Washington state legislature.

Adopted under notice filed as WSR 97-01-107 on December 18, 1996.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 1, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 1, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

February 14, 1997

Peggy Larson

Administrator

**AMENDATORY SECTION** (Amending Order 88-13, Resolution No. 88-13, filed 7/1/88)

**WAC 296-116-070 Collection of fees.** All pilots shall pay an annual license fee of ~~one~~ **two** thousand five hundred dollars for every year in which they perform any pilotage services. If a licensed pilot does not perform pilotage services during a license year, his/her fee for that year shall be reduced to five hundred dollars upon application to the board. The board of pilotage commissioners shall receive all fees for licenses or for other purposes and make proper accounting of same and transmit all such funds to the pilotage account.

**WSR 97-06-106**  
**PERMANENT RULES**  
**BOARD OF**  
**PILOTAGE COMMISSIONERS**  
[Filed March 5, 1997, 8:33 a.m.]

Date of Adoption: February 13, 1997.

Purpose: To clarify the duties of a pilot relating to reporting procedures, forms, and definitions of a pilot incident and near-miss occurrence. To also provide for voluntary reporting of navigational safety concerns.

Citation of Existing Rules Affected by this Order: Amending WAC 296-116-200.

Statutory Authority for Adoption: Chapter 88.16 RCW.

Adopted under notice filed as WSR 97-01-108 on December 18, 1996.

Changes Other than Editing from Proposed to Adopted Version: Additionally provides notification to the vessel master when such a report is filed by a state pilot.

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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 1, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

February 14, 1997

Peggy Larson  
Administrator

**AMENDATORY SECTION** (Amending Order 73-6, filed 5/11/73)

**WAC 296-116-200 Duties of pilots.** (1) In any case where a vessel in the charge of a state licensed pilot (~~shall go aground, collide with another vessel, or dock, or shall meet with any casualty, or be injured or damaged in any way~~) is involved in an incident or near-miss occurrence, the said pilot shall (~~(, within ten days thereafter,)~~) make (~~(written)~~) a report (~~(thereof)~~) to (~~(said)~~) the board (~~(, and)~~) in the following required manner:

(a) Pilots report of incident. A state licensed pilot involved in an incident shall notify the board by telephoning or radioing the Marine Exchange of Puget Sound as soon as the situation is stabilized or within one hour of reaching shore. The pilot shall also complete the board required Pilot's Report of Incident form and file it with the board as soon as possible after the incident, but in no event more than ten days afterwards. An incident includes an actual or apparent collision, allision or grounding, as well as a navigational occurrence which results in actual or apparent personal injury or property damage or environmental damage.

(b) Pilot's report of marine safety occurrence. A state licensed pilot involved in a near-miss occurrence shall complete the board required Pilot's Report of Marine Safety Occurrence form and file it with the board as soon as possible after the near-miss occurrence, but in no event more than ten days afterwards. A near-miss occurrence is where a pilot successfully takes action of a nonroutine nature to avoid a collision with another vessel, structure or aid to navigation, to avoid a grounding of the vessel or to avoid causing damages to the environment. Information relating to near-miss occurrences provided by a pilot on this form shall not be used for imposing any sanctions or penalties against said pilot. A state licensed pilot may also use this form on a voluntary basis for reporting out of the ordinary occurrences or concerns for navigational safety encountered or observed during the course of piloting a vessel.

(c) Completion of these forms does not replace or relieve a pilot from any other reporting requirements under federal, state or local law. If circumstances permit, a pilot will notify the vessel master of his/her intent to file a report

of incident or marine safety occurrence with the board. The board shall forward a copy of any form received to the respective shipper or its board representative. The board of pilotage commissioners may (~~(thereupon)~~), (~~(either)~~) with or without a complaint being made against (~~(the said)~~) a pilot, investigate the matter reported upon. (In any case of apparent damage being sustained or caused by a vessel under his charge, the pilot shall file his written report as soon as possible after returning to shore. It is important that the board be promptly advised of the facts in all cases of accident, without delay.)

(2) Pilots will report to the pilot office and to the aids to navigation officer of the U.S. Coast Guard, all changes in lights, range lights, buoys, and any dangers to navigation that may come to their knowledge.

(3) Any pilot who shall fail, neglect or refuse to make a report to the board of pilotage commissioners as required by the pilotage laws of the state, or by these rules and regulations, for a period of ten days after the date when the said report is required to be made, shall be subject to having his license suspended at the discretion of the board, and if he fails to report for a period of thirty days the board may, at its discretion, revoke his license.

(4) Pilots when so notified in writing shall report in person to the board, at any meeting specified in such notice.

(5) Any pilot summoned to testify before the pilotage board shall appear in accordance with such summons and shall make answer, under oath, to any question put to him which deals with any matter connected with the pilot service, or of the pilotage waters over which he is licensed to act. He shall be entitled to have his attorney or advisor present during any such appearance and testimony.

(6) Any pilot who shall absent himself from his pilotage duties or district for a period of sixty days without permission of the board of pilotage commissioners shall be liable to suspension or to the forfeiture of his license.

(7) A pilot on boarding a ship, if required by the master thereof, shall exhibit his license, or photostatic copy thereof.

(8) When a pilot licensed under this act is employed on an enrolled ship, the same rules and regulations shall apply as pertain to registered ships.

(9) Any state licensed pilot assigned to pilot a vessel entering, leaving, or shifting berths under its own power in any of the waters subject to the provisions of chapter 88.16 RCW shall before assuming pilotage obligations for such vessel obtain assurance from the master that the vessel meets all requirements for safe navigation and maneuvering. In addition, the pilot shall obtain assurance that the ship's officers will maintain navigation procedures by all navigational aids available to insure that the vessel's position is known at all times. If the pilot in his professional judgment considers the vessel to be incapable of safe navigation and maneuvering due to performance limitations, he shall refuse to assume the obligations of pilotage for such vessel until such limitations have been corrected and shall promptly notify the pilot's control station and the chairman of the board of pilotage commissioners of such action.

**WSR 97-06-108  
PERMANENT RULES  
NOXIOUS WEED CONTROL BOARD**

[Filed March 5, 1997, 8:50 a.m.]

Date of Adoption: January 21, 1997.

Purpose: The State Noxious Weed Board has amended the state noxious weed list to add species determined to be noxious and to change areas designated for control of some noxious weeds. Additional changes were made to clarify aquatic noxious weed control standards and civil infraction units and to streamline state weed board officer nominations and terms of office.

Citation of Existing Rules Affected by this Order: Amending WAC 16-750-003, 16-750-011, 16-750-015, 16-750-020, and 16-750-130.

Statutory Authority for Adoption: Chapter 17.10 RCW. Adopted under notice filed as WSR 96-20-112 on October 2, 1996.

Changes Other than Editing from Proposed to Adopted Version: One species proposed for listing as a Class C noxious weed was not listed.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 1, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 6, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 3, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.  
March 4, 1997  
Laurie McLellan  
Executive Secretary

AMENDATORY SECTION (Amending WSR 93-01-004, filed 12/2/92, effective 1/2/93)

**WAC 16-750-003 Definitions.** (1) The definitions set forth in this section shall apply throughout this chapter, unless the context otherwise plainly requires:

(a) "Action" means the transaction of the official business of the Washington state noxious weed control board including but not limited to receipt of public testimony, deliberations, discussions, considerations, reviews, and final actions.

(b) "Board" means the Washington state noxious weed control board, or a duly authorized representative.

(c) "Director" means the director of the department of agriculture, or the director's appointed representative.

(d) "Executive secretary" means the executive secretary of the Washington state noxious weed control board.

(e) "Department" means the department of agriculture of this state.

(f) "Person" means any individual, partnership, corporation, firm, or any other entity.

(g) "Final action" means a collective positive or negative decision, or an actual vote by a majority of board members when sitting as a body or entity, upon a motion, proposal, resolution, or order.

(h) "Meeting" means meetings at which action is taken.

(i) "Regular meetings" means recurring meetings held in accordance with a periodic schedule declared by statute or rule.

(2) The definitions set forth in this subsection shall apply throughout this chapter, chapter 17.10 RCW, and any rules adopted thereunder unless the context otherwise plainly requires:

(a) "Control" means to prevent all seed production and to prevent the dispersal of the following propagules of aquatic noxious weeds - turions, fragments, tubers, and nutlets.

(b) "Contain" means to confine a noxious weed and its propagules to an identified area of infestation.

(c) "Eradicate" means to eliminate a noxious weed within an area of infestation.

(d) "Prevent the spread of noxious weeds" means to contain noxious weeds.

(e) Class A noxious weeds are those noxious weeds not native to the state that are of limited distribution or are unrecorded in the state and that pose a serious threat to the state.

(f) Class B noxious weeds are those noxious weeds not native to the state that are of limited distribution or are unrecorded in a region of the state and that pose a serious threat to that region.

(g) "Class B designate" means those Class B noxious weeds whose populations in a region or area are such that all seed production can be prevented within a calendar year.

(h) Class C are any other noxious weeds.

(3) Any county noxious weed control board may enhance the clarity of any definition contained in subsection (2) of this section, making that definition more specific, but shall not change its general meaning.

AMENDATORY SECTION (Amending WSR 96-06-030, filed 2/29/96, effective 3/31/96)

**WAC 16-750-011 State noxious weed list—Class B noxious weeds.**

Name	Will be a "Class B designate" in all lands lying within:
(1) blackgrass <i>Alopecurus myosuroides</i>	(a) regions 1,2,3,5,6,8,9,10 (b) Ferry, Stevens, Pend Oreille counties of region 4 (c) Adams County of region 7.
(2) blueweed <i>Echium vulgare</i>	(a) regions 1,2,3,4,5,6,8,9,10 (b) region 7 except for an area starting at the Stevens County line on SR 291 south to the SR 291 bridge over the Little Spokane River, thence upstream along the Little Spokane River to the first Rutter Parkway Bridge; thence south along the Rutter Parkway to the intersection of Rutter Parkway and Indian Trail Road; thence southerly along Indian Trail Road to a point three miles south (on section line between sections 22 and 27, T-26N, R-42E); thence due west to a point intersecting the line between Ranges 41 and 42; thence north along this

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- line to a point 1/4 mile south of Charles Road; thence northwesterly parallel to Charles Road to a point 1/4 miles south of the intersection of Charles Road and West Shore Road; thence northerly along West Shore Road to the Spokane River (Long Lake); thence southeasterly along the Spokane River to the point of beginning.
- (3) broom, Scotch  
*Cytisus scoparius*
  - (4) bryony, white  
*Bryonia alba*
  - (5) bugloss, common  
*Anchusa officinalis*
  - (6) bugloss, annual  
*Anchusa arvensis*
  - (7) fanwort  
*Cabomba caroliniana*
  - (8) camelthorn  
*Alhagi maurorum*
  - (9) catsear, common  
*Hypochaeris radicata*
  - (10) cinquefoil, sulfur  
*Potentilla recta*
  - (11) Cordgrass, smooth  
*Spartina alterniflora*
  - (12) cordgrass, common  
*Spartina anglica*
  - (13) daisy, oxeye  
*Leucanthemum vulgare*
  - (14) deadnettle, hybrid  
*Lamium hybridum*
  - (15) elodea, Brazilian  
*Egeria densa*
  - (16) fieldcress, Austrian  
*Rorippa austriaca*
  - (17) gorse  
*Ulex europaeus*
  - (18) hawkweed, orange  
*Hieracium aurantiacum*
  - (19) hawkweed, yellow  
*Hieracium caespitosum*
  - (20) hedgeparsley  
*Torilis arvensis*
  - (21) indigobush  
*Amorpha fruticosa*
  - (22) knapweed, black  
*Centaurea nigra*
  - (23) knapweed, brown  
*Centaurea jacea*
  - (24) knapweed, diffuse  
*Centaurea diffusa*
- (a) regions 3,4,6,7,9,10.
  - (a) regions 1,2,3,4,5,6,8,9
  - (b) region 7 except Whitman County
  - (c) Franklin County of region 10.
  - (a) regions 1,2,3,5,6,8,9,10
  - (b) region 4 except Stevens and Spokane counties
  - (c) Lincoln, Adams, and Whitman counties of region 7.
  - (a) regions 1,2,3,4,5,6,8,9
  - (b) Lincoln and Adams counties
  - (c) Whitman County except ranges 43 through 46 East of Townships 16 through 20 North.
  - (a) regions 1,2,3,4,5,6,7,9,10
  - (b) region 8 except T8N, R3W of Cowlitz County.
  - (a) regions 1,2,3,4,5,7,8,9
  - (b) region 6 except those portions of Sections 23,24,25, and 29 through 36, T16N, R27E, W.M. lying outside Intercounty Weed District No. 52 and except Sections 1 through 12, T15N, R27E, W.M. in Grant County and except the area west of Highway 17 and north of Highway 26 in Adams County
  - (c) Franklin, Columbia, Garfield, and Asotin counties of region 10
  - (d) an area beginning at the Washington — Oregon border at the southwest portion of section 15, R32E, T6N, then north to the northwest corner of section 3, R32E, T7N, then east to the northeast corner of section 3, R36E, T7N, then south to southeast portion of section 15, R36E, T6N, at the Washington — Oregon border, then west along the Washington — Oregon border to the point of beginning.
  - (a) regions 3,4,6,7,((9))10
  - (b) region 9 except Klickitat County.
  - (a) regions 1,3,((6;))8,10
  - (b) region 2 except Skagit County
  - (c) region 4 except Stevens, Ferry, and Pend Oreille counties
  - (d) region 5 except Thurston County
  - (e) region 6 except Yakima County
  - (f) region 7 except Spokane County
  - (~~((A))~~) (g) region 8 except Lewis County
  - (~~((B))~~) (h) region 9 except Klickitat County.
  - (a) regions 1,3,4,5,6,7,9,10
  - (b) region 2 except ~~((bays and estuaries))~~ Padilla Bay of Skagit County
  - (c) region 8 except bays and estuaries of Pacific County.
  - (a) regions 1,3,4,5,6,7,8,9,10
  - (b) region 2 except bays and estuaries of Skagit(~~(-)~~) and Island(~~(-)~~ and Snohomish)) counties and except bays and estuaries north of Everett in Snohomish County.
  - (a) regions 7,10
  - (b) region 9 except those areas lying within Klickitat and Yakima counties west of Range 13 East
  - (c) region 6 except those areas lying within Yakima and Kittitas counties west of Range 13 E.
  - (a) regions 1,3,4,5,6,7,8,9,10
  - (b) region 2 except Skagit County.
  - (a) regions 3,4,6,7,9,10
  - (b) Lewis County of region 8.
  - (a) regions 1,2,3,4,5,6,8,9
  - (b) regions 7 and 10 except within the Palouse River Canyon from Big Palouse Falls to the Snake River.
  - (a) regions 3,4,6,7,9,10
  - (b) Skagit County of region 2
  - (c) Thurston and Pierce counties of region 5
  - (d) Wahkiakum, Cowlitz, and Lewis counties of region 8.
  - (a) regions 3,6,9,10
  - (b) Ferry County of region 4
  - (c) Thurston County of region 5
  - (d) Lincoln and Adams counties of region 7.
  - (a) regions 1,2,3,5,6,7,8,((9))10
  - (b) region 4 except north of T32N in Pend Oreille County and east Highway 395 and north of Highway 20 in Stevens County
  - (c) region 9 except sections 32, 33 and 34 of T6N, R12E, and sections 4, 5, 6, and 7 of T5N, R12E, and section 12 of T5N, R11E of Klickitat County.
  - (a) regions 1,2,3,4,5,6,7,8,10
  - (b) Yakima, Benton, Franklin counties
  - (c) Klickitat County except those lands lying within T4N, R10E, R11E, R12E, R13E, R14E; T3N, R10E, R11E, R12E, R13E; T2N, R12E, R13E.
  - (a) regions 1,2,3,4,5,6
  - (b) regions 7 and 10 except within 200 feet of the Snake River from Central Ferry downstream
  - (c) regions 8, 9, and 10 except within 200 feet of the Columbia River.
  - (a) regions 1,2,3,4,5,7,9,10
  - (b) region 6 except Kittitas County
  - (c) region 8 except Clark County.
  - (a) regions 1,2,3,4,5,7,9,10
  - (b) region 6 except Kittitas County
  - (c) region 8 except Clark County.
  - (a) regions 1,2,5,8
  - (b) Grant County lying in Townships 13 through 16 North, Ranges 25 through 27 East; Townships 17 and 18 N., Ranges 25 through 30 East; Townships 19 and 20 North, Ranges 29 and 30 East; T21N, R23E, Sections 1 through 30; T21N, R26E., Sections 5,6,7,8,17, and 18; East 1/2 Township 21N, Range 27E.; T21N, Ranges 28 through 30 E.; those portions of Townships 22 through 28N, Ranges 28 through 30 E.; those portions of Township 22 through 28N., Ranges 23 through 30E. lying in Grant County; all W.M.

- (25) knapweed, meadow  
*Centaurea jacea x nigra*
- (26) knapweed, Russian  
*Acroptilon repens*
- (27) knapweed, spotted  
*Centaurea biebersteinii*
- (28) kochia  
*kochia scoparia*
- (29) lepyrodiclis  
*Lepyrodictis holosteoides*
- ((29)) (30) loosestrife, garden  
*Lysimachia vulgaris*
- ((30)) (31) loosestrife, purple  
*Lythrum salicaria*
- ((34)) (32) loosestrife, wand  
*Lythrum virgatum*
- (c) Adams County except those areas within T15N, R36E, Section 36; T15N, R37E, Sections 22,26,27,28, 31,32,33 and 34; T15N, R37E, western half of Sections 23, 24 and 25; T15N, R38E, Sections 2,10, 11,14,15,19 and 20; T16N, R38E, Sections 34 and 35; T17N, R37E, Sections 5 and 6
- (d) Franklin County of regions 9 and 10.
  - (a) regions 1,2,3,4,5,7,9,10
  - (b) region 6 except Kittitas County
  - (c) region 8 except Clark County.
- (a) regions 1,2,5,7,8
- (b) region 4 except that area lying within the boundaries of the Colville Indian Reservation within Ferry County
- (c) Adams County of region 6 except for the area west of Highway 17 and North of Highway 26
- (d) Intercounty Weed District No. 52
- (e) region 10 except Franklin County.
- (a) regions 1,2,3,5,6,8,9
- (b) Ferry County of region 4
- (c) Adams and Whitman counties of region 7
- (d) region 10 except Garfield County.
  - (a) Pend Oreille County of region 4
  - (b) Kittitas County of region 6.
- (a) regions 1,2,3,4,5,6,8,9,10
- (b) region 7 except an area within Whitman County east of the Pullman — Wawawai Road from Wawawai to Pullman and south of State Highway 270 from Pullman to Moscow, Idaho.
- (a) regions 1,2,3,4,6,7,8,9,10
- (b) region 5 except King County.
- (a) regions 1,4,7,8
- (b) region 2 except Snohomish County
- (c) region 3 except within 100 feet of the ordinary highwater mark of the Okanogan River from the Canadian border south to Riverside
- (d) region 5 except the area west of the Urban Growth Line, as defined in the King County Comprehensive Plan, and south of I-90, but not including Vashon Island, of King County
- (e) region 6 except that portion of Grant County lying northerly of the Frenchmen Hills-O'Sullivan Dam Road, southerly of Highway Interstate 90, easterly of the section line of the location of County Road J SW/NW if constructed and westerly of the section line of the location of County Road H SE/NE if constructed
- (f) region 9 except Benton County
- (g) region 10 except Walla Walla County
- (h) Intercounty Weed Districts No. 51 and No. 52.
- (a) regions 1,4,7,8
- (b) region 3 except within 100 feet of the ordinary highwater mark of the Okanogan River from the Canadian border south to Riverside
- (d) region 5 except King County
- (e) region 6 except that portion of Grant County lying northerly of the
- Frenchmen Hills-O'Sullivan Dam Road, southerly of Highway Interstate 90, easterly of the section line of the location of County Road J SW/NW if constructed and westerly of the section line of the location of County Road H SE/NE if constructed
- (f) region 9 except Benton County
- (g) region 10 except Walla Walla County
- (h) Intercounty Weed Districts No. 51 and No. 52.
- (a) regions 1,2,3,4,5,7,8
- (b) region 6 except those areas lying between State Highway 26 and State Highway 28, and westerly of Dodson Road in Grant County, and except S 1/2, Sec. 2, T20N, R25E., W.M.
- (c) region 9 except:
  - (i) except those areas lying within the following boundary description within Yakima County: Beginning at the intersection of Highway 12 and Parker Heights Road and continuing easterly to Konnowac Pass Road follow said road north to the intersection of Konnowac Pass Road and Nightingale Road. The northern boundary shall be the Roza Canal, continuing from the established point at Nightingale Road. The boundaries will follow the Roza Canal easterly to the County Line Road. The east boundaries will be the Yakima/Benton County Line from a point beginning at the County Line and Highway 22 (near Byron) continuing westerly along Highway 22 (to near the city of Mabton) to the intersection of Highway 22 and the Reservation Boundary (Division Road) and continuing north to the Yakima River. Then it will follow the river northwest to the Wapato-Donald Road continuing north along said road to Highway 12 then Highway 12 to Parker Heights Road.
  - (ii) an area lying southerly of State Route 14 and within T2N, Ranges 13 and 14 E of Klickitat County
- (d) region 10 except Walla Walla County.
  - (a) regions 1,2,3,4,5,6,7,9,10
  - (b) region 8 except Skamania County.
  - (a) regions 1,2,3,4,5,6,7,9,10
  - (b) region 8 except Clark, Cowlitz, and Wahkiakum counties.
  - (a) regions 1,2,3,4,5,7,8,10
  - (b) Grant County lying northerly of Township 21, North, W.M.
  - (c) Intercounty Weed Districts No. 51 and 52
  - (d) Kittitas County of region 6
- ((32)) (33) nutsedge, yellow  
*Cyperus esculentus*
- ((33)) (34) oxtongue, hawkweed  
*Picris hieracioides*
- ((34)) (35) parrotfeather  
*Myriophyllum aquaticum*
- ((35)) (36) pepperweed, perennial  
*Lepidium latifolium*

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(37) puncturevine  
*Tribulus terrestris*  
~~((36))~~ (38) ragwort, tansy  
*Senecio jacobaea*

~~((37))~~ (39) sandbur, longspine  
*Cenchrus longispinus*

~~((38))~~ (40) skeletonweed, rush  
*Chondrilla juncea*

~~((39))~~ (41) sowthistle, perennial  
*Sonchus arvensis*  
*spp. arvensis*

(e) Adams County of region 6  
except for the area west  
of Highway 17 and north of  
Highway 26.

(a) Kittitas County of region 6.

(a) regions 3,4,6,7,9,10  
(b) region 5, that portion of Pierce  
County lying south or east of a  
boundary beginning at the White  
River and State Highway 410, then  
west along State Highway 410 to  
intersection with State Highway 162  
(Orting) to intersection with Orville  
Road, then south along Orville Road  
to intersection with Kapowsin  
Highway (304th Street East), then  
west following Kapowsin Highway  
to intersection with State Route 7,  
then south along State Route 7 to  
intersection with State Route 702,  
then west along State Route 702 to  
intersection with State Route 507,  
then southwest along State Route  
507 to intersection with the  
Nisqually River.

(a) regions 1,2,3,4,5,7,8  
(b) Adams County of region 6 except  
for that area lying within Intercounty  
Weed District No. 52

(c) Intercounty Weed District No. 51.

(a) regions 1,2,3,5,8,9  
(b) Franklin County except T13N,  
R36E; and T14N, R36E

(c) Adams County except those areas  
lying west of a line running north  
from Franklin County along the  
western boundary of Range 36 East  
to State Highway 26 then north on  
Sage Road until it intersects Lee  
Road, then due north until  
intersection with Providence Road,  
then east to State Highway 261, then  
north along State Highway 261 to  
its intersection with Interstate 90,  
henceforth on a due north line to  
intersection with Bauman Road, then  
north along Bauman Road to its  
terminus, then due north to the  
Lincoln County line.

(d) region 6 except that portion lying  
within Grant County that is  
southerly of State Highway 28,  
northerly of Interstate Highway 90  
and easterly of Grant County Road  
E Northwest

(e) ~~((Pend Oreille and))~~ Stevens  
~~((counties))~~ county  
north of Township 33 North  
of region 4

(f) ~~((County))~~ and Pend  
Oreille counties of region 4

(g) Asotin County of region 10

(h) Garfield and Columbia counties  
south of Highway 12

(i) Whitman County lying in Ranges 43  
through 46 East of Townships 15  
through 20 North; T14N, Ranges 44  
through 46 East; and T13N, Ranges  
45 and 46 East.

(a) regions 1,2,3,4,~~((5-))~~7,8,9,10

(b) Adams County of region 6

(c) region 5 except for sections  
28, 29, 30, 31, 32, and 33  
in T19N, R1E of Thurston  
and Pierce counties.

~~((40))~~ (42) spurge, leafy  
*Euphorbia esula*

~~((41))~~ (43) starthistle, yellow  
*Centaurea solstitialis*

~~((42))~~ (44) Swainsonpea  
*Sphaerophysa salsula*

~~((43))~~ (45) thistle, musk  
*Carduus nutans*

(a) regions 1,2,3,4,5,6,8,9,10  
(b) region 7 except as follows:  
(i) T27N, R37E, Sections  
34,35,36; T27N, R38E,  
Sections 31,32,33; T26N,  
R37E, Sections 1,2,3,10,  
11,12,13,14,15,16,26; T26N,  
R38E, Sections 5, 6,7,8 of  
Lincoln County  
(ii) T24N, R43E, Section 12, Qtr.  
Section 3, Parcel No. 9068 of  
Spokane County.

(a) regions 1,2,3,5,6,8  
(b) region 4 except those areas within  
Stevens County bounded by a line  
beginning at the intersection of State  
Highway 20 and State Highway 25,  
then north to intersection with  
Pinkston Creek Road, then east  
along Pinkston Creek Road to  
intersection with Highland Loop  
Road, then south along Highland  
Loop Road to intersection with State  
Highway 20, then west along State  
Highway 20 to intersection with  
State Highway 25

(c) region 7 except those areas within  
Whitman County lying south of State  
Highway 26 from the Adams County  
line to Colfax and south of State  
Highway 195 from Colfax to  
Pullman and south of State Highway  
270 from Pullman to the Idaho  
border

(d) Franklin County  
(e) region 9 except Klickitat County  
(f) in all lands lying within Asotin  
County, Region 10, except as  
follows: T11N, R44E, Sections  
25, 26, 27, 28, 29, 31, 32, 33, 34,  
and 35; T11N, R45E, Sections 21,  
22, 23, and 25; T11N, R36E,  
Sections 19, 20, 21, 28, 29, 30, 31,  
32, and 33; T10N, R44E, Sections  
1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12,  
15, and 16; T10N, R45E, Sections  
23 and 24; T10N, R46E, Sections  
7, 8, 17, 18, 19, 20, 21, 22, 27, 34,  
and 35; T9N, R46E, Sections 1, 2,  
12, 13, 14, 23, 24, 25, 26, 35, and  
36; T9N, R47E, Sections 18, 19,  
30, and 31; T8N, R46E, Sections  
1, 2, 3, 9, 10, 11, 12, 13, 14, 15,  
16, 23, and 24; T8N, R47E,  
Sections 8, 17, 18, 19, 20, 29, 30,  
31, and 32.

(a) regions 1,2,3,4,5,7,8  
(b) Columbia, Garfield, Asotin, and  
Franklin counties  
(c) an area beginning at the  
Washington — Oregon border at the  
southwest portion of Section 15,  
R32E, T6N, then north to the  
northwest corner of Section 3,  
R32E, T7N, then east to the  
northeast corner of Section 3, R36E,  
T7N, then south to the southeast  
portion of Section 15, R36E, T6N,  
at the Washington — Oregon border,  
then west along the Washington —  
Oregon border to the point of  
beginning

(d) Weed District No. 3 of Grant  
County

(e) Adams County of region 6.  
(a) regions 1,2,3,5,6,7,8,9,10  
(b) Spokane and Pend Oreille counties.



((44)) (46) thistle, plumeless  
*Carduus acanthoides*

- (a) regions 1,2,3,5,6,7,8,9,10
- (b) region 4 except those areas within Stevens County lying north of State Highway 20.

thistle, Canada  
whiteweed, hairy  
wormwood, absinth

*Cirsium arvense*  
*Cardaria pubescens*  
*Artemisia absinthium*

((45)) (47) thistle, Scotch  
*Onopordum acanthium*

- (a) regions 1,2,3,4,5,6,8,9
- (b) region 7 except for those areas within Whitman County lying south of State Highway 26 from the Adams County line to Colfax and south of State Highway 195 from Colfax to Pullman and south of State Highway 270 from Pullman to the Idaho border
- (c) Franklin County.

((46)) (48) toadflax, Dalmatian  
*Linaria dalmatica*  
*ssp. dalmatica*

- (a) regions 1,2,5,8,10
- (b) Kittitas, Chelan, Douglas, and Adams counties of region 6
- (c) Intercounty Weed District No. 51
- (d) Weed District No. 3 of Grant County
- (e) Lincoln and Adams counties
- (f) The western two miles of Spokane County of region 7
- (g) region 9 except as follows:
  - (i) those areas lying within Yakima County
  - (ii) those areas lying west of the Klickitat River and within Klickitat County.

((47)) (49) watermilfoil,  
Eurasian  
*Myriophyllum spicatum*

- (a) regions 1,9,10
- (b) region 7 except Spokane County
- (c) region 8 except within 200 feet of the Columbia River
- (d) Adams County of region 6
- (e) in all water bodies of public access, except the Pend Oreille River, in Pend Oreille County of region 4.

**AMENDATORY SECTION** (Amending WSR 96-06-030, filed 2/29/96, effective 3/31/96)

**WAC 16-750-015 State noxious weed list—Class C noxious weeds.**

Common Name	Scientific Name
babybreath	<i>Gypsophila paniculata</i>
bindweed, field	<i>Convolvulus arvensis</i>
canarygrass, reed	<i>Phalaris arundinacea</i>
carrot, wild	<i>Daucus carota</i>
chervil, wild	<i>Anthriscus sylvestris</i>
cockle, white	<i>Silene latifolia</i> ssp. <i>alba</i>
cocklebur, spiny	<i>Xanthium spinosum</i>
cress, hoary	<i>Cardaria draba</i>
dodder, smoothseed alfalfa	<i>Cuscuta approximata</i>
goatgrass, jointed	<i>Aegilops cylindrica</i>
henbane, black	<i>Hyoscyamus niger</i>
houndstongue	<i>Cynoglossum cuspidatum</i>
knotweed, Japanese	<i>Polygonum cuspidatum</i>
<del>(kochia)</del>	<del><i>Koehia scoparia</i></del>
mayweed, scentless	<i>Matricaria perforata</i>
mullein, common	<i>Verbascum thapsus</i>
nightshade, bitter	<i>Solanum dulcamara</i>
poison-hemlock	<i>Conium maculatum</i>
<del>(puneturevine)</del>	<del><i>Tribulus terrestris</i></del>
rocket, garden	<i>Eruca vesicaria</i> ssp. <i>sativa</i>
rye, cereal	<i>Secale cereale</i>
saltcedar	<i>Tamarix</i> species
snaptail, dwarf	<i>Chaenorrhinum minus</i>
spikeweed	<i>Hemizonia pungens</i>
St. Johnswort, common	<i>Hypericum perforatum</i>
tansy, common	<i>Tanacetum vulgare</i>
toadflax, yellow	<i>Linaria vulgaris</i>
thistle, bull	<i>Cirsium vulgare</i>

**AMENDATORY SECTION** (Amending WSR 93-01-004, filed 12/2/92, effective 1/2/93)

**WAC 16-750-020 Noxious weeds—Civil infractions—Schedule of monetary penalties.** Civil infractions under chapter 17.10 RCW shall be assessed a monetary penalty according to the following schedule:

(1) Any owner knowing of the existence of any noxious weeds on the owner's land who fails to control such weeds in accordance with chapter 17.10 RCW and the rules and regulations in force pursuant thereto shall be assessed ~~((as follows))~~ the following monetary penalties. The penalties shall be assessed per parcel, per noxious weed species, per day after expiration of the notice to control filed pursuant to RCW 17.10.170:

- (a) Any Class A noxious weed:
  - 1st offense within five years \$ 750
  - 2nd and any subsequent offense 1,000

(b) Any Class B designate noxious weed in the noxious weed control region in which the land lies:

- 1st offense within five years \$ 500
- 2nd offense 750
- 3rd and any subsequent offense 1,000

(c) Any Class B nondesignate noxious weed in the noxious weed control region in which the land lies; or any Class C noxious weed:

- 1st offense within five years \$ 250
- 2nd offense 500
- 3rd offense 750
- 4th and any subsequent offense 1,000

(2) Any person who enters upon any land in violation of an order in force pursuant to RCW 17.10.210 shall be assessed as follows:

- 1st offense within five years \$ 500
- 2nd offense 750
- 3rd and any subsequent offense 1,000

(3) Any person who interferes with the carrying out of the provisions of chapter 17.10 RCW shall be assessed as follows:

- 1st offense within five years \$ 500
- 2nd offense 750
- 3rd and any subsequent offense 1,000

**AMENDATORY SECTION** (Amending WSR 93-01-004, filed 12/2/92, effective 1/2/93)

**WAC 16-750-130 State noxious weed control board—Organization.** The organization of the board is as follows:

(1) The officers of the board shall be chairperson, vice-chairperson, and secretary. The title of chief administrative officer shall be the executive secretary.

(2) Duties of officers.

(a) The chairperson shall preside at all meetings of the board, has the power to appoint committees, shall act as ex officio member of all committees except the executive

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committee, serves as chairperson of the executive committee, serves as official signer of agreements between the board and public or private agencies, and shall perform such other duties as pertain to the office.

(b) The vice-chairperson shall perform the duties of the chairperson in his or her absence, shall act as an ex officio member of all committees, and any other duties delegated by the chairperson. The vice-chairperson shall assume the duties of and serve out the term of the chairperson upon permanent departure of same.

(c) The secretary shall be the official keeper of the minutes and shall approve them and present the minutes to the board for adoption. In the absence of the chairperson and vice-chairperson, the secretary will perform the duties of the chairperson.

(d) The duty of the executive secretary, in addition to administrative duties assigned elsewhere in this chapter, will be to keep a record of the proceedings of the board, notify all board members, county noxious weed control boards, and weed districts of meetings, act as an ex officio nonvoting member of all committees, negotiate agreements with public and private agencies on behalf of the board, and perform other responsibilities as delegated by the chairperson.

(3) Term of office. Term of office for officers of the board shall be for twelve months effective July 27 of the year elected and ending July 26 of the following year. ~~((Officers may serve for and be reelected for a maximum of three consecutive terms.))~~

(4) Election of officers. ~~((The nominating committee shall be responsible for presenting nominations for officers. The board chairperson shall appoint a nominating committee in May. This nominating committee shall consist of not less than three voting members: One from the west side of the state, one from the east side, and one member at large. The nominations shall be presented and elections)) Elections will be held at the first meeting of the fiscal year in July. Officers shall be elected by a majority vote of the voting members present.~~

(5) Vacancies of officers other than chairperson, shall be filled by election of the voting board members present.

**WSR 97-06-026**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)  
(Public Assistance)  
[Filed February 25, 1997, 3:57 p.m.]

Date of Adoption: February 25, 1997.

Purpose: To comply with the federal requirement in Public Law 104-193 that temporary assistance for needy families (TANF) be denied to unmarried minor parents who are not living with an adult relative or in an appropriate adult-supervised setting as determined by the department.

Citation of Existing Rules Affected by this Order: Amending WAC 388-215-1660 Unmarried minor parents required to live with adult relative or legal guardian.

Statutory Authority for Adoption: RCW 74.04.050 and 74.04.055.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: A state-wide problem exists wherein juveniles are sexually exploited by adults in violation of child rape laws, particularly young girls by adult males which result in a large percentage of out-of-wedlock teenage pregnancies. The department recognizes this as a serious social problem and believes that current cash assistance rules, which allow minor parents to live with nonrelative adults, encourages the continued exploitation of underage girls by adult males.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 2, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

February 25, 1997  
Merry A. Kogut, Manager  
Rules and Policies Assistance Unit

**NEW SECTION**

**WAC 388-215-1660 Unmarried minor parents required to live with adult relative or legal guardian** (1) The department shall deny assistance to an unmarried minor parent, by excluding the needs of that individual in determining the need and payment amount of the assistance unit,

if that individual and that individual's child do not reside in one of the living situations described in subsection (2).

(2) An unmarried minor parent and the minor parent's child must live in either:

(a) The home of a parent, legal guardian, or other adult relative of the minor parent; or

(b) A facility or home licensed under RCW 74.15 that provides a supportive and supervised living arrangement requiring residents to learn parenting skills, a maternity home, other appropriate adult-supervised living arrangement, or the client's current or proposed living arrangement if the department determines it is appropriate, if:

(i) The minor parent has no living parent, legal guardian, or other adult relative that can be located, or if the parent, legal guardian, or other adult relative does not meet applicable state criteria to act as the individual's legal guardian or otherwise does not want the minor parent to reside with them; or

(ii) The minor parent or minor parent's child is being or has been subjected to serious physical, emotional or sexual harm, abuse or exploitation in the home of the parent, legal guardian, or other adult relative; or

(iii) Substantial evidence exists of an act or failure to act by the parent, legal guardian, or other adult relative that presents an imminent or serious harm to the minor parent or minor parent's child if they resided there; or

(iv) The department determines that it is in the best interest of the minor child to waive the requirement in subsection (2)(a).

(3) For the purposes of this section, an unmarried minor parent's living arrangement is not appropriate if, at the time of the minor parent's eligibility determination, the other natural parent of the minor parent's child:

(a) Resides in the home;

(b) Is at least eighteen years of age; and

(c) The minor parent and the adult parent meet the age criteria for the offenses of rape of a child in the first, second or third degree as set forth in RCW 9A.44.073, 9A.44.076 and 9A.44.079.

(4) The income of a minor parent who is denied benefits under this section shall be allocated under WAC 388-218-1640 as if the minor parent were ineligible due to sanction or noncooperation.

**Reviser's note:** The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 97-06-034**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
(Wildlife)

[Order 97-22—Filed February 27, 1997, 10:40 a.m., effective March 11, 1997, 12:01 a.m.]

Date of Adoption: February 27, 1997.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-61900F; and amending WAC 232-28-619.

Statutory Authority for Adoption: RCW 75.08.080.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule is necessary for protection of spring chinook, and is consistent with results of a Washington/Oregon state hearing on January 24, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: March 11, 1997, 12:01 a.m.

February 27, 1997

Dirk Brazil

for Bern Shanks

Director

#### NEW SECTION

**WAC 232-28-61900F Regional exceptions to permanent game fish rules.** Notwithstanding the provisions of WAC 232-28-619, it is unlawful to fish for or possess the following species taken from the following waters during the periods provided for herein:

(1) Effective March 11 through May 15, 1997, it is unlawful to fish for steelhead in the waters of the Columbia River downstream from Bonneville Dam.

(2) Effective April 16 through June 15, 1997, it is unlawful to fish for game fish in the waters of the North Fork Lewis River from Johnson Creek upstream to Colvin Creek.

(3) Effective April 1 through June 15, 1997, it is unlawful to fish for game fish from the south side of the Cowlitz River in those waters downstream from the Barrier Dam to a line from the mouth of Mill Creek to a boundary marker on the opposite shore.

#### REPEALER

The following section of the Washington Administrative Code is hereby repealed effective 12:01 a.m. June 16, 1997:

WAC 232-28-61900F Regional exceptions to permanent game fish rules.

**WSR 97-06-035  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE  
(Fisheries)**

[Order 97-23—Filed February 27, 1997, 10:43 a.m., effective March 1, 1997, 12:01 a.m.]

Date of Adoption: February 27, 1997.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order:  
Amending WAC 220-56-270.

Statutory Authority for Adoption: RCW 75.08.080.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The 1997 Columbia River smelt return is below expectations. Additional harvestable numbers are not available.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: March 1, 1997, 12:01 a.m.

February 27, 1997

Dirk Brazil

for Bern Shanks

Director

#### NEW SECTION

**WAC 220-56-27000A Smelt—Areas and seasons.** Notwithstanding the provisions of WAC 220-56-270, effective 12:01 a.m. March 1, 1997 until further notice it is unlawful to take, fish for or possess smelt in those waters of the Columbia River and all Washington tributaries to the Columbia River.

**WSR 97-06-036  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE  
(Fisheries)**

[Order 97-21—Filed February 27, 1997, 10:45 a.m., effective March 1, 1997, 12:01 a.m.]

Date of Adoption: February 27, 1997.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-28500I; and amending WAC 220-57-175, 220-57-310, 220-56-285, and 220-57-160.

Statutory Authority for Adoption: RCW 75.08.080.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule is necessary for protection of spring chinook, and is consistent with results of a Washington/Oregon state hearing on January 24, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 2, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: March 1, 1997, 12:01 a.m.

February 27, 1997

Dirk Brazil  
for Bern Shanks  
Director

NEW SECTION

**WAC 220-56-28500I Shad—Areas and seasons.** Notwithstanding the provisions of WAC 220-56-285, effective 12:01 a.m. March 11, 1997 through May 15, 1997 it is unlawful to take, fish for or possess shad in those waters of the Columbia River from Bonneville Dam downstream to the mouth.

NEW SECTION

**WAC 220-57-16000H Columbia River—Salmon seasons and areas.** Notwithstanding the provisions of WAC 220-57-160(7) effective 12:01 a.m. March 11, 1997 until further notice, it is unlawful to take, fish for or possess salmon in the Columbia River from the Interstate 5 Bridge downstream to the mouth.

NEW SECTION

**WAC 220-57-17500G Cowlitz River.** Notwithstanding the provisions of WAC 220-57-175:

Effective March 1, 1997 until further notice, it is unlawful to take, fish for or possess salmon in those waters of the Cowlitz River downstream from the Barrier Dam to the mouth.

NEW SECTION

**WAC 220-57-31000U Kalama River.** Notwithstanding the provisions of WAC 220-57-310:

Effective March 1, 1997 until further notice it is unlawful to take, fish for or possess salmon in those waters of the Kalama River downstream from the deadline below the Kalama Falls Hatchery to the mouth.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. May 16, 1997:

WAC 220-56-28500I Shad—Areas and seasons.

**WSR 97-06-040  
EMERGENCY RULES  
DEPARTMENT OF  
LABOR AND INDUSTRIES**  
[Filed February 27, 1997, 11:50 a.m.]

Date of Adoption: February 27, 1997.

Purpose: Agriculture, chapters 296-306 and 296-306A WAC. The purpose of this adoption is to correct an inadvertent housekeeping error in the original adoption of the new agriculture standard and to repeal pesticide sections in the old agriculture standard which were not repealed previously due to a filing oversight.

Citation of Existing Rules Affected by this Order: Repealing WAC 296-306-060, 296-306-330, 296-306-400, 296-306-40007 and 296-306-40009; and amending WAC 296-306A-16003.

Statutory Authority for Adoption: RCW 49.17.040, [49.17.]050, [49.17.]060.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: To prevent unintended impact and confusion to the agriculture industry, this emergency adoption corrects an inadvertent error in the new agriculture standard and repeals pesticide sections in the old agriculture standard so two sets of rules are not in effect at the same time.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making:

EMERGENCY

New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

February 27, 1997

Gary Moore

Director

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

- WAC 296-306-060 Personal protective equipment.
- WAC 296-306-330 Decontamination.
- WAC 296-306-400 Posting requirements.
- WAC 296-306-40007 Emergency medical care information.
- WAC 296-306-40009 Emergency assistance.

**AMENDATORY SECTION** (Amending WSR 96-22-048, filed 10/31/96, effective 12/1/96)

**WAC 296-306A-16003 How must camp shelters be constructed?** (1) You must ensure that every shelter in the camp is constructed to provide protection against the elements.

(2) Each room used for sleeping purposes must have at least 50 square feet of floor space for each occupant. The room must have at least a 7-foot ceiling.

(3) You must provide beds, cots, or bunks, and suitable storage facilities such as wall lockers for clothing and personal articles in every sleeping room.

(a) Beds must be at least 36 inches apart, both laterally and end to end, and the frame must keep mattresses at least 12 inches off the floor.

(b) Double-deck bunks must be spaced at least 48 inches apart, both laterally and end to end.

(c) The minimum clear space between lower and upper bunks must be at least 27 inches.

(d) Triple-deck bunks are prohibited.

(4) The floors of each shelter must be constructed of wood, asphalt, or concrete. Wooden floors must be smooth and tight. The floors must be kept in good repair.

(5) All wooden floors must be elevated at least 1 foot above ground level at all points to prevent dampness and to permit free air circulation.

(6) You may "bank" around outside walls with earth or other suitable material to guard against extreme low temperatures.

(7) All living quarters must have windows covering a total area equal to at least one-tenth of the floor area. You must ensure that at least one-half of each window can be opened for ventilation.

(8) All exterior openings must be screened with 16-mesh material. All screen doors must have self-closing devices.

(9) You must ensure that each dwelling unit has at least 70 square feet of floor space for the first occupant and at least 50 square feet of floor space for each additional occupant. In a family unit, the husband and wife must have a separate sleeping area whenever living with one or more children over six years old.

(10) In camps with common cooking facilities, you must provide stoves in an enclosed and screened shelter. You must provide sanitary facilities for storing and preparing food. You must provide one stove for every 10 people or one stove for every two families.

~~(11) ((You must provide sanitary facilities for storing and preparing food.~~

~~(12)))~~ If a camp is used during cold weather, you must provide adequate heating equipment.

Note: All heating, cooking, and water heating equipment must be installed according to state and local ordinances, codes, and regulations governing such installations.

**WSR 97-06-054  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE  
(Fisheries)**

[Order 97-24—Filed February 27, 1997, 3:26 p.m., effective March 3, 1997, 6:00 p.m.]

Date of Adoption: February 27, 1997.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-52-04600T; and amending WAC 220-52-046.

Statutory Authority for Adoption: RCW 75.08.080.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The closures in this emergency rule are necessitated by federal court order. The state may not authorize commercial shellfish harvests absent agreed planning or compliance with a process. For Areas 26B, 26C, and 26D there is no agreement to commercial non-Indian crabbing and therefore it must remain closed until compliance with federal court orders or until an agreed plan addresses the area. For other areas in this emergency order, agreed plans with applicable tribes have been entered as required by the court order. Such plans have the effect of a federal court order. 898 F. Supp. 1453, 1466, 3.1. Pursuant to RCW 34.04.350 [34.05.350], the need to comply with such federal court orders in the form of allocative management plans constitutes an emergency that requires bypassing the time periods inherent in permanent rule making. Failure to comply with such plans may result in contempt of federal court or failure of all commercial crab fishing in a given region addressed by a plan. These rules are temporary until the permanent rules take effect.

Areas 24A, 24B, 24C, 24D, 25B, 25D and 26A are closed to non-Indian commercial crab fishing because the non-Indian commercial allocation has been achieved. Closures will allow the treaty fishery to take its allocation. This regulation will allow groundlines to continue to be used, has industry support, and will improve Washington Department of Fish and Wildlife's ability to enforce pot limits. Because groundlines are often used in areas of heavy marine traffic, this configuration will make the gear more

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visible and less likely to be damaged and/or lost. The buoy brand certificate program is very costly to administer and is no longer considered an effective method to help ensure shellfish pot limit compliance.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: March 3, 1997, 6:00 p.m.

February 27, 1997

Dirk Brazil

for Bern Shanks

Director

## NEW SECTION

**WAC 220-52-04600U Crab fishery—Seasons, areas and gear restrictions.** Notwithstanding the provisions of WAC 220-52-046, effective 6:00 p.m. March 3, 1997, it is unlawful to fish for Dungeness crab for commercial purposes in Puget Sound except during the times and in the areas provided for in this section.

(1) All Puget Sound Marine Fish/Shellfish Management and Catch Reporting Areas are open until 11:59 p.m., April 15, 1997, except Areas 25C, 27A, 27B, 27C, 28A, 28B, 28C, and 28D and the closures provided for in this section.

(2) The following areas are closed to non-Indian commercial crab fishing:

(a) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 20A between a line from the boat ramp at the western boundary of Birch Bay State Park to the western point of the entrance of the Birch Bay Marina and a line from the same boat ramp to Birch Point are closed March 1 through April 15, 1997.

(b) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 20A in Lummi Bay east of a line projected from the entrance buoy at Sandy Point to Gooseberry Point.

(c) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 21A in Bellingham Bay west of a line projected from the exposed boulder at Point Francis to the pilings at Stevie's Point.

(d) Those waters of Marine Fish/Shellfish Management and Catch Reporting Areas 24A, 24B, 24C and 24D.

(e) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 25A west of a line from the new Dungeness Light to the mouth of Cooper Creek have a 30 pot per vessel limit.

(f) Those waters of Marine Fish/Shellfish Management and Catch Reporting Areas 25B, 25D, 26A, 26B, 26C, and 26D.

(3) The following areas are closed to commercial crab fishing during the periods indicated:

(a) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 21B inside lines from Oyster Creek to the fisheries monument on Samish Island and from Oyster Creek to Point Williams are closed shoreward of the ten fathom contour March 1 through April 15, 1997.

(b) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 22B in Fidalgo Bay south of a line projected from the red number 4 entrance buoy at Cap Sante Marina to the northern end of the easternmost oil dock are closed March 1, through April 15, 1997.

(4) The following areas are closed to commercial crab fishing until further notice:

south of a line from Dines Point to the point just north of Beverly Beach.

(a) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 21B in Samish Bay south of a line from Oyster Creek to the fisheries management monument on Samish Island.

(b) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 22A in Westcott and Garrison Bays east of a line projected due south from Point White to San Juan Island.

(c) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 20A in Birch Bay east of a line projected from the boat ramp at the western boundary of Birch Bay State Park to the western point of the entrance to the Birch Bay Marina.

(d) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 21A shoreward of the ten-fathom (MLLW) contour in Chuckanut Bay.

(e) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 22A in Blind Bay south of a line projected due west from Point Hudson to Shaw Island.

(f) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 22A in Deer Harbor north of a line projected from Steep Point to Pole Pass.

(g) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 22A in Fisherman Bay south of a line projected east-west through the red number 4 entrance buoy.

(h) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 22A in Mud Bay south of a line projected from Lopez Island through Crab and Fortress Islands to Lopez Island.

(i) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 22B in Padilla Bay within a line projected from the northern end of the easternmost oil dock to the red number 2 buoy, thence southeasterly to the red number 8 buoy, thence west to shore.

(j) All waters in the San Juan Islands Marine Preserve Area.

(5) In all open areas as provided for in this section, it is unlawful to pull or set commercial crab gear from one-half hour after sunset to one-half hour before sunrise.

**REPEALER**

The following section of the Washington Administrative Code is repealed effective 6:00 p.m. March 3, 1997.

WAC 220-52-04600T Crab fishery—Seasons, areas and gear restrictions. (97-19)

**WSR 97-06-069**  
**EMERGENCY RULES**  
**HEALTH CARE AUTHORITY**

(Basic Health Plan)

[Filed February 28, 1997, 11:35 a.m.]

Date of Adoption: February 28, 1997.

Purpose: Revisions of current Basic Health Plan rules to implement a reservation list for reduced premium enrollees.

Citation of Existing Rules Affected by this Order: Amending WAC 182-25-030, 182-25-040, and 182-25-090.

Statutory Authority for Adoption: RCW 70.47.050.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: State law requires immediate rules on Basic Health Plan reservation list when funds are not available for continued subsidized enrollment.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 2, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 2, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

February 28, 1997  
 Elin Meyer  
 Rules Coordinator

**AMENDATORY SECTION** (Amending WSR 96-15-024, filed 7/9/96, effective 8/9/96)

**WAC 182-25-030 Eligibility.** (1) To be eligible for enrollment in BHP, an individual must:

- (a) Not be eligible for Medicare; and
- (b) Reside within the state of Washington.

Persons not meeting these criteria, as evidenced by information submitted on the application for enrollment or otherwise obtained by BHP, will not be enrolled. An enrollee who subsequently fails to meet these criteria, or

who is later determined to have failed to meet the criteria at the time of enrollment, will be disenrolled from the plan as provided in WAC 182-25-090.

(2) To be eligible for subsidized enrollment in BHP, an individual must have a gross family income that does not exceed two hundred percent of federal poverty level as adjusted for family size and determined annually by the U.S. Department of Health and Human Services, and must pay, or have paid on their behalf, the monthly BHP premium.

(3) To be eligible for nonsubsidized enrollment in BHP, an individual may have any income level and must pay, or have paid on their behalf, the full costs for participation in BHP, including the cost of administration, without subsidy from the HCA.

(4) An individual otherwise eligible for enrollment in BHP may be denied enrollment if the administrator has determined that acceptance of additional enrollment would exceed limits established by the legislature, would jeopardize the orderly development of BHP or would result in an overexpenditure of BHP funds. In the event that the administrator closes or limits enrollment and to the extent funding is available, BHP will continue to accept and process applications for enrollment (~~but will not process those applications for determination of eligibility. BHP will place the names of applicants on a waiting list in the order in which applications are received, and will so notify the applicants~~) from:

- (a) Applicants who will pay the full premium;
- (b) Children eligible for BHP Plus;
- (c) Pregnant women who, prior to April 1, 1997, apply to BHP, are referred and qualify for maternity benefits through DSHS;
- (d) Children eligible for subsidized BHP, who were referred to DSHS for BHP Plus coverage, but were found ineligible for BHP Plus;
- (e) Employees of a home care agency group enrolled or applying for coverage under WAC 182-25-060;
- (f) Eligible individual home care providers;
- (g) Licensed foster care workers; and
- (h) Limited enrollment of new employer groups.

Subject to availability of funding, additional space for enrollment may be reserved for other applicants as determined by the administrator, in order to ensure continuous coverage and service for individual and group accounts currently or previously enrolled in BHP. (For example: Transferring enrollees enrolled prior to the implementation of the reservation list from nonsubsidized to subsidized BHP; adding new family members to an existing account; transferring enrollees between group and individual accounts; reinstating enrollees who are otherwise eligible under WAC 182-25-090 to return to BHP after a limited break in coverage due to late payment or other coverage; adding newly hired employees to an existing employer group; or adding new or returning members of federally recognized native American tribes to that tribe's currently approved financial sponsor group.) Applicants for subsidized BHP who are not in any of these categories may reserve space on a reservation list to be processed according to the date the reservation or application is received by BHP. In the event that enrollment is reopened by the administrator, applicants whose names appear on the ((waiting)) reservation list will be notified by BHP of the opportunity to enroll. BHP may



require new application forms and documentation from applicants on the ((waiting)) reservation list, or may contact applicants to verify continued interest in applying, prior to determining their eligibility.

**AMENDATORY SECTION** (Amending WSR 96-15-024, filed 7/9/96, effective 8/9/96)

**WAC 182-25-040 Enrollment in the plan.** (1) Any individual applying for enrollment in BHP must submit a signed, completed BHP application for enrollment. Applications for enrollment of children under the age of eighteen must be signed by the child's parent or legal guardian, who shall also be held responsible for payment of premiums due on behalf of the child. If an applicant is accepted for enrollment, the applicant's signature acknowledges the applicant's obligation to pay the monthly premium in accordance with the terms and conditions identified in the member handbook. Applications for subsidized enrollment on behalf of children under the age of nineteen shall be referred to the department of social and health services for Medicaid eligibility determination, unless the family chooses not to access this option.

(2) Each applicant shall list all eligible dependents to be enrolled and supply other information and documentation as required by BHP and, where applicable, DSHS medical assistance.

(a) Documentation will be required, showing the amount and sources of the applicant's gross family income. Acceptable documentation will include a copy of the applicant's most recently filed federal income tax form, and/or other documentation that shows year-to-date income, or income for the most recent thirty days or complete calendar month as of the date of application. An average of documented income received over a period of several months may be used for purposes of eligibility determination. Income documentation shall be required for the subscriber and dependents, with the exceptions listed under WAC 182-25-010 (17)(b).

(b) Documentation of Washington state residency shall also be required, displaying the applicant's name and address. Other documentation may be accepted if the applicant does not have a physical residence.

(c) BHP may request additional information from applicants for purposes of establishing or verifying eligibility, premium responsibility or managed health care system selection.

(d) Submission of incomplete or inaccurate information may delay or prevent an applicant's enrollment in BHP. Intentional submission of false information may result in disenrollment of the subscriber and all enrolled dependents.

(3) Each family applying for enrollment must designate a managed health care system from which the applicant and all enrolled dependents will receive covered services. All applicants from the same family must receive covered services from the same managed health care system (with the exception of cases in which a subscriber who is paying child support for his/her dependents lives in a different service area). No applicant will be enrolled for whom designation of a managed health care system has not been made as part of the application for enrollment. The administrator will establish procedures for the selection of managed health care systems, which will include conditions under which an

enrollee may change from one managed health care system to another. Such procedures will allow enrollees to change from one managed health care system to another during open enrollment, or otherwise upon showing of good cause for the transfer.

(4) Managed health care systems may assist BHP applicants in the enrollment process, but must provide them with the toll-free number for BHP, information on all MHCS available within the applicant's county of residence and an estimate of the premium the applicant would pay for each available MHCS.

(5) Insurance brokers or agents who have met all statutory and regulatory requirements of the office of the insurance commissioner, are currently licensed through the office of the insurance commissioner, and who have completed BHP's training program, will be paid a commission for assisting eligible applicants to enroll in BHP.

(a) Individual policy commission: Subject to availability of funds, and as a pilot program, BHP will pay a one-time fee to any currently licensed insurance broker or agent who sells BHP to an eligible individual applicant if that applicant has never been a BHP member in the past.

(b) Group policy commission: Subject to availability of funds, and as a pilot program, fees paid for the sale of BHP group coverage to an eligible employer will be based on the number of employees in the group for the first and second months of the group's enrollment.

(c) Insurance brokers or agents must provide the prospective applicant with the BHP toll-free information number and inform them of BHP benefits, limitations, exclusions, waiting periods, co-payments, all managed health care systems available to the applicant within his/her county of residence and the estimated premium for each of them.

(d) All statutes and regulations of the office of the insurance commissioner will apply to brokers or agents who sell BHP, except they will not be required to be appointed by the MHCS.

(e) BHP will not pay renewal commissions.

(6) Except as provided in WAC 182-25-030(4), applications for enrollment will be reviewed by BHP within thirty days of receipt and those applicants satisfying the eligibility criteria and who have provided all required information, documentation and premium payments will be notified of their effective date of enrollment.

(7) Eligible applicants will be enrolled in BHP in the order in which their completed applications, including all required documentation, have been received by BHP, provided that the applicant also remits full payment of the first premium bill to BHP by the due date specified by BHP. In the event a reservation list is implemented, eligible applicants will be enrolled in accordance with WAC 182-25-030(4).

(8) Not all family members are required to apply for enrollment in BHP; however, any family member for whom application for enrollment is not made at the same time that other family members apply, may not subsequently enroll as a family member until the next open enrollment period, unless the subscriber has experienced a qualifying change in family status:

(a) The loss of other continuous health care coverage, for family members who have previously waived coverage,

upon proof of continuous medical coverage from the date the subscriber enrolled;

(b) Marriage; or

(c) Birth, adoption or change in dependency or custody of a child or adult dependent. Eligible newborn or newly adopted children may be enrolled effective from the date of birth or physical placement for adoption provided that application for enrollment is submitted to BHP within sixty days of the date of birth or such placement for adoption.

(9) Any enrollee who voluntarily disenrolls from BHP for reasons other than ineligibility or enrollment in other health care coverage may not reenroll for a period of twelve months from the effective date of disenrollment. After the twelve-month period, or if the enrollee disenrolled for reasons of ineligibility or enrollment in other health care coverage, he/she may reenroll in BHP, subject to enrollment limits and portability and preexisting condition policies as referenced in WAC 182-25-020(1) and 182-25-030(4) and specified in the member handbook, provided he/she is determined by BHP to be otherwise eligible for enrollment as of the date of application. With the exception of enrollees under group coverage, enrollees who are disenrolled from BHP for nonpayment, in accordance with WAC 182-25-090(2), more than twice in a twelve-month period, and who have a lapse in coverage of one month or more, may not reenroll for a period of twelve months from the effective date of the third disenrollment. If a reservation list has been implemented, an enrollee who was disenrolled in accordance with WAC 182-25-090(2) and is eligible to enroll from the reservation list prior to the end of the required twelve-month wait for reenrollment, will not be reenrolled until the end of the twelve-month period. If an enrollee who was disenrolled in accordance with WAC 182-25-090(2) satisfies the required twelve-month wait for reenrollment while on the reservation list, enrollment will not be completed until funding is available to enroll him or her from the reservation list.

(10) On a schedule approved by the administrator, BHP will request verification of information from all or a subset of enrollees ("recertification"), requiring new documentation of income if the enrollee has had a change in income that would result in a different subsidy level. For good cause, BHP may require recertification on a more widespread or more frequent basis. Enrollees who fail to comply with a recertification request will be disenrolled from BHP. Each enrollee is responsible for notifying BHP within thirty days of any changes which could affect the enrollee's eligibility or premium responsibility. If, as a result of recertification, BHP determines that a subsidized enrollee's income exceeds twice the poverty level according to the federal income guidelines, and that the enrollee knowingly failed to inform BHP of such increase in income, BHP may bill the enrollee for the subsidy paid on the enrollee's behalf during the period of time that the enrollee's income exceeded twice the poverty level.

**AMENDATORY SECTION** (Amending WSR 96-15-024, filed 7/9/96, effective 8/9/96)

**WAC 182-25-090 Disenrollment from BHP.** (1) An enrollee or employer group may disenroll effective the first day of any month by giving BHP at least ten days prior

written notice of the intention to disenroll. Reenrollment in BHP shall be subject to the provisions of WAC 182-25-040(9). The administrator shall also establish procedures for notice by an enrollee of a disenrollment decision, including the date upon which disenrollment shall become effective. Nonpayment of premium by an enrollee shall be considered an indication of the enrollee's intention to disenroll from BHP.

(2) BHP may disenroll any enrollee or group from BHP for good cause, which shall include:

(a) Failure to meet the eligibility requirements set forth in WAC 182-25-030, 182-25-050, 182-25-060, and 182-25-070;

(b) Nonpayment of premium;

(c) Repeated failure to pay co-payments in full on a timely basis;

(d) Fraud or knowingly providing false information;

(e) Abuse or intentional misconduct; and

(f) Refusal to accept or follow procedures or treatment determined by a MHCS to be essential to the health of the enrollee, where the managed health care system demonstrates to the satisfaction of BHP that no professionally acceptable alternative form of treatment is available from the managed health care system, and the enrollee has been so advised by the managed health care system.

In the event that an employer group, a home care agency group or a financial sponsor group is disenrolled under these provisions, the employer or sponsor and all members of that group will be notified of the disenrollment and the enrollees will be offered coverage under individual accounts. BHP will make every effort to transfer the enrollees to individual accounts without a break in coverage; however, the enrollee will be responsible for ensuring that payment is received by BHP prior to the final disenrollment date for that month.

Enrollees who are disenrolled from BHP in accordance with (c), (d), (e) or (f) of this subsection may not reenroll for a period of twelve months from the effective date of disenrollment. With the exception of enrollees under group coverage, enrollees who are disenrolled from BHP for nonpayment, in accordance with (b) of this subsection, more than twice in a twelve-month period, and who have a lapse in coverage of one month or more, may not reenroll for a period of twelve months from the effective date of the third disenrollment. If a reservation list has been implemented, an enrollee who was disenrolled in accordance with WAC 182-25-090(2) and is eligible to enroll from the reservation list prior to the end of the required twelve-month wait for reenrollment, will not be reenrolled until the end of the twelve-month period. If an enrollee who was disenrolled in accordance with WAC 182-25-090(2) satisfies the required twelve-month wait for reenrollment while on the reservation list, enrollment will not be completed until funding is available to enroll him or her from the reservation list.

BHP shall provide the enrollee or the parent, legal guardian or sponsor of an enrolled dependent with advance written notice of its intent to disenroll the enrollee. Such notice shall specify an effective date of disenrollment, which shall be at least ten days from the date of the notice, and shall describe the procedures for disenrollment, including the enrollee's right to appeal the disenrollment decision as set forth in WAC 182-25-100 and 182-25-105. Prior to the

effective date specified, if the enrollee submits an appeal to BHP contesting the disenrollment decision, as provided in WAC 182-25-105, disenrollment shall not become effective until the date, if any, established as a result of BHP's appeal procedure, provided that the enrollee otherwise remains eligible and continues to make all premium payments when due; and further provided that the enrollee does not create a risk of violent, aggressive or harassing behavior, assault or battery or purposeful damage to or theft of managed health care system property, or the property of staff or providers, patients or visitors while on the property of the managed health care system or one of its participating providers.

(3) Any enrollee who knowingly provides false information to BHP or to a participating managed health care system may be disenrolled by BHP and may be held financially responsible for any covered services fraudulently obtained through BHP.

**WSR 97-06-070**  
**EMERGENCY RULES**  
**HEALTH CARE AUTHORITY**

[Filed February 28, 1997, 11:37 a.m.]

Date of Adoption: February 28, 1997.

Purpose: Amend eligibility rule to include TRS 3 language.

Citation of Existing Rules Affected by this Order: Amending WAC 182-12-117.

Statutory Authority for Adoption: Chapter 41.05 RCW.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Statute changed/established TRS 3 retirement system eligible for retiree medical/dental benefits.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

February 28, 1997  
 Elin Meyer  
 Rules Coordinator

**AMENDATORY SECTION** (Amending WSR 96-08-043, filed 3/29/96, effective 4/29/96)

**WAC 182-12-117 Eligible retirees.** (1) "Retirees and disabled employees." Eligible employees who terminate state service after becoming vested in a Washington state sponsored retirement system are eligible for retiree medical, dental and life coverages provided the person:

(a) Elects Medicare Parts A and B if the retiree, or covered dependents of a retiree, retired after July 1, 1991 and is eligible for Medicare; and

(b) Immediately begins receiving a monthly retirement income benefit from such retirement system; or

(c) If not retiring under the public employees retirement system (PERS), would have been eligible for a monthly retirement income benefit because of age and years of service had the person been employed under the provisions of PERS I or PERS II for the same period of employment; or

(d) Is an elected official as defined under 182-12-115(6) who has voluntarily or involuntarily left a public office, whether or not they receive a benefit from a state retirement system; or

(e) Must have taken a lump sum retirement benefit payment because their monthly benefit would have been under fifty dollars.

Employees who are permanently and totally disabled and eligible for a deferred monthly retirement income benefit are likewise eligible, provided they apply for retiree coverage before their PEBB active employee coverage ends. Persons retiring who do not have waiver of premium coverage from any PEBB life insurance plan are eligible for retiree life insurance, subject to the same qualifications as for retiree medical coverage. With the exception of the Washington State Patrol, retirees and disabled employees are not eligible for an employer premium contribution. The Federal Civil Service Retirement System shall be considered a Washington state sponsored retirement system for Washington State University cooperative extension service employees who hold a federal civil service appointment and who are covered under the PEBB program at the time of retirement or disability.

(2) Retired and disabled school district and educational service district employees. The following persons are eligible to participate in PEBB medical and dental plans only, provided they meet the enrollment criteria stated below and if eligible for Medicare, be enrolled in Medicare Parts A and B:

(a) Persons receiving a retirement allowance under chapter 41.32 or 41.40 RCW as of September 30, 1993, and who enroll in PEBB plans not later than the end of the open enrollment period established by the authority for the plan year beginning January 1, 1995;

(b) Persons who separate from employment with a school district or educational service district on or after October 1, 1993, and immediately upon separation begin to receive a retirement allowance or have taken a lump-sum payment because their benefit would be less than fifty dollars under chapter 41.32 or 41.40 RCW. Individuals in teachers' retirement system, TRS III, not receiving a monthly retirement allowance (defined benefit) must be at least age fifty-five with at least ten years of service at the

time of separation. Such persons who retire on or after October 1, 1993, must elect PEBB coverage not later than the end of the open enrollment period established by the authority for the plan year beginning January 1, 1995, or sixty days following retirement whichever is later;

(c) Persons who separate from employment with a school district or educational service district due to a total and permanent disability, and are eligible to receive a deferred retirement allowance under chapter 41.32 or 41.40 RCW. Such persons must enroll in PEBB plans not later than the end of the open enrollment period established by the authority for the plan year beginning January 1, 1995, or sixty days following retirement, whichever is later.

**WSR 97-06-071**  
**EMERGENCY RULES**  
**HEALTH CARE AUTHORITY**

[Filed February 28, 1997, 11:40 a.m.]

Date of Adoption: February 28, 1997.

Purpose: To amend eligibility language to include reference to WAC 182-08-175 and to clarify group coverage.

Citation of Existing Rules Affected by this Order: Amending WAC 182-08-160 and 182-08-175.

Statutory Authority for Adoption: Chapter 41.05 RCW.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Consistency with chapter 41.05 RCW.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 2, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 2, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

February 28, 1997

Elin Meyer

Rules Coordinator

**AMENDATORY SECTION** (Amending WSR 96-08-042, filed 3/29/96, effective 4/29/96)

**WAC 182-08-160 Group coverage when not in pay status.** Employees covered by a PEBB health plan have options for providing continued coverage for themselves and their dependents during temporary or permanent loss of

eligibility. With the exception of approved family and medical leave, employees not in pay status for at least 8 hours per month are ineligible to receive the employer premium contribution:

(1) When an employee loses eligibility as an active employee, PEBB group coverage, except long-term disability, may be continued at the group premium rate by self-paying premiums for medical coverage only, or for medical and dental combined, or for dental only, and on life insurance for a maximum of 29 months. With respect to medical and dental coverage, the maximum time shall be reduced by the number of months of self-pay allowed under COBRA and the number of employer-paid months allowed under family and medical leave. Part-time faculty may self-pay for group coverage between periods of active employee eligibility for a maximum of 18 months. If an employee is temporarily not in pay status for any of the following reasons, he or she may continue PEBB group coverage by self-paying the premium:

(a) The employee is on authorized leave without pay,

(b) The employee is laid off because of a reduction in force (RIF)

(c) The employee is receiving time-loss benefits under workers' compensation

(d) The employee is awaiting hearing for a dismissal action

(e) The employee is applying for disability retirement

(2) The federal Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) gives enrollees the right to continue group coverage for a period of 18 to 36 months.

(3) The Family and Medical Leave Act of 1993 gives the enrollee the opportunity to extend eligibility with employer contribution toward premium for up to 12 weeks, see WAC ((182-08-080)) 182-08-175.

(4) Enrollees have the right to convert to individual medical coverage when continuation of group medical coverage is no longer possible.

(5) The dependents of employees also have options for continuing coverage for themselves following loss of eligibility.

(6) Employees who revert to a previously held position and do not regain pay status during the last month in which their employer contribution is made may continue their PEBB-sponsored health and life coverage, by self-paying premium for up to 18 months (and in some cases up to 29 months).

(7) If a dependent(s) loses eligibility due to the death of the employee, the dependent(s) may continue coverage under a retiree plan provided the dependent(s) will immediately begin receiving a monthly benefit from any state of Washington-sponsored retirement system. The employee's spouse may continue coverage indefinitely; other dependents may continue coverage until they lose eligibility under PEBB rules. Application for surviving dependent coverage must be made within 60 days from the death of the employee. If a dependent is not eligible for a monthly retirement income benefit, or a lump-sum payment because the monthly pension payment would be less than \$50, the dependent may be eligible for continued coverage under COBRA.

(8) An employee may retain long-term disability coverage by self-payment of premium up to twenty-four

months during an authorized leave without pay, but only if such leave is an approved educational leave.

**AMENDATORY SECTION** (Amending WSR 93-23-065, filed 11/16/93, effective 12/17/93)

**WAC 182-08-175 Group coverage while on family and medical leave.** Employees on leave under the federal Family and Medical Leave Act of 1993, and regulations implementing that act, shall continue to receive up to twelve weeks of employer-paid group medical, dental, basic life, and basic long-term disability insurance while on family and medical leave and may self-pay their optional life and long-term disability. If an employee fails to return to work after expiration of family and medical leave for a reason other than the continuation, recurrence, or onset of a serious health condition or other circumstance beyond the control of the employee, the employer may recover the premiums paid to maintain the employee's insurance coverage from the employee.

**WSR 97-06-104**  
**EMERGENCY RULES**  
**BOARD OF**  
**PILOTAGE COMMISSIONERS**  
[Filed March 5, 1997, 8:30 a.m.]

Date of Adoption: February 13, 1997.

Purpose: To establish application and renewal fees and procedures for a specified class of small passenger vessels or yachts which the board exempts from certain state pilotage requirements.

Citation of Existing Rules Affected by this Order: Amending WAC 296-116-360.

Statutory Authority for Adoption: RCW 88.16.070.

Other Authority: Chapter 174, Laws of 1995, Washington state legislature.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The Board of Pilotage Commissioners finds it necessary to adopt this emergency rule to allow certain small passenger vessels and yachts to continue operations without violating state law.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 1, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making:

New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 1, repealed 0.

Effective Date of Rule: Immediately.

February 14, 1997  
Peggy Larson  
Administrator

**AMENDATORY SECTION** (Amending WSR 93-07-077, filed 3/18/93)

**WAC 296-116-360 Exempt vessels.** (1) Under the authority of RCW 88.16.070, application may be made to the board of pilotage commissioners to seek exemption from the pilotage requirements for the operation of a limited class of small passenger vessels or yachts, which are not more than five hundred gross tons (international), do not exceed two hundred feet in length, and are operated exclusively in the waters of the Puget Sound pilotage district and lower British Columbia. For purposes of this section, any vessel carrying passengers for a fee, including yachts under charter where both the vessel and crew are provided for a fee, shall be considered a passenger vessel.

The owners or operators of ~~((such))~~ the vessel ~~((or vessels))~~ for which exemption is sought must:

~~((+))a~~ ~~((Seek))~~ Complete and file with the board a petition requesting an exemption at least sixty days prior to planned vessel operations in the Puget Sound pilotage district where possible. Petitions filed with less than sixty days notice may be considered by the chair at the chair's discretion.

~~((2))b~~ ~~((Submit the))~~ The petition requesting exemption ~~((to the chairperson, Washington state board of pilotage commissioners, with details concerning))~~ shall be on a board-approved form which shall include a description of the vessel, the contemplated use of vessel, the proposed area of operation, the names and addresses of the vessel's owner and operator, ~~((and))~~ the dates of planned operations, and such other information as the board shall require on its petition form. ~~((The board shall hold a hearing at a regularly scheduled board meeting to consider such exemption request.))~~

(c) Pay the appropriate initial application or renewal fee with the submittal of the petition, which is listed in subsection (5).

(2) All petitions for exemption filed with the board shall be reviewed by the chair, who shall make a recommendation to the board to be considered at its next regularly or specially scheduled meeting. Consistent with the public interest, the chair may grant an interim exemption to a petitioner subject to final approval at the next board meeting, where special time or other conditions exist. ~~((The board, when granting such an))~~ Any grant of an interim exemption ~~((;))~~ may ~~((establish))~~ contain such conditions ~~((they))~~ as the chair deems necessary ~~((so that such an exemption shall not be detrimental))~~ to protect the public interest ~~((in regard to safe operation preventing))~~ in order to prevent the loss of human ~~((lives, loss of))~~ life and property ~~((;))~~ and ~~((protecting))~~ to protect the marine environment of the state of Washington.

~~((One such))~~ Such conditions ~~((shall be))~~ may include a requirement that the vessel employ the services of a pilot on its initial voyage into Puget Sound waters or that the master of the vessel ~~((, shall))~~ at all times ~~((;))~~ hold as a

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minimum, a United States government license as a master of ocean or near coastal steam or motor vessels of not more than sixteen hundred gross tons or as a master of inland steam or motor vessels of not more than five hundred gross tons, such license to include a current radar endorsement.

(3) The recommendation of the chair shall be considered at the next regular or specially scheduled meeting of the board. Interested parties shall receive notice and opportunity for hearing at that time, provided that the party notifies the board at least five days in advance of the meeting of its desire for hearing.

(4) The board shall annually, or at any other time when in the public interest, review any exemptions granted to the specified class of small vessels to ensure that each exempted vessel remains in compliance with the original exemption and any conditions to the exemption. The board shall have the authority to revoke such exemption when there is not continued compliance with the requirements for exemption.

(5) Fee Schedule for Petitioners for Exemption

A. Yachts	<u>3 Months or Less</u>	<u>1 Year or Less</u>	<u>Annual Review</u>
<u>Up to 100 feet LOA</u>	<u>\$300</u>	<u>\$500</u>	<u>\$200</u>
<u>Up to 200 feet LOA</u>	<u>500</u>	<u>750</u>	<u>300</u>
<u>B. Passenger Vessels</u>			
<u>Up to 100 feet LOA</u>	<u>750</u>	<u>1000</u>	<u>400</u>
<u>Up to 200 feet LOA</u>	<u>1250</u>	<u>1500</u>	<u>500</u>

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 97-06-133**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)  
(Public Assistance)  
[Filed March 5, 1997, 11:18 a.m.]

Date of Adoption: March 5, 1997.

Purpose: To add the provision of payment to contracted persons who are relatives or friends of a client and to add clients sanctioned under JOBS to those required to have protective payees.

Citation of Existing Rules Affected by this Order: Amending WAC 388-265-1750.

Statutory Authority for Adoption: RCW 74.08.090 and 74.08.280.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest; and that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: Change based on the advice [of] assistant attorney general for economic services and for Office of Contracts that current WAC is in violation of contract law because it does not provide "adequate consideration" for services provided by contracted friends or relatives.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

March 5, 1997  
Merry A. Kogut, Manager  
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending Order 3858, filed 5/24/95, effective 6/24/95)

**WAC 388-265-1750 Protective payee fees.** (1) The department may authorize a fee to cover approved administrative costs of the protective payee under the following conditions:

(a) The person serving as protective payee is not a (~~friend, relative, or~~) department employee; and

(b) The client is eligible for:

(i) GA-U;

(ii) (~~(AFDC)~~) TANF when the department has determined a client is unable to manage the client's assistance funds; (~~or~~)

(iii) TANF when the department has determined a client is under sanction due to failure, without good cause, to participate in the jobs opportunity and basic skills training (JOBS) program; or

(iv) GA or (~~(AFDC)~~) TANF and is a pregnant or parenting minor, and protective payment established under RCW 74.04.0052 or RCW 71.12.255.

(2) The department shall not allow the protective payee to withhold money from the client's grant for payment of the protective payee's costs or services.

(3) "Administrative costs fee" means a fixed amount per assistance recipient, as set forth in the contract between the protective payee and the department.

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**WSR 97-06-001**  
**NOTICE OF PUBLIC MEETINGS**  
**SOUTH PUGET SOUND**  
**COMMUNITY COLLEGE**  
 [Memorandum—February 19, 1997]

At their February 13, 1997, meeting, the board of trustees of Community College District 24 changed the beginning time of their April 10, 1997, meeting to 1:00 p.m. to be held in the boardroom of Building 25 on our campus.

**WSR 97-06-004**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF AGRICULTURE**  
 (Commission on Pesticide Registration)  
 [Memorandum—February 19, 1997]

The Washington State Commission on Pesticide Registration has adopted a schedule for 1997 regular meetings. Per RCW 42.30.075 we are making this schedule available to the public through your office.

January 13	Spokane
March 13	Mt. Vernon
May 14	Wenatchee
July 16	Richland
September 9	Snoqualmie
November	TBA

The commission accepts proposals requesting funding at any time throughout the year. Proposals should be submitted by the 15th of the month preceding the next meeting month in order to be considered at the next meeting. Examples of proposal format can be requested by contacting the number listed below, or by accessing the WSCPR Web page at <http://picol.cahe.wsu.edu>. All proposals must be sent either via email ([cdaniels@beta.tricity.wsu.edu](mailto:cdaniels@beta.tricity.wsu.edu)) or both a hard copy and disk copy via surface mail to Catherine Daniels, WSU Tri-Cities, 100 Sprout Road, Richland, WA 99352-1643.

Interested parties may call the public documents officer for the Washington State Commission on Pesticide Registration at (509) 372-7492 for the time and site of each meeting.

**WSR 97-06-009**  
**NOTICE OF PUBLIC MEETINGS**  
**EASTERN WASHINGTON UNIVERSITY**  
 [Memorandum—February 24, 1997]

**BOARD OF TRUSTEES**  
 February 28, 1997, 9:00 a.m.  
 Spokane Center  
 Second Floor Mall

Breakfast, which is open to the public, will be served to board members prior to the meeting at 8:00 a.m. in the Spokane Center Board Room.

Eastern Washington University strives to satisfy all requests for special access needs for persons with disabilities. Requests for such accommodation are welcome and may be made by calling President's Office, 359-2371.

**WSR 97-06-010**  
**NOTICE OF PUBLIC MEETINGS**  
**PUBLIC EMPLOYEES BENEFITS BOARD**  
 [Memorandum—February 24, 1997]

Attorney General Conference Center  
 RoweSix, Building One  
 4224 6th Avenue S.E.  
 Lacey, WA  
 1:00 p.m., February 25, 1997

If you are a person with a disability and need a special accommodation, please contact Judy Lamm at (360) 923-2828.

**WSR 97-06-015**  
**NOTICE OF PUBLIC MEETINGS**  
**COUNTY ROAD**  
**ADMINISTRATION BOARD**  
 [Memorandum—February 20, 1997]

MEETING NOTICE: April 17, 1997  
 County Road Administration Board  
 2404 Chandler Court S.W.  
 Suite 240  
 Olympia, WA 98504-0913  
 1:00 p.m. to 5:00 p.m.

April 18, 1997  
 County Road Administration Board  
 2404 Chandler Court S.W.  
 Suite 240  
 Olympia, WA 98504-0913  
 9:00 a.m. to noon

Individuals requiring reasonable accommodation may request written materials in alternative formats, sign language interpreters, physical accessibility accommodations, or other reasonable accommodation, by contacting Karen Pendleton at (360) 753-5989, hearing and speech impaired persons can call 1-800-833-6384.

**WSR 97-06-016**  
**NOTICE OF PUBLIC MEETINGS**  
**MARINE EMPLOYEES' COMMISSION**  
 [Memorandum—February 24, 1997]

Please note that the March 1997 monthly meeting of the Marine Employees' Commission has been changed to Friday, March 21, 1997. The meeting will be held at 10:00 a.m., in the second floor Conference Room of the Evergreen Plaza Building, 711 Capitol Way South, Olympia, WA.

**WSR 97-06-017**  
**NOTICE OF PUBLIC MEETINGS**  
**BELLINGHAM TECHNICAL COLLEGE**  
 [Memorandum—February 25, 1997]

The regularly scheduled meeting of the board of trustees of Bellingham Technical College will be held on Thursday, March 20, 1997, 9-11 a.m., in the College Services Building

MISCELLANEOUS

Board Room on the Bellingham Technical College campus. Call 738-3105, extension 334 for information.

**WSR 97-06-020**  
**POLICY STATEMENT**  
**DEPARTMENT OF HEALTH**  
[Filed February 25, 1997, 2:28 p.m.]

**NOTICE OF ADOPTION OF POLICY STATEMENT**

Title of Policy: Investigative Mental and Physical Examinations D06.03.

Issuing Entity: Health Professions Quality Assurance Division, Department of Health.

Subject Matter: This revises the current division policy. The policy is intended to create a uniform policy and procedure for all disciplinary authorities to use when seeking mental and/or physical examinations.

Effective Date: February 4, 1997.

Contact Person: Diana Ehri, Administrator, Department of Health, Health Policy and Constituent Relations, P.O. Box 47860, 1300 S.E. Quince Street, Olympia, WA 98504-7860, (360) 753-9177.

**WSR 97-06-021**  
**POLICY STATEMENT**  
**DEPARTMENT OF HEALTH**  
[Filed February 25, 1997, 2:29 p.m.]

**NOTICE OF ADOPTION OF POLICY STATEMENT**

Title of Policy: Public Disclosure (Excluding Lists and Labels) L01.04.

Issuing Entity: Health Professions Quality Assurance Division, Department of Health.

Subject Matter: This policy revises the current division public disclosure policy. It addresses requests to inspect and/or copy public records and establishes a uniform approach for compliance by employees of Health Professions Quality Assurance Division.

Effective Date: February 21, 1997.

Contact Person: Diana Ehri, Department of Health, Health Policy and Constituent Relations, P.O. Box 47860, 1300 S.E. Quince Street, Olympia, WA 98504-7860, (360) 753-9177.

**WSR 97-06-022**  
**INTERPRETIVE STATEMENT**  
**DEPARTMENT OF HEALTH**  
[Filed February 25, 1997, 2:30 p.m.]

**NOTICE OF ADOPTION OF INTERPRETIVE STATEMENT**

Title: 3:1 Pharmacy Assistant to Pharmacist Ratio.

Issuing Entity: Washington State Board of Pharmacy.

Subject: WAC 246-901-100(4) states the Board of Pharmacy has the authority to give conditional approval of

pilot or demonstration projects for innovative applications in the utilization of pharmacy assistants. The board has determined that the utilization of pharmacy assistants at a ratio of three pharmacy assistants to one pharmacist will allow the pharmacist at the Washington State Penitentiary to expand into a more clinical role to improve patient's therapeutic outcomes.

Effective Date: January 31, 1997.

Contact Person: Lisa A. Salmi, Program Manager, Department of Health, Washington State Board of Pharmacy, P.O. Box 47863, Olympia, WA 98504-7863, (360) 753-6834.

**WSR 97-06-023**  
**POLICY STATEMENT**  
**DEPARTMENT OF HEALTH**  
[Filed February 25, 1997, 2:31 p.m.]

**NOTICE OF ADOPTION OF POLICY STATEMENT**

Title of Policy: Brief Adjudicative Proceedings - Board or Commission Authority: Applicants and Compliance of Licensees D01.02.

Issuing Entity: Health Professions Quality Assurance Division, Department of Health.

Subject Matter: This policy is intended to create a uniform policy and procedure for conducting brief adjudicative proceedings for all boards and commissions.

Effective Date: December 26, 1996.

Contact Person: Diana Ehri, Administrator, Department of Health, Health Policy and Constituent Relations, P.O. Box 47860, 1300 S.E. Quince Street, Olympia, WA 98504-7860, (360) 753-9177.

**WSR 97-06-024**  
**POLICY STATEMENT**  
**DEPARTMENT OF HEALTH**  
[Filed February 25, 1997, 2:32 p.m.]

**NOTICE OF ADOPTION OF POLICY STATEMENT**

Title of Policy: Brief Adjudicative Proceedings - Secretary Authority: Applicants, Compliance and Student Loan Defaults D02.02.

Issuing Entity: Health Professions Quality Assurance Division, Department of Health.

Subject Matter: This policy is intended to create a uniform policy and procedure for conducting brief adjudicative proceedings where appropriate to resolve contested issues with license holders and applicants.

Effective Date: December 26, 1996.

Contact Person: Diana Ehri, Administrator, Department of Health, Health Policy and Constituent Relations, P.O. Box 47860, 1300 S.E. Quince Street, Olympia, WA 98504-7860, (360) 753-9177.

MISCELLANEOUS



**WSR 97-06-025**  
**POLICY STATEMENT**  
**DEPARTMENT OF HEALTH**  
 [Filed February 25, 1997, 2:35 p.m.]

**NOTICE OF ADOPTION OF POLICY STATEMENT**

Title of Policy: Case Disposition Guidelines.  
 Issuing Entity: Examining Board of Psychology.  
 Subject Matter: Adoption of Department of Health policy titled "Case Disposition Guidelines," dated effective August 21, 1996.

Effective Date: December 13, 1996.

Contact Person: Terry J. West, Program Manager, Department of Health, Examining Board of Psychology, P.O. Box 47869, Olympia, WA 98504-7869, (360) 753-3095, FAX (360) 586-7774, Internet address tjw1303@hub.doh.wa.gov.

**WSR 97-06-029**  
**NOTICE OF PUBLIC MEETINGS**  
**UNIVERSITY OF WASHINGTON**  
 [Memorandum—February 25, 1997]

In accordance with RCW 42.30.075, the University of Washington is providing the following meeting schedule(s) for governing bodies of schools, colleges, departments and programs at the university that maintain regular meeting schedules at the UW Public Records Office.

**Teacher Education Program**

**Teacher Education**

Meeting Dates	Location	Time
January 14	201 MLR	9 - 11
January 28	201 MLR	9 - 11
February 11	201 MLR	9 - 11
February 25	201 MLR	9 - 11
March 11	201 MLR	9 - 11
March 25	201 MLR	9 - 11
April 8	201 MLR	9 - 11
April 22	201 MLR	9 - 11
May 13	201 MLR	9 - 11
May 27	201 MLR	9 - 11
June 10	201 MLR	9 - 11

**Curriculum Advisory**

Meeting Dates	Location	Time
January 9	201 MLR	9 - 10:30
January 23	201 MLR	9 - 10:30
March 6	201 MLR	9 - 10:30
March 20	201 MLR	9 - 10:30
April 3	201 MLR	9 - 10:30
April 17	201 MLR	9 - 10:30
May 15	201 MLR	9 - 10:30
June 5	201 MLR	9 - 10:30
June 19	201 MLR	9 - 10:30

Dates beyond June have not been scheduled.

**College of Education**

**Faculty Council**

**Meeting Dates**

- January 10
- February 5
- March 7
- April 4
- April 30
- June 6
- October 3
- November 31
- December 5

**Faculty Meetings**

Meeting Dates	Location	Time
January 17	104 Miller Hall	1:30 p.m.
February 21	104 Miller Hall	1:30 p.m.
April 18	104 Miller Hall	1:30 p.m.
May 16	104 Miller Hall	1:30 p.m.
October 17	104 Miller Hall	1:30 p.m.
November 14	104 Miller Hall	1:30 p.m.

**WSR 97-06-030**  
**NOTICE OF PUBLIC MEETINGS**  
**TRANSPORTATION COMMISSION**  
 [Memorandum—February 25, 1997]

The location of the April 16, 1997, Washington State Transportation Commission meeting has been changed as follows:

Previous Location: Transportation Building, Olympia.  
 New Location: WestCoast Hotel, Bellevue.

The Washington State Transportation Commission will hold a one-day meeting with local jurisdictions on June 10, 1997, at the Ramada Hotel in Kennewick, Washington, beginning at 9:00 a.m.

The Washington State Transportation Commission will hold a one-day meeting with local jurisdictions on September 8, 1997, at the Red Lion Inn in Wenatchee, Washington, beginning at 9:00 a.m.

**WSR 97-06-031**  
**NOTICE OF PUBLIC MEETINGS**  
**WORKFORCE TRAINING AND**  
**EDUCATION COORDINATING BOARD**  
 [Memorandum—February 26, 1997]

**MEETING NOTICE**

THE GOVERNOR'S TASK FORCE  
 ON SCHOOL-TO-WORK TRANSITION  
 QUARTERLY MEETING  
 WEDNESDAY, MARCH 12, 1997  
 9:00 A.M. TO 12:00 NOON

At the Association of Washington Business (AWB)  
 1414 South Cherry  
 Olympia, WA

The meeting will be held in AWB's Main Conference Room.

MISCELLANEOUS

The task force will discuss progress on STWT implementation, including actions on recommendations to support STWT consortia, to align federally funded local partnerships, and to measure STWT progress. The task force will hear updates on the STWT communication strategy.

The meeting site is barrier free. People needing special accommodations, please call Jan Hills at least ten days in advance at (360) 586-4530.

**WSR 97-06-032**  
**RULES COORDINATOR**  
**WALLA WALLA**  
**COMMUNITY COLLEGE**  
 [Filed February 27, 1997, 9:20 p.m.]

This is to advise that Irma Leonetti has been designated as rules coordinator for Walla Walla Community College. Her location and address is Irma Leonetti, Office of the President, Walla Walla Community College, 500 Tausick Way, Walla Walla, WA 99362-9267.

Steven L. VanAusdle  
 President

**WSR 97-06-033**  
**NOTICE OF PUBLIC MEETINGS**  
**SEATTLE COMMUNITY COLLEGES**  
 [Memorandum—February 25, 1997]

The Seattle Community College District board of trustees will hold a reception for faculty at 5:30 p.m., in the Rainier Room, at South Seattle Community College, 6000 16th Avenue S.W., Seattle, WA 98106.

This meeting precedes the regular board of trustees meeting at 6:00 p.m., at South Seattle Community College and will be held in the JMB Building 140.

**WSR 97-06-067**  
**OFFICE OF THE GOVERNOR**  
 [Filed February 28, 1997, 10:51 a.m.]

Executive Response to  
 Petition to Repeal or Amend a Rule  
 (Notification to the Code Reviser)

Enclosed herewith is a copy of my decision regarding the Petition to Repeal or Amend a Rule pursuant to RCW 34.05.330 (2)(3).

Name of Petitioner: Washington State Auto Dealer's Association.

Date Petition Received: January 16, 1997.

Agency: Department of Revenue.

Comments:

February 28, 1997

*Re: Appeal of the December 24, 1996 denial by the Department of Revenue ("Department") of that certain Petition for Adoption, Amendment, or Repeal of a State Administrative Rule, dated November 6, 1996, filed by*

*the Washington State Auto Dealers Association ("WSADA"), seeking amendment of WAC 458-20-192 (the "Petition")*

Dear Ms. Ramble:

Pursuant to RCW 34.05.330(3), I have reviewed WSADA's appeal of the Petition and, after careful consideration, hereby deny the appeal. The Department denied the Petition based on a good-faith interpretation of *Wofford v. Department of Revenue*, 28 Wn. App. 68 (1980) and *Washington v. Confederated Tribes of the Colville Indian Reservation*, 447 U.S. 134 (1980). It is the purview of the courts to issue dispositive interpretations of case law, and that avenue of relief remains open to WSADA. The actions of the Department in denying the Petition do not rise to a level where intervention by the governor is appropriate.

WAC 458-20-192 ("Rule 192") provides that sales of tangible personal property to Indians or Indian tribes by off-reservation persons are subject to the retail sales tax except where the seller makes actual delivery of the property sold to a point within an Indian reservation. WSADA petitioned the Department for amendment or repeal of Rule 192, contending that pursuant to the *Wofford* and *Colville* cases, eligibility for the sales tax exemption should not be conditioned upon delivery, and that delivery is an improper and unnecessary burden on the public.

WSADA's position is not without merit. In its denial of the Petition, the Department did not state why the delivery provision of Rule 192 is necessary. It is worth noting, however, that a review of the statutes and regulations in the other states that impose a sales tax reveals that not all states allow exempt purchases to be made off-reservation, and of those that do all require delivery be made to the reservation. In its decision, the Department stated that it is working on a revision to the rule, and that it will thoroughly examine the delivery requirement. I strongly support the review and revision of administrative rules to make them simpler and less onerous. I encourage WSADA to participate fully in the Department's review process.

Sincerely,

Gary Locke  
 Governor

Distribution: Secretary of the Senate; Chief Clerk, House of Representatives; Agency; Citizen's Response Unit; Executive Policy Office; and Policy Counsel, Department of Revenue.

Legal Counsel:  
 Everett H. Billingslea  
 February 28, 1997

MISCELLANEOUS

**WSR 97-06-068**  
**NOTICE OF PUBLIC MEETINGS**  
**INTERAGENCY COMMITTEE**  
**FOR OUTDOOR RECREATION**  
 [Memorandum—February 28, 1997]

Responsible Official:  
 February 26, 1997  
 Joseph R. Williams  
 Program Manager  
 Air Quality Program

Regular Meeting  
 March 13, 1997  
 Natural Resources Building - Room 175  
 1111 Washington Street  
 Olympia, WA

Note: Opening sessions will commence as shown; all other times are approximate. If you need special accommodations to participate in this meeting, please notify us by March 6, 1997, at (360) 902-3000 or TDD (360) 902-1996.

Thursday, March 13, 1997, 8:30 a.m. - 6:00 p.m.

Next Meeting: July 17-18, 1997, Garden View Room/ Arboretum, Yakima, Washington.

**WSR 97-06-087**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF HEALTH**  
 (Board of Hearing and Speech)  
 [Memorandum—Filed February 28, 1997]

The Board of Hearing and Speech has set their open public meeting dates for the last five months of 1997. They are as follows:

August 13, 1997	SeaTac
September 15, 1997	Spokane
October 24, 1997	SeaTac
November 12, 1997	SeaTac
December 12, 1997	SeaTac

**WSR 97-06-088**  
**POLICY STATEMENT**  
**DEPARTMENT OF ECOLOGY**  
 [Filed March 3, 1997, 2:40 p.m.]

**POLICY STATEMENT**

Purpose: In order to comply with section 12(4), chapter 206, Laws of 1996, the Department of Ecology submits the following:

Document Title: Policy for Addressing Changes to Equipment at Existing Sources.

Subject: New source review.

Document Description: The policy guides ecology staff in the implementation of the new source review program. Specifically, the policy addresses new source review applicability issues when changes are made to equipment at existing air pollution sources.

Effective Date: February 7, 1997.

To receive a copy of the policy statement contact Tony Warfield, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, phone (360) 407-6892, FAX (360) 407-6802, TDD (360) 407-6006, e-mail AWAR461@ecy.wa.gov.

**WSR 97-06-089**  
**NOTICE OF PUBLIC MEETINGS**  
**CONVENTION AND TRADE CENTER**  
 [Memorandum—February 26, 1997]

The Washington State Convention and Trade Center (WSCTC) Design Committee will meet on Wednesday, March 5, 1997, from 10:30 a.m. - 12:30 p.m. at the offices of Loschky Marquardt and Nesholm, 801 Second Avenue, 4th Floor Conference Room, Seattle, WA.

If you have any questions regarding this meeting, please call 447-5000.

**WSR 97-06-090**  
**NOTICE OF PUBLIC MEETINGS**  
**WORKFORCE TRAINING AND**  
**EDUCATION COORDINATING BOARD**  
 [Memorandum—February 28, 1997]

**MEETING NOTICE**

WASHINGTON STATE  
 WORKFORCE TRAINING AND  
 EDUCATION COORDINATING BOARD  
 MEETING NO. 52  
 MARCH 25, 1997

NEW MARKET VOCATIONAL SKILLS CENTER  
 7299 NEW MARKET STREET  
 TUMWATER, WA 98501  
 (360) 586-9375

March 24, 1997, New Market Vocational Skills Center, 6:00 - 9:00 p.m., the Workforce Training and Education Coordinating Board will hold an informal dinner meeting and discuss the work involved in designing the certificate of mastery. No action will be taken.

March 25, 1997, New Market Vocational Skills Center, 8:30 a.m. - 3:00 p.m., the Workforce Training and Education Coordinating Board will hold a meeting on March 25, 1997, at the New Market Vocational Skills Center, Tumwater, Washington. The board will take final action on school-to-work goals and indicators, the performance management for continuous improvement (PMCI) data agreements, and on the workforce improvement team (WIT) recommendations. In addition, the board will review and discuss the following: Regional alliances; workforce training system net impact/cost benefit evaluation (Battelle); JTPA summer youth evaluation; and the final report on the private career school evaluation.

The meeting site is barrier free. People needing special accommodations, please call Caroline Haggard at least ten days in advance at (360) 753-5677.

MISCELLANEOUS

**WSR 97-06-094  
DEPARTMENT OF LICENSING**

[Filed March 4, 1997, 9:33 a.m.]

**NOTICE OF PUBLIC HEARING**

The Department of Licensing is holding a public hearing, pursuant to RCW 43.99.030, regarding the extent of transfer of motor vehicle fuel tax moneys to marine uses. The department recently concluded a study to determine the percentage transfer that will begin on July 1, 1997. The particulars of the hearing are:

Date: March 27, 1997  
Time: 2 to 4 p.m.  
Place: Department of Licensing  
Highways-Licenses Building  
1125 Washington Street S.E.  
Room 413  
Olympia, WA 98504

Arrangements for individuals with hearing or visual impairments can be provided by contacting the Department of Licensing by March 21, 1997, at (360) 902-3640 or TDD (360) 664-8885.

**WSR 97-06-099  
ATTORNEY GENERAL'S OFFICE**

[Filed March 4, 1997, 2:04 p.m.]

**NOTICE OF REQUEST  
FOR ATTORNEY GENERAL'S OPINION  
WASHINGTON ATTORNEY GENERAL**

The Washington Attorney General issues formal published opinions in response to requests by the heads of state agencies, state legislators, and county prosecuting attorneys. When it appears that individuals outside the Attorney General's Office have information or expertise that will assist in the preparation of a particular opinion, a summary of that opinion request will be published in the state register. If you are interested in commenting on a request listed in this volume of the register, you should notify the Attorney General's Office of your interest by March 26, 1997. This is not the due date by which comments must be received. However, if you do not notify the Attorney General's Office of your interest in commenting on an opinion request by March 26, 1997, the opinion may be issued before your comments have been received. You may notify the Attorney General's Office of your intention to comment by calling (360) 753-4114, or by writing to the Solicitor General, Office of the Attorney General, P.O. Box 40100, Olympia, WA 98504-0100. When you notify the office of your intention to comment, you will be provided with a copy of the opinion request in which you are interested; information about the Attorney General's Opinion process; information on how to submit your comments; and a due date by which your comments must be received to ensure that they are fully considered.

The Attorney General's Office seeks public input on the following opinion request(s).

**97-02-12 Request by Representative John Pennington  
Speaker Pro Tempore**

If an individual has resided within a city for a period of less than one year at the time of filing a declaration and affidavit of candidacy, but will have resided in the city for at least one year on the date of the election, is that person eligible to hold elective office as a city council member?

If the answer to the first question is "no," please answer the following question.

If a person files for the city council and admits that they have not resided in the city for a period of one year at the time of filing, may the county auditor administratively remove the candidate from the ballot?

**WSR 97-06-109  
POLICY STATEMENT  
DEPARTMENT OF HEALTH**

[Filed March 5, 1997, 9:45 a.m.]

**NOTICE OF ADOPTION OF POLICY**

Title of Policy: Penalty Settlement.  
Effective Date: New, December 15, 1996

Issuing Agency/Division: Department of Health, Environmental Health Programs, Division of Drinking Water.

Description: RCW 70.119A.040 authorizes the department to levy civil penalties as part of an enforcement action against any person violating a law or rule regulating public water systems administered by the Department of Health. The drinking water program will consider mitigation or reduction of any civil penalty imposed by the program under certain limited circumstances when the mitigation is part of a settlement of the underlying enforcement action.

Contact: Judy J. Welch, Division of Drinking Water, Headquarters, P.O. Box 47822, Olympia, WA 98504-7822, phone (360) 664-8770, Internet jjw0303@hub.doh.wa.gov.

**WSR 97-06-113  
POLICY STATEMENT  
HOUSING FINANCE COMMISSION**

[Filed March 5, 1997, 10:03 a.m.]

**NOTICE OF ADOPTION OF POLICY STATEMENT**

Title of Policy: Applications for Official Intent Declaration - Bond Financing Programs.

Issuing Entity: Washington State Housing Finance Commission.

Subject Matter: Establishes requirements and points for staff ranking of nonprofit and for-profit housing and capital projects seeking bond financing.

Effective Date: March 1, 1997.

Contact Person: Sallie Sweet, Director, Capital Projects Division, Washington State Housing Finance Commission, 1000 Second Avenue, Suite 2700, Seattle, WA 98104-1046, phone (206) 464-7139.

MISCELLANEOUS

**WSR 97-06-114**  
**POLICY STATEMENT**  
**HOUSING FINANCE COMMISSION**  
[Filed March 5, 1997, 10:04 a.m.]

**NOTICE OF ADOPTION OF POLICY STATEMENT**

**Title of Policy:** Low-Income Housing Tax Credit Program - Program Guidelines.

**Issuing Entity:** Washington State Housing Finance Commission.

**Subject Matter:** Established requirements and points for staff ranking of housing projects seeking tax credits.

**Effective Date:** March 1, 1997.

**Contact Person:** Mr. Paul Fitzgerald, Director, Tax Credit Division, Washington State Housing Finance Commission, 1000 Second Avenue, Suite 2700, Seattle, WA 98104-1046, phone (206) 464-7139.



**Table of WAC Sections Affected**

**KEY TO TABLE**

This table covers the current calendar year through this issue of the Register and should be used to locate rules amended, adopted, or repealed subsequent to the publication date of the latest WAC or Supplement.

**Symbols:**

- AMD = Amendment of existing section
- A/R = Amending and recodifying a section
- DECOD = Decodification of an existing section
- NEW = New section not previously codified
- OBJEC = Notice of objection by Joint Administrative Rules Review Committee
- PREP = Preproposal comments
- RE-AD = Readoption of existing section
- RECOD = Recodification of previously codified section
- REP = Repeal of existing section
- RESCIND = Rescind previous emergency rule
- REVIEW = Review of previously adopted rule

**Suffixes:**

- C = Continuance of previous proposal
- E = Emergency action
- P = Proposed action
- S = Supplemental notice
- W = Withdrawal of proposed action
- X = Expedited repeal

Note: These filings will appear in a special section of Issue 96-14

No suffix means permanent action

WAC # shows the section number under which an agency rule is or will be codified in the Washington Administrative Code.

WSR # shows the issue of the Washington State Register where the document may be found; the last three digits identify the document within the issue.

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Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
132V-12-320	REP-P	97-03-128	173-202-020	AMD-E	97-05-039	180-78-215	AMD	97-04-081
132V-12-323	REP-P	97-03-128	173-303	PREP	97-04-062	180-78-217	RECOD	97-04-081
132V-12-326	REP-P	97-03-128	173-401-735	AMD-P	97-04-061	180-78-235	AMD	97-04-081
132V-12-329	REP-P	97-03-128	173-430-040	AMD	97-03-021	180-78-237	RECOD	97-04-081
132V-12-332	REP-P	97-03-128	173-491-020	AMD	97-04-012	180-78-285	AMD	97-04-081
132V-12-335	REP-P	97-03-128	173-491-040	AMD	97-04-012	180-78A-003	NEW	97-04-084
132V-12-338	REP-P	97-03-128	173-491-050	AMD	97-04-012	180-78A-004	NEW	97-04-084
132V-12-341	REP-P	97-03-128	174-116	PREP	97-05-044	180-78A-005	NEW	97-04-084
132V-12-344	REP-P	97-03-128	174-122	PREP	97-05-044	180-78A-006	NEW	97-04-084
132V-12-347	REP-P	97-03-128	174-130	PREP	97-05-044	180-78A-007	NEW	97-04-084
132V-12-350	REP-P	97-03-128	174-133	PREP	97-05-044	180-78A-010	NEW	97-04-084
132V-12-353	REP-P	97-03-128	174-140	PREP	97-05-044	180-78A-012	NEW	97-04-084
132V-12-356	REP-P	97-03-128	174-276	PREP	97-05-044	180-78A-015	NEW	97-04-084
132V-12-359	REP-P	97-03-128	180-16-221	AMD	97-04-083	180-78A-025	NEW	97-04-084
132V-12-362	REP-P	97-03-128	180-16-222	AMD	97-04-083	180-78A-026	NEW	97-04-084
132V-12-365	REP-P	97-03-128	180-16-223	REP	97-04-083	180-78A-028	NEW	97-04-084
132V-12-368	REP-P	97-03-128	180-16-224	REP	97-04-083	180-78A-030	NEW	97-04-084
132V-12-371	REP-P	97-03-128	180-40-260	AMD-P	97-04-067	180-78A-033	NEW	97-04-084
132V-12-374	REP-P	97-03-128	180-40-310	AMD-P	97-04-067	180-78A-037	NEW	97-04-084
132V-12-377	REP-P	97-03-128	180-51-050	AMD-P	97-04-066	180-78A-037	NEW	97-04-084
132V-12-380	REP-P	97-03-128	180-75-003	REP	97-04-088	180-78A-047	NEW	97-04-084
132V-12-383	REP-P	97-03-128	180-75-005	REP	97-04-088	180-78A-057	NEW	97-04-084
132V-12-386	REP-P	97-03-128	180-75-016	REP	97-04-088	180-78A-060	NEW	97-04-084
132V-12-389	REP-P	97-03-128	180-75-017	REP	97-04-088	180-78A-063	NEW	97-04-084
132V-12-392	REP-P	97-03-128	180-75-045	REP	97-04-088	180-78A-065	NEW	97-04-084
132V-12-398	REP-P	97-03-128	180-75-047	REP	97-04-088	180-78A-068	NEW	97-04-084
132V-12-401	REP-P	97-03-128	180-75-048	REP	97-04-088	180-78A-073	NEW	97-04-084
132V-12-404	REP-P	97-03-128	180-75-050	REP	97-04-088	180-78A-074	NEW	97-04-084
132V-12-407	REP-P	97-03-128	180-75-055	REP	97-04-088	180-78A-075	NEW	97-04-084
132V-12-410	REP-P	97-03-128	180-75-060	REP	97-04-088	180-78A-080	NEW	97-04-084
132V-12-413	REP-P	97-03-128	180-75-061	REP	97-04-088	180-78A-135	NEW	97-04-084
132V-12-416	REP-P	97-03-128	180-75-065	REP	97-04-088	180-78A-140	NEW	97-04-084
132V-12-419	REP-P	97-03-128	180-75-070	REP	97-04-088	180-78A-142	NEW	97-04-084
132V-12-422	REP-P	97-03-128	180-75-081	DECOD	97-04-082	180-78A-145	NEW	97-04-084
132V-12-425	REP-P	97-03-128	180-75-082	REP	97-04-088	180-78A-150	NEW	97-04-084
132V-12-428	REP-P	97-03-128	180-75-083	DECOD	97-04-082	180-78A-155	NEW	97-04-084
132V-12-431	REP-P	97-03-128	180-75-085	REP	97-04-088	180-78A-160	NEW	97-04-084
132V-12-434	REP-P	97-03-128	180-75-087	REP	97-04-088	180-78A-165	NEW	97-04-084
136-130-060	AMD	97-06-006	180-75-088	REP	97-04-088	180-78A-195	NEW	97-04-084
137-28-140	AMD	97-03-041	180-75-089	REP	97-04-088	180-78A-197	NEW	97-04-084
137-28-160	AMD	97-03-041	180-75-090	REP	97-04-088	180-78A-201	NEW	97-04-084
137-28-220	AMD	97-03-041	180-75-091	REP	97-04-088	180-78A-260	NEW	97-04-084
137-28-260	AMD	97-03-041	180-75-092	REP	97-04-088	180-78A-265	NEW	97-04-084
137-28-350	AMD	97-03-041	180-75-100	REP	97-04-088	180-78A-266	NEW	97-04-084
137-55-010	NEW	97-03-041	180-75-110	REP	97-04-088	180-78A-300	NEW	97-04-084
137-55-020	NEW	97-03-041	180-77-003	AMD	97-04-085	180-78A-301	NEW	97-04-084
137-55-030	NEW	97-03-041	180-77-031	AMD	97-04-085	180-78A-302	NEW	97-04-084
137-55-040	NEW	97-03-041	180-77-041	AMD	97-04-085	180-78A-303	NEW	97-04-084
137-55-050	NEW	97-03-041	180-77-120	AMD	97-04-085	180-78A-304	NEW	97-04-084
137-55-060	NEW	97-03-041	180-77A-003	NEW	97-04-087	180-78A-305	NEW	97-04-084
172-120-015	NEW	97-06-095	180-77A-004	NEW	97-04-087	180-78A-306	NEW	97-04-084
172-120-020	AMD	97-06-095	180-77A-006	NEW	97-04-087	180-78A-306	NEW	97-04-084
172-120-030	AMD	97-06-095	180-77A-012	NEW	97-04-087	180-78A-320	NEW	97-04-084
172-120-040	AMD	97-06-095	180-77A-014	NEW	97-04-087	180-78A-340	NEW	97-04-084
172-120-050	AMD	97-06-095	180-77A-016	NEW	97-04-087	180-78A-345	NEW	97-04-084
172-120-060	AMD	97-06-095	180-77A-018	NEW	97-04-087	180-78A-350	NEW	97-04-084
172-120-070	AMD	97-06-095	180-77A-020	NEW	97-04-087	180-78A-355	NEW	97-04-084
172-120-080	AMD	97-06-095	180-77A-025	NEW	97-04-087	180-78A-360	NEW	97-04-084
172-120-090	AMD	97-06-095	180-77A-026	NEW	97-04-087	180-78A-365	NEW	97-04-084
172-120-100	AMD	97-06-095	180-77A-028	NEW	97-04-087	180-79-003	REP	97-04-088
172-120-110	AMD	97-06-095	180-77A-029	NEW	97-04-087	180-79-005	REP	97-04-088
172-120-120	AMD	97-06-095	180-77A-030	NEW	97-04-087	180-79-010	REP	97-04-088
172-120-130	AMD	97-06-095	180-77A-033	NEW	97-04-087	180-79-031	REP	97-04-088
172-120-140	AMD	97-06-095	180-77A-037	NEW	97-04-087	180-79-032	REP	97-04-088
172-120-150	REP	97-06-095	180-77A-040	NEW	97-04-087	180-79-035	REP	97-04-088
173-22	AMD-C	97-03-129	180-77A-057	NEW	97-04-087	180-79-041	REP	97-04-088
173-22	AMD	97-04-076	180-77A-165	NEW	97-04-087	180-79-045	REP	97-04-088
173-22-015	REP	97-04-076	180-77A-170	NEW	97-04-087	180-79-047	REP	97-04-088
173-22-030	AMD	97-04-076	180-77A-175	NEW	97-04-087	180-79-049	REP	97-04-088
173-22-035	NEW	97-04-076	180-77A-180	NEW	97-04-087	180-79-060	REP	97-04-088
173-22-040	AMD	97-04-076	180-77A-195	NEW	97-04-087	180-79-062	REP	97-04-088
173-22-070	AMD	97-04-076	180-78-205	AMD	97-04-081	180-79-063	REP	97-04-088
173-22-080	NEW	97-04-076	180-78-207	RECOD	97-04-081	180-79-065	REP	97-04-088
						180-79-075	REP	97-04-088
						180-79-080	REP	97-04-088



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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
180-79-086	REP	97-04-088	180-79A-013	NEW	97-04-088	180-79A-380	NEW	97-04-088
180-79-115	REP	97-04-088	180-79A-015	NEW	97-04-088	180-79A-382	NEW	97-04-088
180-79-117	REP	97-04-088	180-79A-020	NEW	97-04-088	180-79A-384	NEW	97-04-088
180-79-120	REP	97-04-088	180-79A-022	NEW	97-04-088	180-79A-386	NEW	97-04-088
180-79-121	REP	97-04-088	180-79A-025	NEW	97-04-088	180-79A-388	NEW	97-04-088
180-79-122	REP	97-04-088	180-79A-101	NEW	97-04-088	180-79A-390	NEW	97-04-088
180-79-123	REP	97-04-088	180-79A-105	NEW	97-04-088	180-79A-392	NEW	97-04-088
180-79-124	REP	97-04-088	180-79A-110	NEW	97-04-088	180-79A-394	NEW	97-04-088
180-79-125	REP	97-04-088	180-79A-115	NEW	97-04-088	180-79A-396	NEW	97-04-088
180-79-126	REP	97-04-088	180-79A-117	NEW	97-04-088	180-79A-398	NEW	97-04-088
180-79-127	REP	97-04-088	180-79A-120	NEW	97-04-088	180-79A-403	NEW	97-04-088
180-79-128	REP	97-04-088	180-79A-122	NEW	97-04-088	180-79A-405	NEW	97-04-088
180-79-131	DECOD	97-04-081	180-79A-125	NEW	97-04-088	180-79A-415	NEW	97-04-088
180-79-136	DECOD	97-04-081	180-79A-126	NEW	97-04-088	180-79A-417	NEW	97-04-088
180-79-140	DECOD	97-04-081	180-79A-130	NEW	97-04-088	180-79A-420	NEW	97-04-088
180-79-230	REP	97-04-088	180-79A-131	NEW	97-04-088	180-79A-422	NEW	97-04-088
180-79-236	REP	97-04-088	180-79A-140	NEW	97-04-088	180-79A-423	NEW	97-04-088
180-79-241	REP	97-04-088	180-79A-150	NEW	97-04-088	180-79A-424	NEW	97-04-088
180-79-245	REP	97-04-088	180-79A-160	NEW	97-04-088	180-79A-430	NEW	97-04-088
180-79-247	REP	97-04-088	180-79A-161	NEW	97-04-088	180-79A-433	NEW	97-04-088
180-79-300	REP	97-04-088	180-79A-165	NEW	97-04-088	180-79A-435	NEW	97-04-088
180-79-303	REP	97-04-088	180-79A-170	NEW	97-04-088	180-79A-440	NEW	97-04-088
180-79-305	REP	97-04-088	180-79A-200	NEW	97-04-088	180-79A-445	NEW	97-04-088
180-79-311	REP	97-04-088	180-79A-205	NEW	97-04-088	180-79A-503	NEW	97-04-088
180-79-312	REP	97-04-088	180-79A-210	NEW	97-04-088	180-79A-510	NEW	97-04-088
180-79-315	REP	97-04-088	180-79A-215	NEW	97-04-088	180-79A-515	NEW	97-04-088
180-79-317	REP	97-04-088	180-79A-220	NEW	97-04-088	180-79A-517	NEW	97-04-088
180-79-320	REP	97-04-088	180-79A-225	NEW	97-04-088	180-79A-520	NEW	97-04-088
180-79-322	REP	97-04-088	180-79A-230	NEW	97-04-088	180-85-025	AMD	97-04-086
180-79-324	REP	97-04-088	180-79A-236	NEW	97-04-088	180-85-030	AMD	97-04-086
180-79-326	REP	97-04-088	180-79A-241	NEW	97-04-088	180-85-110	REP	97-04-086
180-79-328	REP	97-04-088	180-79A-300	NEW	97-04-088	180-85-115	REP	97-04-086
180-79-330	REP	97-04-088	180-79A-302	NEW	97-04-088	180-85-120	REP	97-04-086
180-79-332	REP	97-04-088	180-79A-304	NEW	97-04-088	180-85-135	REP	97-04-086
180-79-333	REP	97-04-088	180-79A-306	NEW	97-04-088	180-85-200	AMD	97-04-086
180-79-334	REP	97-04-088	180-79A-308	NEW	97-04-088	180-85-210	AMD	97-04-086
180-79-336	REP	97-04-088	180-79A-310	NEW	97-04-088	180-85-211	NEW	97-04-086
180-79-338	REP	97-04-088	180-79A-311	NEW	97-04-088	180-85-215	AMD	97-04-086
180-79-340	REP	97-04-088	180-79A-312	NEW	97-04-088	180-86-011	NEW	97-04-082
180-79-342	REP	97-04-088	180-79A-315	NEW	97-04-088	180-86-013	RECOD	97-04-082
180-79-344	REP	97-04-088	180-79A-317	NEW	97-04-088	180-86-014	RECOD	97-04-082
180-79-346	REP	97-04-088	180-79A-320	NEW	97-04-088	180-86-080	NEW	97-05-008
180-79-348	REP	97-04-088	180-79A-322	NEW	97-04-088	180-86-080	NEW-W	97-05-043
180-79-350	REP	97-04-088	180-79A-324	NEW	97-04-088	180-86-086	NEW-W	97-05-043
180-79-352	REP	97-04-088	180-79A-326	NEW	97-04-088	180-86-116	NEW	97-05-008
180-79-354	REP	97-04-088	180-79A-328	NEW	97-04-088	180-86-116	NEW-W	97-05-043
180-79-356	REP	97-04-088	180-79A-330	NEW	97-04-088	180-110	PREP	97-05-027
180-79-358	REP	97-04-088	180-79A-332	NEW	97-04-088	180-115	PREP	97-05-026
180-79-360	REP	97-04-088	180-79A-333	NEW	97-04-088	182-08-160	AMD-E	97-06-071
180-79-362	REP	97-04-088	180-79A-334	NEW	97-04-088	182-08-175	AMD-E	97-06-071
180-79-364	REP	97-04-088	180-79A-336	NEW	97-04-088	182-12-117	AMD-E	97-06-070
180-79-366	REP	97-04-088	180-79A-338	NEW	97-04-088	182-25-030	AMD-E	97-06-069
180-79-368	REP	97-04-088	180-79A-340	NEW	97-04-088	182-25-040	AMD-E	97-06-069
180-79-370	REP	97-04-088	180-79A-342	NEW	97-04-088	182-25-090	AMD-E	97-06-069
180-79-372	REP	97-04-088	180-79A-344	NEW	97-04-088	196-12-010	PREP	97-03-029
180-79-374	REP	97-04-088	180-79A-346	NEW	97-04-088	196-12-020	PREP	97-03-029
180-79-376	REP	97-04-088	180-79A-348	NEW	97-04-088	196-12-030	PREP	97-03-029
180-79-378	REP	97-04-088	180-79A-350	NEW	97-04-088	196-12-050	PREP	97-03-029
180-79-379	REP	97-04-088	180-79A-352	NEW	97-04-088	196-12-060	PREP	97-03-029
180-79-380	REP	97-04-088	180-79A-354	NEW	97-04-088	196-24-030	PREP	97-03-029
180-79-382	REP	97-04-088	180-79A-356	NEW	97-04-088	196-24-040	PREP	97-03-029
180-79-384	REP	97-04-088	180-79A-358	NEW	97-04-088	196-24-050	PREP	97-03-029
180-79-386	REP	97-04-088	180-79A-360	NEW	97-04-088	196-24-085	PREP	97-03-029
180-79-388	REP	97-04-088	180-79A-362	NEW	97-04-088	196-24-100	PREP	97-03-029
180-79-390	REP	97-04-088	180-79A-364	NEW	97-04-088	196-24-105	PREP	97-03-029
180-79-392	REP	97-04-088	180-79A-366	NEW	97-04-088	197-11	PREP	97-03-130
180-79-394	REP	97-04-088	180-79A-368	NEW	97-04-088	204-10-035	NEW	97-03-087
180-79-396	REP	97-04-088	180-79A-370	NEW	97-04-088	204-10-045	PREP	97-03-042
180-79-398	REP	97-04-088	180-79A-372	NEW	97-04-088	204-41-060	PREP	97-03-043
180-79A-003	NEW	97-04-088	180-79A-374	NEW	97-04-088	204-60	AMD	97-04-054
180-79A-005	NEW	97-04-088	180-79A-376	NEW	97-04-088	204-60-010	AMD	97-04-054
180-79A-010	NEW	97-04-088	180-79A-378	NEW	97-04-088	204-60-030	AMD	97-04-054
180-79A-012	NEW	97-04-088	180-79A-379	NEW	97-04-088	204-72-040	PREP	97-06-100

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
204-90-040	AMD	97-04-055	230-30-025	AMD-P	97-05-057	242-02-521	AMD	97-04-008
204-91A-060	AMD-S	97-04-053	230-30-025	AMD-E	97-05-062	242-02-522	AMD	97-04-008
204-91A-060	AMD-E	97-04-056	230-50-005	NEW	97-03-095	242-02-532	AMD	97-04-008
204-91A-140	AMD-S	97-04-053	232-12	AMD-C	97-05-075	242-02-533	AMD	97-04-008
204-91A-140	AMD-E	97-04-056	232-12-011	AMD-P	97-06-115	242-02-550	AMD	97-04-008
204-95-030	NEW	97-03-127	232-12-024	AMD-W	97-06-084	242-02-554	REP	97-04-008
204-95-080	NEW	97-03-127	232-28	AMD-C	97-05-075	242-02-560	AMD	97-04-008
208-440-030	AMD-W	97-03-074	232-28-02201	AMD	97-06-050	242-02-570	AMD	97-04-008
208-630-020	AMD-P	97-06-092	232-28-02202	AMD	97-06-049	242-02-634	AMD-W	97-04-009
208-630-021	NEW-P	97-06-092	232-28-02203	AMD	97-06-048	242-02-650	AMD	97-04-008
208-630-022	NEW-P	97-06-092	232-28-02204	AMD	97-06-044	242-02-660	AMD	97-04-008
208-630-023	NEW-P	97-06-092	232-28-02205	AMD	97-06-043	242-02-670	AMD	97-04-008
208-680D-050	AMD-W	97-04-071	232-28-02206	AMD	97-06-041	242-02-710	AMD	97-04-008
212-17	PREP	97-05-028	232-28-02210	AMD	97-06-042	242-02-820	REP	97-04-008
220-20-020	AMD-P	97-04-080	232-28-02220	AMD	97-06-059	242-02-830	AMD	97-04-008
220-20-021	AMD-P	97-04-080	232-28-02230	AMD	97-06-061	242-02-832	NEW	97-04-008
220-32-05100X	NEW-E	97-04-046	232-28-02240	AMD	97-06-060	242-02-834	NEW	97-04-008
220-32-05100X	REP-E	97-04-046	232-28-02250	AMD	97-06-058	242-02-840	REP	97-04-008
220-32-05700U	REP-E	97-03-002	232-28-02260	AMD	97-06-057	242-02-850	REP	97-04-008
220-32-05700U	NEW-E	97-03-002	232-28-02270	AMD	97-06-056	242-02-860	REP	97-04-008
220-33-01000M	NEW-E	97-04-013	232-28-02280	AMD-W	97-06-084	242-02-870	REP	97-04-008
220-33-01000M	REP-E	97-04-013	232-28-02290	AMD	97-06-055	242-02-880	AMD	97-04-008
220-33-01000N	NEW-E	97-05-042	232-28-02290	AMD-P	97-06-127	242-02-890	AMD-W	97-04-009
220-33-020	AMD-P	97-04-080	232-28-240	AMD	97-06-047	242-02-892	AMD	97-04-008
220-33-04000C	NEW-E	97-04-014	232-28-240	AMD-P	97-06-116	242-04-050	AMD	97-04-008
220-33-04000C	REP-E	97-05-041	232-28-242	AMD	97-06-053	246-100-011	AMD-P	97-06-110
220-33-04000D	NEW-E	97-05-041	232-28-242	AMD-P	97-06-117	246-100-036	AMD-P	97-06-110
220-52-04000D	NEW-E	97-05-029	232-28-248	AMD	97-06-052	246-100-072	AMD-P	97-06-110
220-52-04600T	NEW-E	97-05-029	232-28-249	AMD	97-06-051	246-100-207	AMD-P	97-06-110
220-52-04600T	REP-E	97-06-054	232-28-252	AMD-P	97-06-118	246-100-207	AMD	97-04-041
220-52-04600U	NEW-E	97-06-054	232-28-253	AMD-P	97-06-119	246-100-209	AMD-P	97-06-110
220-52-07300L	REP-E	97-03-045	232-28-254	AMD-P	97-06-120	246-232-060	AMD-P	97-03-126
220-52-07300M	NEW-E	97-03-045	232-28-260	AMD	97-06-038	246-235-075	AMD-P	97-03-126
220-52-07300M	REP-E	97-03-101	232-28-260	AMD-P	97-06-121	246-321-001	REP	97-03-080
220-52-07300N	NEW-E	97-03-101	232-28-262	AMD	97-06-039	246-321-010	REP	97-03-080
220-52-07300N	REP-E	97-04-011	232-28-263	AMD	97-06-037	246-321-012	REP	97-03-080
220-52-07300P	NEW-E	97-04-011	232-28-264	NEW	97-06-045	246-321-014	REP	97-03-080
220-52-07300P	REP-E	97-04-049	232-28-265	NEW	97-06-046	246-321-015	REP	97-03-080
220-52-07300Q	NEW-E	97-04-049	232-28-265	AMD-P	97-06-122	246-321-017	REP	97-03-080
220-52-07300Q	REP-E	97-05-025	232-28-266	NEW	97-05-074	246-321-018	REP	97-03-080
220-52-07300R	NEW-E	97-05-025	232-28-267	NEW-P	97-06-123	246-321-020	REP	97-03-080
220-56	AMD-C	97-05-075	232-28-268	NEW-P	97-06-124	246-321-025	REP	97-03-080
220-56-24000F	REP-E	97-03-001	232-28-269	NEW-P	97-06-125	246-321-030	REP	97-03-080
220-56-24000G	NEW-E	97-03-001	232-28-270	NEW-P	97-06-126	246-321-035	REP	97-03-080
220-56-27000A	NEW-E	97-06-035	232-28-61900A	REP-E	97-04-001	246-321-040	REP	97-03-080
220-56-28500I	NEW-E	97-06-036	232-28-61900B	NEW-E	97-03-039	246-321-045	REP	97-03-080
220-56-28500I	REP-E	97-06-036	232-28-61900C	NEW-E	97-03-099	246-321-050	REP	97-03-080
220-56-31000N	REP-E	97-05-011	232-28-61900C	REP-E	97-03-099	246-321-055	REP	97-03-080
220-56-31000P	NEW-E	97-05-011	232-28-61900D	NEW-E	97-03-100	246-321-990	REP	97-03-080
220-56-36000T	NEW-E	97-04-045	232-28-61900D	REP-E	97-03-100	246-828-015	NEW	97-04-042
220-56-36000T	REP-E	97-04-045	232-28-61900E	NEW-E	97-04-001	246-828-990	AMD	97-04-043
220-57	AMD-C	97-05-075	232-28-61900F	NEW-E	97-06-034	246-838	PREP-W	97-03-066
220-57-16000H	NEW-E	97-06-036	232-28-61900F	REP-E	97-06-034	246-838	PREP-W	97-03-067
220-57-17500G	NEW-E	97-06-036	236-48-198	AMD	97-04-025	246-839	PREP-W	97-03-066
220-57-31000U	NEW-E	97-06-036	242-02-010	AMD	97-04-008	246-839	PREP-W	97-03-067
220-95-013	AMD-W	97-03-075	242-02-030	AMD	97-04-008	246-907-020	AMD	97-06-019
220-95-018	AMD-W	97-03-075	242-02-040	AMD	97-04-008	246-907-030	AMD	97-06-019
220-95-022	AMD-W	97-03-075	242-02-060	AMD	97-04-008	251-14-060	AMD	97-06-012
220-95-032	AMD-W	97-03-075	242-02-070	AMD	97-04-008	251-14-120	AMD	97-06-012
222-16-030	PREP	97-05-033	242-02-074	AMD	97-04-008	260-24-010	REP-P	97-04-060
230-02-020	AMD	97-03-094	242-02-110	AMD	97-04-008	260-24-020	REP-P	97-04-060
230-02-520	AMD-P	97-03-093	242-02-130	AMD	97-04-008	260-24-030	REP-P	97-04-060
230-04-138	AMD-P	97-03-093	242-02-210	AMD	97-04-008	260-24-040	REP-P	97-04-060
230-08-060	AMD-P	97-03-093	242-02-220	AMD	97-04-008	260-24-050	REP-P	97-04-060
230-12-230	AMD-P	97-03-093	242-02-240	AMD-W	97-04-009	260-24-060	REP-P	97-04-060
230-20-070	AMD-P	97-05-060	242-02-250	AMD	97-04-008	260-24-070	REP-P	97-04-060
230-20-115	AMD-P	97-03-092	242-02-260	AMD	97-04-008	260-24-080	REP-P	97-04-060
230-20-240	AMD	97-05-056	242-02-270	AMD	97-04-008	260-24-090	REP-P	97-04-060
230-20-247	AMD	97-05-061	242-02-310	AMD	97-04-008	260-24-100	REP-P	97-04-060
230-20-600	AMD-P	97-03-093	242-02-510	AMD	97-04-008	260-24-110	REP-P	97-04-060
230-20-630	AMD-P	97-03-093	242-02-520	AMD	97-04-008	260-24-120	REP-P	97-04-060
230-20-685	AMD-P	97-03-093	242-02-52001	NEW	97-04-008	260-24-130	REP-P	97-04-060
230-20-700	AMD-P	97-03-093	242-02-52002	NEW	97-04-008	260-24-140	REP-P	97-04-060

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
260-24-150	REP-P	97-04-060	284-13-540	AMD	97-05-012	296-23A-0480	NEW	97-06-066
260-24-160	REP-P	97-04-060	284-13-550	AMD	97-05-012	296-23A-0490	NEW	97-06-066
260-24-170	REP-P	97-04-060	284-13-560	AMD	97-05-012	296-23A-0500	NEW	97-06-066
260-24-180	REP-P	97-04-060	284-13-570	AMD	97-05-012	296-23A-0520	NEW	97-06-066
260-24-190	REP-P	97-04-060	284-13-590	AMD	97-05-012	296-23A-0530	NEW	97-06-066
260-24-200	REP-P	97-04-060	284-13-595	NEW	97-05-012	296-23A-0540	NEW	97-06-066
260-24-210	REP-P	97-04-060	284-30-395	NEW-S	97-03-090	296-23A-0550	NEW	97-06-066
260-24-220	REP-P	97-04-060	284-43-700	NEW-C	97-05-006	296-23A-0560	NEW	97-06-066
260-24-230	REP-P	97-04-060	284-51-050	PREP	97-04-074	296-23A-0570	NEW	97-06-066
260-24-240	REP-P	97-04-060	286-13-045	AMD-P	97-04-006	296-23A-0575	NEW	97-06-066
260-24-250	REP-P	97-04-060	286-13-085	AMD-P	97-04-006	296-23A-0580	NEW	97-06-066
260-24-260	REP-P	97-04-060	286-13-110	AMD-P	97-04-006	296-23A-0600	NEW	97-06-066
260-24-270	REP-P	97-04-060	286-26-080	AMD-P	97-03-006	296-23A-0610	NEW	97-06-066
260-24-280	REP-P	97-04-060	286-27-040	AMD-P	97-03-006	296-23A-0620	NEW	97-06-066
260-24-290	REP-P	97-04-060	286-27-050	REP-P	97-03-006	296-23A-100	REP	97-06-066
260-24-300	REP-P	97-04-060	286-35-030	AMD-P	97-03-006	296-23A-105	REP	97-06-066
260-24-310	REP-P	97-04-060	286-35-040	REP-P	97-03-006	296-23A-106	REP	97-06-066
260-24-320	REP-P	97-04-060	286-40-020	AMD-P	97-03-006	296-23A-110	REP	97-06-066
260-24-330	REP-P	97-04-060	292-09-010	AMD-P	97-05-022	296-23A-115	REP	97-06-066
260-24-340	REP-P	97-04-060	292-11-010	NEW-S	97-05-023	296-23A-120	REP	97-06-066
260-24-350	REP-P	97-04-060	292-11-020	NEW-S	97-05-023	296-23A-125	REP	97-06-066
260-24-360	REP-P	97-04-060	292-120-010	NEW-P	97-03-133	296-23A-130	REP	97-06-066
260-24-370	REP-P	97-04-060	292-120-020	NEW-P	97-03-133	296-23A-135	REP	97-06-066
260-24-380	REP-P	97-04-060	292-120-030	NEW-P	97-03-133	296-23A-140	REP	97-06-066
260-24-390	REP-P	97-04-060	292-120-040	NEW-P	97-03-133	296-23A-145	REP	97-06-066
260-24-400	REP-P	97-04-060	296-17-45003	AMD	97-06-007	296-23A-150	REP	97-06-066
260-24-410	REP-P	97-04-060	296-17-45006	NEW	97-06-007	296-23A-155	REP	97-06-066
260-24-420	REP-P	97-04-060	296-17-52107	REP	97-06-007	296-23A-160	REP	97-06-066
260-24-430	REP-P	97-04-060	296-17-52112	REP	97-06-007	296-23A-165	REP	97-06-066
260-24-440	REP-P	97-04-060	296-17-52114	NEW	97-06-007	296-23A-170	REP	97-06-066
260-24-450	REP-P	97-04-060	296-17-52115	NEW	97-06-007	296-23A-175	REP	97-06-066
260-24-460	REP-P	97-04-060	296-17-52116	NEW	97-06-007	296-23A-180	REP	97-06-066
260-24-465	REP-P	97-04-060	296-17-52117	NEW	97-06-007	296-23A-185	REP	97-06-066
260-24-470	REP-P	97-04-060	296-17-89502	NEW	97-06-007	296-23A-190	REP	97-06-066
260-24-480	REP-P	97-04-060	296-20	PREP	97-02-096	296-23A-200	REP	97-06-066
260-24-500	NEW-P	97-04-060	296-20-125	PREP	97-02-097	296-23A-205	REP	97-06-066
260-24-510	NEW-P	97-04-060	296-20-135	PREP	97-02-097	296-23A-210	REP	97-06-066
260-24-520	NEW-P	97-04-060	296-20-135	AMD-P	97-05-076	296-23A-215	REP	97-06-066
260-24-530	NEW-P	97-04-060	296-23	PREP	97-02-096	296-23A-220	REP	97-06-066
260-24-540	NEW-P	97-04-060	296-23-220	PREP	97-02-097	296-23A-225	REP	97-06-066
260-24-550	NEW-P	97-04-060	296-23-220	AMD-P	97-05-076	296-23A-230	REP	97-06-066
260-24-560	NEW-P	97-04-060	296-23-230	PREP	97-02-097	296-23A-235	REP	97-06-066
260-24-570	NEW-P	97-04-060	296-23-230	AMD-P	97-05-076	296-23A-300	REP	97-06-066
260-24-580	NEW-P	97-04-060	296-23A	PREP	97-02-097	296-23A-310	REP	97-06-066
260-24-590	NEW-P	97-04-060	296-23A-0100	NEW	97-06-066	296-23A-315	REP	97-06-066
260-24-600	NEW-P	97-04-060	296-23A-0110	NEW	97-06-066	296-23A-320	REP	97-06-066
260-24-610	NEW-P	97-04-060	296-23A-0120	NEW	97-06-066	296-23A-400	REP	97-06-066
260-24-620	NEW-P	97-04-060	296-23A-0130	NEW	97-06-066	296-23A-430	REP	97-06-066
260-24-630	NEW-P	97-04-060	296-23A-0140	NEW	97-06-066	296-24-07801	AMD-P	97-03-085
260-24-640	NEW-P	97-04-060	296-23A-0150	NEW	97-06-066	296-24-084	AMD-P	97-03-085
260-24-650	NEW-P	97-04-060	296-23A-0160	NEW	97-06-066	296-24-088	AMD-P	97-03-085
260-24-660	NEW-P	97-04-060	296-23A-0170	NEW	97-06-066	296-27-15503	AMD-P	97-03-085
260-24-670	NEW-P	97-04-060	296-23A-0180	NEW	97-06-066	296-46	PREP	97-02-095
260-24-680	NEW-P	97-04-060	296-23A-0190	NEW	97-06-066	296-46-090	AMD-P	97-03-083
260-24-690	NEW-P	97-04-060	296-23A-0195	NEW	97-06-066	296-46-130	AMD-P	97-03-083
260-24-700	NEW-P	97-04-060	296-23A-0200	NEW	97-06-066	296-46-140	AMD-P	97-03-083
260-32	PREP	97-04-059	296-23A-0210	NEW	97-06-066	296-46-150	REP-P	97-03-083
260-48	PREP	97-04-058	296-23A-0220	NEW	97-06-066	296-46-21008	AMD-P	97-03-083
262-01-030	PREP	97-06-112	296-23A-0230	NEW	97-06-066	296-46-21052	AMD-P	97-03-083
262-02-020	PREP	97-06-112	296-23A-0240	NEW	97-06-066	296-46-225	AMD-P	97-03-083
262-02-030	PREP	97-06-112	296-23A-0250	NEW	97-06-066	296-46-23028	AMD-P	97-03-083
275-27-023	AMD-E	97-03-033	296-23A-0300	NEW	97-06-066	296-46-23062	AMD-P	97-03-083
275-27-220	AMD-E	97-03-033	296-23A-0310	NEW	97-06-066	296-46-30001	AMD-P	97-03-083
275-27-221	REP-E	97-03-033	296-23A-0350	NEW	97-06-066	296-46-360	AMD-P	97-03-083
275-27-223	AMD-E	97-03-033	296-23A-0360	NEW	97-06-066	296-46-370	AMD-P	97-03-083
275-27-400	AMD-E	97-03-033	296-23A-0400	NEW	97-06-066	296-46-514	AMD-P	97-03-083
284-04	NEW-C	97-03-023	296-23A-0410	NEW	97-06-066	296-46-553	NEW-P	97-03-083
284-04	NEW-C	97-03-120	296-23A-0420	NEW	97-06-066	296-46-700	AMD-P	97-03-083
284-13-505	NEW	97-05-012	296-23A-0430	NEW	97-06-066	296-46-725	AMD-P	97-03-083
284-13-515	NEW	97-05-012	296-23A-0440	NEW	97-06-066	296-46-910	AMD-P	97-03-083
284-13-520	AMD	97-05-012	296-23A-0450	NEW	97-06-066	296-46-915	AMD-P	97-03-083
284-13-530	NEW	97-05-012	296-23A-0460	NEW	97-06-066	296-46-920	AMD-P	97-03-083
284-13-535	NEW	97-05-012	296-23A-0470	NEW	97-06-066	296-49	PREP	97-03-082

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296-62	PREP	97-06-101	296-400A-121	NEW-P	97-03-084	315-11A-190	NEW-P	97-03-123
296-62-05413	AMD-P	97-03-085	296-400A-130	NEW-P	97-03-084	315-11A-191	NEW-P	97-03-123
296-86-020	AMD-P	97-03-132	296-400A-140	NEW-P	97-03-084	315-12-020	AMD-P	97-03-123
296-86-030	AMD-P	97-03-132	296-400A-300	NEW-P	97-03-084	315-12-080	AMD-P	97-03-123
296-86-050	AMD-P	97-03-132	296-400A-400	NEW-P	97-03-084	315-12-090	AMD-P	97-03-123
296-86-060	AMD-P	97-03-132	296-400A-425	NEW-P	97-03-084	332-24-720	AMD	97-05-066
296-86-070	AMD-P	97-03-132	296-401	PREP	97-02-095	332-24-730	AMD	97-05-066
296-86-075	AMD-P	97-03-132	296-401-080	AMD-P	97-03-083	352-32-235	PREP	97-06-063
296-86-080	AMD-P	97-03-132	296-401-090	AMD-P	97-03-083	365-135-010	AMD	97-02-093
296-86-090	NEW-P	97-03-132	296-401-100	AMD-P	97-03-083	365-135-020	AMD	97-02-093
296-93-300	AMD-P	97-03-132	296-401-120	AMD-P	97-03-083	365-135-035	NEW	97-02-093
296-93-320	REP-P	97-03-132	296-401-165	AMD-P	97-03-083	365-135-040	AMD	97-02-093
296-93-330	AMD-P	97-03-132	296-401-175	AMD-P	97-03-083	365-135-050	AMD	97-02-093
296-116-070	AMD	97-06-105	308-12-025	AMD	97-03-121	365-135-060	AMD	97-02-093
296-116-082	PREP	97-06-102	308-12-031	AMD	97-03-121	365-135-070	AMD	97-02-093
296-116-200	AMD	97-06-106	308-12-040	AMD	97-03-121	374-70-020	AMD-P	97-03-113
296-116-360	AMD-P	97-06-103	308-12-360	AMD	97-03-121	374-70-020	AMD	97-06-080
296-116-360	AMD-E	97-06-104	308-12-140	REP	97-03-121	374-70-030	AMD-P	97-03-113
296-128-013	NEW-W	97-03-073	308-12-145	REP	97-03-121	374-70-030	AMD	97-06-080
296-150C-0090	NEW-W	97-04-070	308-12-210	NEW	97-03-121	374-70-060	AMD-P	97-03-113
296-150C-1010	NEW-W	97-04-070	308-12-220	NEW	97-03-121	374-70-060	AMD	97-06-080
296-150C-3000	AMD-P	97-03-132	308-12-230	NEW	97-03-121	374-70-070	AMD-P	97-03-113
296-150F-3000	AMD-P	97-03-132	308-12-240	NEW-W	97-03-065	374-70-070	AMD	97-06-080
296-150M-3000	AMD-P	97-03-132	308-12-240	NEW	97-03-121	374-70-080	AMD-P	97-03-113
296-150R	PREP	97-03-082	308-12-250	NEW-W	97-03-065	374-70-080	AMD	97-06-080
296-150R-3000	AMD-P	97-03-132	308-12-260	NEW-W	97-03-065	374-70-090	AMD-P	97-03-113
296-155-527	AMD-P	97-03-085	308-12-320	AMD	97-06-064	374-70-090	AMD	97-06-080
296-200	PREP	97-03-081	308-12-324	AMD	97-03-121	374-70-100	AMD-P	97-03-113
296-200-025	AMD-P	97-03-132	308-12-326	AMD	97-06-064	374-70-100	AMD	97-06-080
296-200-050	AMD-P	97-03-132	308-13-045	NEW-P	97-03-022	374-70-110	REP-P	97-03-113
296-200-900	AMD-P	97-03-132	308-13-045	NEW	97-06-065	374-70-110	REP	97-06-080
296-306-060	REP-P	97-03-131	308-13-160	AMD-P	97-03-022	374-70-120	AMD-P	97-03-113
296-306-060	REP-E	97-06-040	308-13-160	AMD	97-06-065	374-70-120	AMD	97-06-080
296-306-330	REP-P	97-03-131	308-56A-065	AMD	97-03-076	374-70-130	AMD-P	97-03-113
296-306-330	REP-E	97-06-040	308-56A-070	AMD	97-03-076	374-70-130	AMD	97-06-080
296-306-400	REP-P	97-03-131	308-56A-075	AMD	97-03-076	388-46-110	AMD-P	97-05-070
296-306-400	REP-E	97-06-040	308-56A-610	AMD-P	97-06-028	388-46-120	NEW-P	97-05-070
296-306-40007	REP-P	97-03-131	308-56A-620	AMD-P	97-06-028	388-49-020	AMD	97-06-096
296-306-40007	REP-E	97-06-040	308-56A-630	REP-P	97-06-028	388-49-160	AMD-P	97-06-098
296-306-40009	REP-P	97-03-131	308-56A-640	AMD-P	97-06-028	388-49-190	AMD-P	97-06-097
296-306-40009	REP-E	97-06-040	308-56A-650	AMD-P	97-06-028	388-49-310	AMD	97-06-074
296-306A-08018	AMD-P	97-03-131	308-56A-660	AMD-P	97-06-028	388-49-355	NEW	97-03-035
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	EMER	97-03-101	bighorn sheep units	<b>PERM</b>	<b>97-06-056</b>
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	EMER	97-04-049	cougar area descriptions	<b>PROP</b>	<b>97-06-084</b>
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	<b>PERM</b>	<b>97-06-037</b>	Pend Oreille County storm damage,		
	<b>PROP</b>	<b>97-06-126</b>	state of emergency declared	MISC	97-01-009
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