

# Washington State Register

**JUNE 18, 1997**

**OLYMPIA, WASHINGTON**

**ISSUE 97-12**



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filed not later than June 4, 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

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## 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 June 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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The Washington State Register is an official publication of the state of Washington. It contains proposed, emergency, and permanently adopted administrative rules, as well as other documents filed with the code reviser's office pursuant to RCW 34.08.020 and 42.30.075. Publication of any material in the Washington State Register is deemed to be official notice of such information.

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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
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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;

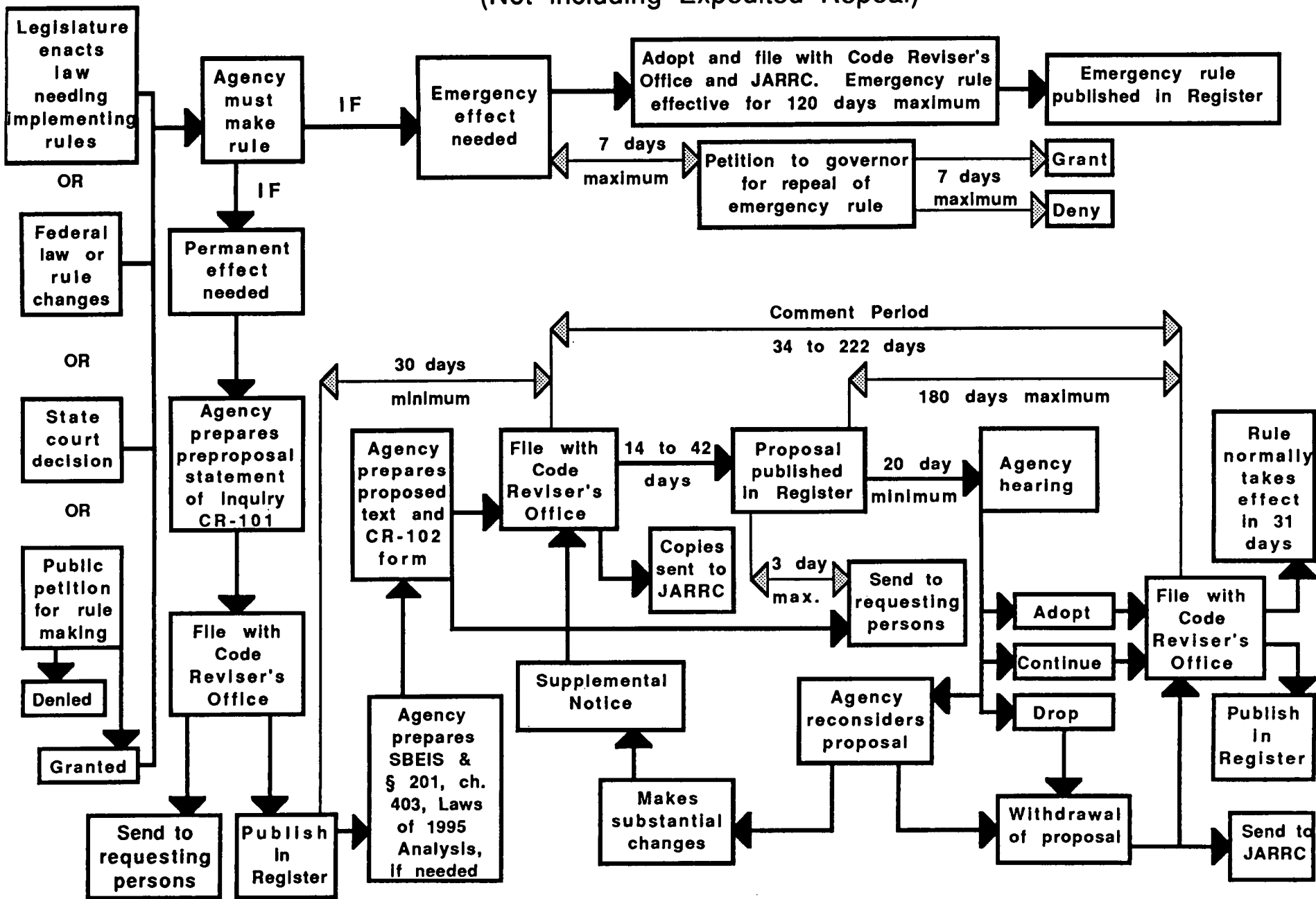
The rule **REDUCES** costs to business (although an SBEIS may be a useful tool for demonstrating this reduced impact);

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 97-12-019****PREPROPOSAL STATEMENT OF INQUIRY  
NOXIOUS WEED CONTROL BOARD**

[Filed May 28, 1997, 1:54 p.m.]

Subject of Possible Rule Making: Chapter 16-750 WAC, State noxious weed list and schedule of monetary penalties.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 17.10.080 and 17.10.010(5).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The state Noxious Weed Control Board is charged with updating the state noxious weed list on an annual basis, to ensure it accurately reflects noxious weed control priorities and noxious weed distribution.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state agencies regulate this subject. Federal agencies are subject to federal noxious weed laws that require them to coordinate with state regulations. Federal agencies in Washington are invited to participate in all stages of noxious weed rule making.

Process for Developing New Rule: The state Noxious Weed [Control] Board annually solicits suggestions from county programs, state and federal agencies, interest groups and the general public by a series of extensive mailings. Comments are welcome in written or oral form. The Noxious Weed Committee of the state board, which includes representation from the Washington Native Plant Society, county weed boards, the public interest and several scientific advisors, meets twice to review and research the suggestions. Their draft suggestions are sent out again for public comment before the Noxious Weed Committee drafts their final recommendation to the full state Noxious Weed [Control] Board. The state weed board will then consider these recommendations and draft a final rule-making proposal. Public comment is welcome at all committee and state board meetings. A press release and information mailing is prepared on the recommended changes and a public hearing is scheduled. The state weed board makes their final decision after considering the public input received during the hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Lisa E. Lantz, Washington State Noxious Weed Control Board, 1851 South Central Place, Suite 211, Kent, WA 98031-7507, phone (253) 872-2972, FAX (253) 872-6320.

Contact Lisa for information on preparing a recommended change or for meeting dates and other participation opportunities.

May 28, 1997  
Lisa E. Lantz  
Executive Secretary

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070 (1), (2), (4), (11), (14), (15), (20).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Implement recently enacted amendment to state statute, RCW 9.46.110.

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 by contacting Washington State Gambling Commission, P.O. Box 42400, Olympia, WA 98504-2400, FAX (360) 438-8652; Carrie Tellefson, (360) 438-7640, Ben Bishop, (360) 438-7640, Soojin Kim, (360) 438-7654, ext. 310.

July Commission Meeting: Silverdale on the Bay Hotel/ WestCoast, 3037 Bucklin Hill Road, Silverdale, WA 98310.

August Commission Meeting: WestCoast Wenatchee Center Hotel, 201 North Wenatchee Avenue, Wenatchee, WA 98801.

September Commission Meeting: Holiday Inn Sea-Tac, 17338 International Boulevard, SeaTac, WA 98188.

May 21, 1997  
Soojin Kim  
Rules and Policy Coordinator

**WSR 97-12-021****PREPROPOSAL STATEMENT OF INQUIRY  
GAMBLING COMMISSION**

[Filed May 28, 1997, 3:36 p.m.]

Subject of Possible Rule Making: Card games.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070 (1)-(3), (11), (12), (14), (20).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Implement recent amendment to state statute, RCW 9.46.0281.

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 by contacting the Washington State Gambling Commission, P.O. Box 42400, Olympia, WA 98504-2400, FAX (360) 438-8652; Carrie Tellefson, (360) 438-7640, Ben Bishop, (360) 438-7640, Soojin Kim, (360) 438-7654, ext. 310.

July Commission Meeting: Silverdale on the Bay Hotel/ WestCoast, 3037 Bucklin Hill Road, Silverdale, WA 98310.

August Commission Meeting: WestCoast Wenatchee Center Hotel, 201 North Wenatchee Avenue, Wenatchee, WA 98801.

September Commission Meeting: Holiday Inn Sea-Tac, 17338 International Boulevard, SeaTac, WA 98188.

May 21, 1997  
Soojin Kim  
Rules and Policy Coordinator

**WSR 97-12-020****PREPROPOSAL STATEMENT OF INQUIRY  
GAMBLING COMMISSION**

[Filed May 28, 1997, 3:35 p.m.]

Subject of Possible Rule Making: Pull tabs.

**WSR 97-12-023**

**PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Medical Assistance Administration)  
(Public Assistance)**

[Filed May 28, 1997, 4:45 p.m.]

Subject of Possible Rule Making: WAC 388-513-1315.  
Statutes Authorizing the Agency to Adopt Rules on this  
Subject: RCW 74.08.090 and 42 CFR 435.1005.

Reasons Why Rules on this Subject may be Needed and  
What They Might Accomplish: Correctly define income for  
institutional eligibility.

Process for Developing New Rule: The department will  
distribute draft material for an internal and external review  
process. All comments are taken into consideration before  
issuance of final rule.

Interested parties can participate in the decision to adopt  
the new rule and formulation of the proposed rule before  
publication by contacting Joanie Scotson, Program Manager,  
Medical Assistance Administration, Mailstop 45530, Olym-  
pia, WA 98504-5530, phone (360) 753-7462, FAX (360)  
753-7315, TDD 1-800-848-5429, e-mail scotsjk@dshs.wa-  
gov.

May 28, 1997

Merry A. Kogut, Manager  
Rules and Policies Assistance Unit

**WSR 97-12-026**

**PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF LICENSING**

[Filed May 30, 1997, 9:40 a.m.]

Subject of Possible Rule Making: Chapter 308-93  
WAC, Vessel registration and certificate of title.

Statutes Authorizing the Agency to Adopt Rules on this  
Subject: RCW 88.02.100.

Reasons Why Rules on this Subject may be Needed and  
What They Might Accomplish: SSB 5513, chapter 83, Laws  
of 1997, adds an additional classification of vessels exempt  
from registration, excise tax and titling. Creates a new  
identification document for vessels registered in another  
jurisdiction which remain in this state for personal use or  
enjoyment for not more than six months.

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 July 18, 1997.

May 29, 1997

Nancy Kelly, Administrator  
Title and Registration Services

**WSR 97-12-029**

**PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF HEALTH**

[Filed May 30, 1997, 2:15 p.m.]

Subject of Possible Rule Making: Advanced registered  
nurse practitioner (ARNP) specialties.

Statutes Authorizing the Agency to Adopt Rules on this  
Subject: Chapter 18.79 RCW.

Reasons Why Rules on this Subject may be Needed and  
What They Might Accomplish: The primary impetus behind  
the commission's request for possible rule changes was to  
find a method to deal with new nurse practitioner categories  
not currently recognized in the ARNP rules, and to simplify  
regulations to allow increased flexibility for ARNPs wishing  
to retool (add new specialty areas or move into other  
practice arenas). ARNPs should be individually accountable  
for the documentation of his or her own level of competence  
and evidence for maintaining currency of knowledge, skills,  
and abilities. A professional portfolio, maintained by  
individual licensees and subject to random audit by the  
commission, has been suggested as a vehicle for accomplish-  
ing this task.

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 commission  
will work closely with the health care providers and  
stakeholders in developing rules. Public meetings will be  
held to provide opportunity for public input.

Interested parties can participate in the decision to adopt  
the new rule and formulation of the proposed rule before  
publication by contacting Joan Reilly, Program Manager,  
Nursing Education, (360) 664-4208, FAX (360) 586-2165.  
Mail or FAX: Washington State Nursing Commission, Attn:  
ARNP Rules, P.O. Box 47864, Olympia, WA 98504-7864,  
FAX (360) 586-2165.

Open Public Meeting: July 21, 1997, 12:00 noon,  
location to be determined.

May 21, 1997

Patty Hayes  
Executive Director

**WSR 97-12-041**

**PREPROPOSAL STATEMENT OF INQUIRY  
SUPERINTENDENT OF  
PUBLIC INSTRUCTION**

[Filed June 2, 1997, 12:58 p.m.]

Subject of Possible Rule Making: Chapter 392-142  
WAC, Transportation—Replacement and depreciation  
allocation.

Statutes Authorizing the Agency to Adopt Rules on this  
Subject: RCW 28A.150.290.

Reasons Why Rules on this Subject may be Needed and  
What They Might Accomplish: To realign the funding  
categories for school buses to reflect new bus designs and to  
keep the number of school bus categories to a minimum. To  
allow school districts the ability to purchase new school bus  
designs directly from the state quotation pursuant to RCW  
28A.160.195.



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

Process for Developing New Rule: Early solicitation of public comments and recommendations respecting new, amended or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by sending written comments to Rules Coordinator, Legal Services, P.O. Box 47200, Olympia, WA 98504-7200, FAX (360) 753-4201, TDD Number (360) 664-3631; or Roger A. Eastman, Director, Pupil Transportation and Traffic Safety Education, Office of Superintendent of Public Instruction, Old Capitol Building, P.O. Box 47200, Olympia, WA 98504-7200, (360) 753-0235, FAX (360) 586-6124.

May 31, 1997  
Dr. Terry Bergeson  
Superintendent of  
Public Instruction

proposed rules to a list of interested parties including adult family home provider associations, nursing home professional associations, the state long-term care ombudsman, and related advocacy organizations.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested parties may comment in writing, or attend the public hearing to provide verbal comment. Persons interested in being added to the mailing list for the proposed rules may contact the individual listed below. To be added to the mailing list, or send written comment, contact Jeanne Marie Thomas, Department of Social and Health Services, Aging and Adult Services Administration, P.O. Box 45600, Olympia, WA 98504-5600, phone 1-800-422-3263, (360) 493-2626, TDD (360) 407-0212 or 1-800-737-7931, FAX (360) 438-7903, e-mail jmthomas@dshs.wa.gov.

May 30, 1997  
Merry A. Kogut, Manager  
Rules and Policies Assistance Unit

**WSR 97-12-047**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Public Assistance)  
[Filed June 2, 1997, 4:42 p.m.]

Subject of Possible Rule Making: Limited moratorium on the licensing of adult family homes. Licensing rules are in chapter 388-76 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: E2SHB 1850.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In section 402 of E2SHB 1850, the 1997 legislature mandated the Department of Social and Health Services to implement a limited moratorium on the licensing of adult family homes. Rules are necessary to implement the moratorium and specifically to describe a process for granting exceptions to the moratorium on a case-by-case basis in order to accommodate the residential long-term care needs of particular geographical or ethnic communities. As specified in E2SHB 1850, rule development will allow the department to review, and, if necessary, amend existing rules that promote the health, safety, and protection of residents of adult family homes.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other federal or state agencies have any direct regulatory authority over adult family homes in Washington state. The state fire marshal has indirect authority through the development and oversight of building codes that adult family homes must satisfy. The scope of this rule-making process does not include any regulations related to building safety or structural requirements. Coordination with the state fire marshal will not be necessary.

Process for Developing New Rule: Interested parties may contact the Department of Social and Health Services representative below to provide input on drafting the rules. The Department of Social and Health Services, Aging and Adult Services Administration, will send a written draft of

**WSR 97-12-067**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF LICENSING**  
[Filed June 3, 1997, 3:32 p.m.]

Subject of Possible Rule Making: Chapter 308-96A WAC, Vehicle licenses.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: SHB 1008, chapter 291, Laws of 1997, change in fees for special plates. Deletes centennial plate requirement. Deletes the need for special license plate criteria.

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

Process for Developing New Rule: Implementation of SHB 1008, chapter 291, Laws of 1997.

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 July 18, 1997.

June 3, 1997  
Eric L. Anderson  
for Nancy Kelly, Administrator  
Title and Registration Services

**WSR 97-12-072****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF COMMUNITY,  
TRADE AND ECONOMIC DEVELOPMENT**

[Filed June 3, 1997, 4:51 p.m.]

Subject of Possible Rule Making: Revising rules regarding state funding of local head start programs to change outdated language.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.330.040 (2)(g).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This is an amendment to update the language and statutory references.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The federal Department of Health and Human Services provides federal funds directly to head start programs. Community, Trade and Economic Development provides state funds to be used as part of a required local match.

Process for Developing New Rule: Revision of outdated language.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Barbara Frost, Children's Services Unit, Community, Trade and Economic Development, P.O. Box 48300, Olympia, WA 98504-8300.

June 3, 1997

Erika Lim

Government Relations Director

June 3, 1997

Erika Lim

Government Relations Director

**WSR 97-12-078****PREPROPOSAL STATEMENT OF INQUIRY  
POLLUTION LIABILITY  
INSURANCE AGENCY**

[Filed June 4, 1997, 9:30 a.m.]

Subject of Possible Rule Making: Establish program of informal advice and assistance to owners of residential heating oil tanks.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 70.149 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To make available public information regarding liability, as well as technical and environmental requirements associated with heating oil tanks, to owners of properties with active or abandoned heating oil tanks.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington State Patrol, Fire Protection Bureau, State Fire Marshal.

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 James M. Sims, Director, 1015 10th Avenue S.E., P.O. Box 40930, Olympia, WA 98504-0930, phone (360) 586-5997, FAX (360) 586-7187.

June 4, 1997

James M. Sims

Director

**WSR 97-12-073****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF COMMUNITY,  
TRADE AND ECONOMIC DEVELOPMENT**

[Filed June 3, 1997, 4:51 p.m.]

Subject of Possible Rule Making: Repealing WACs regarding border area funding allocation that conflict with statutes.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.330.040 (2)(g).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Existing rules conflict with subsections of chapter 66.08 RCW.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Worked with state Liquor Control Board to develop rule changes.

Process for Developing New Rule: Work with state Liquor Control Board and relevant local jurisdictions to develop new rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Tedd Kelleher, Community, Trade and Economic Development, Community Services Division, P.O. Box 48300, Olympia, WA 98504-8300, (360) 664-0696, FAX (360) 586-2424; or Erika Lim, Director's Office, Community, Trade and Economic Development, P.O. Box 48300, Olympia, WA 98504-8300, (360) 753-2227, FAX (360) 586-3582.

**WSR 97-12-080****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Economic Services Administration)**

[Filed June 4, 1997, 10:28 a.m.]

Subject of Possible Rule Making: Eligibility changes to Washington state's workfirst temporary assistance for needy families (TANF) program based on recently enacted state (EHB 3901 and ESB 6098) and federal (Public Law 104-193, Personal Responsibility and Work Opportunity Reconciliation Act of 1996) legislation.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, and 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To comply with recently enacted state and federal welfare reform legislation.

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

Process for Developing New Rule: Interested parties are invited to contact the Department of Social and Health Services staff representative below to participate in developing these rules. The Department of Social and Health

Services will distribute proposed rules for review and comment. All comments will be taken into consideration before final rules are adopted.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Tom Everett, Administrator, WorkFirst Program Support Section, WorkFirst Division, P.O. Box 45480, Olympia, WA 98504-5480, phone (360) 413-3020, FAX (360) 413-3495, e-mail everetr@dshs.wa.gov.

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

**WSR 97-12-084**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF HEALTH**  
[Filed June 4, 1997, 11:35 a.m.]

**Subject of Possible Rule Making:** Implementation of SB 5227, regulating the acquisition of some or all assets of nonprofit hospitals. This may include the public hearing process, fees, and on-going monitoring requirements. The legislation does not require rules, however, the department is seeking public input on whether clarifying rules would be beneficial to potential persons of interest in such acquisitions.

**Statutes Authorizing the Agency to Adopt Rules on this Subject:** Chapter 332, Laws of 1997 (SB 5227) authorizes but does not require the department to adopt rules. RCW 43.70.250 requires the department to place "license" fees in rules. The fees associated with this statute appear to fall under the definition in chapter 43.70 RCW.

**Reasons Why Rules on this Subject may be Needed and What They Might Accomplish:** Rules may provide potential participants — those acquiring and selling assets, and the communities affected in particular — with information beyond what is provided in statute, thereby making their participation more efficient and effective.

**Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies:** Attorney General's Office, Secretary of State's Office.

**Process for Developing New Rule:** The agency will work with the industry and other interested parties to develop the rules. At least one public hearing will be held.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Stephen A. Boruchowitz, Washington State Department of Health, P.O. Box 47851, Olympia, WA 98504-7851, (360) 753-0719, FAX (360) 664-0398.

June 4, 1997  
Bruce Miyahara  
Secretary

**WSR 97-12-090**  
**WITHDRAWAL OF**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF ECOLOGY**  
[Filed June 4, 1997, 11:47 a.m.]

We are withdrawing the Preproposal Statement of Inquiry (CR-101) filed May 7, 1997, as WSR 97-10-094, related to water right administration rule. We will be republishing a new Preproposal Statement of Inquiry.

Carol L. Fleskes, Program Manager  
Shorelands and Water Resources Program

**WSR 97-12-091**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF ECOLOGY**  
[Filed June 4, 1997, 11:48 a.m.]

**Subject of Possible Rule Making:** Water right administration. Establishing criteria to determine the order to process certain water right or change of water right applications. Establish watershed assessments as a tool for information gathering and water right decision making, and establish the criteria and process to determine the order or sequence of watershed assessments.

**Statutes Authorizing the Agency to Adopt Rules on this Subject:** RCW 43.21A.064(8) and 43.27A.090(11).

**Reasons Why Rules on this Subject may be Needed and What They Might Accomplish:** The rule will replace the emergency rule filed on May 7, 1997, on this subject and extend the prioritization concept to all pending applications. The department will be able to organize its work in the most efficient manner. The rule will also bring the agency into compliance with the Washington State Supreme Court decision in *Hillis v. Ecology*.

**Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies:** No other federal or state agencies regulate the allocation and appropriation of water. The department will coordinate the development of this rule with the state Departments of Health, Fish and Wildlife, and Community, Trade and Economic Development.

**Process for Developing New Rule:** An advisory committee will be consulted by the department in development of the rule.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Stephen Hirschey, Department of Ecology, P.O. Box 4700, Lacey, WA 98504-7600, phone (360) 407-6450, e-mail shir@ecy.wa.gov or request Focus Sheet 97-1801-SHWR entitled *Hillis Decision* and water rights permitting from ecology for additional information.

June 3, 1997  
Carol L. Fleskes  
Program Manager

**WSR 97-12-092**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF ECOLOGY**

[Filed June 4, 1997, 11:50 a.m.]

**Subject of Possible Rule Making:** Amendments to chapter 173-563 WAC, Instream resources protection program for the main stem Columbia River in Washington state and chapter 173-531A WAC, Water resource program for the John Day-McNary Pools Reach of the Columbia River, WRIA 31 and parts of WRIsAs 32, 33, 36, and 37.

**Statutes Authorizing the Agency to Adopt Rules on this Subject:** RCW 90.54.040 Water Resources Act of 1971, WAC 173-563-090 Instream resources protection program for the main stem Columbia River in Washington state, and ESHB 1110 (1997 session).

**Reasons Why Rules on this Subject may be Needed and What They Might Accomplish:** The Department of Ecology put a moratorium on new water appropriations from the Columbia River in 1992; in 1994 the moratorium was extended until 1999. However, ESHB 1110, passed in the 1997 legislative session, will end the moratorium as of August 18, 1997. It is necessary to amend chapters 173-563 and 173-531A WAC so any new appropriations that might be approved will be conditioned with adequate instream flow protection, particularly in light of endangered salmon listings in the basin.

**Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies:** The National Marine Fisheries Service, Northwest Power Planning Council, and Washington State Department of Fish and Wildlife are the principal agencies related to the subject of the rule amendments. The Department of Ecology will coordinate closely with these agencies in various fora, both formal and informal.

**Process for Developing New Rule:** The Department of Ecology will pursue a two-stage process for amending these rules; the first will involve simply amending the rules to indicate that instream flow protection conditions for any water appropriations approved on or after August 18, 1997, will be determined on a case-by-case basis. The second phase will involve establishing appropriate flow protection levels and/or a specific process for determining flow protection conditions for any new appropriations.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Thom Lufkin, Shorelands and Water Resources Program, (360) 407-6631, FAX (360) 407-7162. Direct written inquiries or comments to Thom Lufkin, Shorelands and Water Resources Program, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600. Public hearings will be held on the rule proposal; information about the hearings will be published in a subsequent Washington State Register and in local newspapers.

June 3, 1997  
 Carol L. Fleskes  
 Program Manager

**WSR 97-11-017**  
**PROPOSED RULES**  
**GAMBLING COMMISSION**  
 [Filed May 13, 1997, 1:30 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-05-015.

Title of Rule: Manufacturer and distributor credit/pricing rules, WAC 230-04-125, 230-12-320, 230-12-330, 230-12-340, and 230-12-350. CR-101 WSR 97-05-015.

Purpose: These rules limit promotional gifts, protect consumers from the effects of undue influence in the distribution of gambling equipment, and set parameters regarding the terms by which gambling equipment can be purchased and sold.

Statutory Authority for Adoption: RCW 9.46.070 (5), (6).

Statute Being Implemented: See above.

Summary: See Purpose above.

Manufacturer and Distributor Credit/Pricing Rules:

Amendatory section WAC 230-04-125 Distributor's representative license (~~(may be reissued when changing distributors)~~)—Restrictions and procedures for changing employment. Summary: Allow staff to assure that distributor's representatives who are changing employment still qualify for a license and are in good standing. Clarifies that the license becomes void instead of suspended, as currently stated.

New section WAC 230-12-320 Manufacture and distribution of gambling equipment and services—Prohibited practices—Gifts, promotional activities, and loans—Exceptions. Summary: To codify current policies regarding gifts and promotional activities related to the distribution of gambling-related products or services. The prohibition against gifts is currently in WAC 230-12-200. This rule allows limited promotional activities.

New section WAC 230-12-330 Availability of gambling equipment and related products and services—Prices—Contracts—Discounts—Restrictions—Exceptions. Summary: To codify current policies regarding the sale and availability of gambling-related products and services. Will facilitate enforcement of current provisions to assure equal access to gambling products by licensees. Allows limited exceptions to provisions previously in WAC 230-12-200.

New section WAC 230-12-340 Sale of gambling devices, equipment, supplies, paraphernalia, and related services—Credit prohibited—Exceptions. Summary: Clarifies use of credit for the purchase of gambling products and services. Authorizes exceptions and codifies procedures for making payments. The general credit prohibition is currently in WAC 230-12-200.

New section WAC 230-12-350 Use of checks to purchase gambling equipment, products, and services—Restrictions. Summary: Prevents the use of checks as a means of granting or receiving credit related to the sale of gambling-related products or services. Imposes the same restrictions on checks for payments for sales between manufacturers and distributors as is currently in effect for distributors and operators (currently WAC 230-30-200). Companion rule to WAC 230-12-340.

Repealed sections WAC 230-12-200 and 230-30-200. Summary: WAC 230-12-200 replaced by WAC 230-12-320; and WAC 230-30-200 replaced by WAC 230-12-350.

Name of Agency Personnel Responsible for Drafting: Soojin Kim, Lacey, (360) 438-7654, ext. 310; Implementation: Frank Miller, Lacey, (360) 438-7654, ext. 302; and Enforcement: Ben Bishop, Lacey, (360) 438-7654, ext. 370.

Name of Proponent: Staff, in conjunction with representatives from manufacturers and distributors, private.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose and Summary above.

Proposal Changes the Following Existing Rules: See Purpose and Summary above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Proposal is exempt under RCW 19.85.025(2); therefore, a small business economic impact statement is not required.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This agency does not choose to make section 201, chapter 403, Laws of 1995 apply to this rule adoption.

Hearing Location: Silverdale on the Bay Hotel/WestCoast, 3037 Bucklin Hill Road, Silverdale, WA 98310, on July 11, 1997, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Susan Green by July 1, 1997, TDD (360) 438-7638, or (360) 438-7654, ext. 302.

Submit Written Comments to: Soojin Kim, Mailstop 42400, Olympia, WA 98504-2400, FAX (360) 438-8652, by June 30, 1997.

Date of Intended Adoption: July 11, 1997.

May 13, 1997

Soojin Kim

Rules and Policy Coordinator

AMENDATORY SECTION (Amending Order 262, filed 12/5/94)

**WAC 230-04-125 Distributor(~~(2)s~~) representative license (~~(may be reissued when changing distributors)~~)—Restrictions and procedures for changing employment. All licensed distributor representatives shall abide by the following restrictions and procedures when changing employers:**

What happens if I leave the employment of the distributor I represent?

(1) In the event that a licensed distributor(~~(2)s~~) representative ceases to represent the distributor under which a license was granted for any reason, the license shall (~~(be automatically suspended)~~) immediately become void and shall be returned to the commission(~~(: Provided, That a person may apply to have the remaining term of a license represent a different distributor. The fee for this transfer shall be as required by WAC 230-04-204. The distributor which the distributor's representative wishes to represent shall sign the application for transfer acknowledging that the applicant for will be representing the distributor with the distributor's knowledge and consent)~~).

What steps must I complete prior to beginning employment to represent another distributor?

(2) Prior to beginning employment to represent any other distributor, a previously licensed distributor representative shall reapply for a new license. The distributor employing the distributor representative shall sign the application. Prior to granting a license to a previously licensed individual, the commission may conduct an investigation to determine the continued qualification of the individual. Such investigation may include inquiries to the previous employer.

What is the fee for obtaining a license to represent another distributor?

(3) The fee for a license to represent a different distributor shall be the same as a license renewal, as set forth in WAC 230-04-204. The expiration date for such license shall be as set forth in WAC 230-04-190.

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.

NEW SECTION

**WAC 230-12-320 Manufacture and distribution of gambling equipment and services—Prohibited practices—Gifts, promotional activities, and loans—Exceptions.** Manufacturers and distributors shall not seek to control the distribution of gambling equipment, devices, related supplies or paraphernalia, or services by any means other than those authorized by this title. The following restrictions and procedures apply to the distribution of gambling equipment, devices, related supplies or paraphernalia, and services:

*Can licensees offer gifts or similar items to other licensees?*

(1) Other than promotional activities as authorized by this section, no licensee or employee thereof selling or offering to sell gambling products or services shall directly or indirectly provide or offer any gift, free merchandise or service, credit or loan of money, premium, or rebate to any person or employee thereof who is licensed to purchase or operate such;

*Can licensees solicit gifts or similar items from other licensees?*

(2) No licensed operator or distributor, or employee thereof, shall directly or indirectly solicit any gift, free merchandise or service, credit or loan of money, premium, or rebate from any licensed manufacturer or distributor, or employee thereof;

*What types of activities are allowed for manufacturers to promote their goods or services with operators?*

(3) Manufacturers may provide promotional merchandise of nominal value, such as tee shirts, caps, cups, pens, calendars, etc. to licensed operators, and operators shall be allowed to accept such, under the following guidelines:

(a) The cost of such promotions shall not exceed fifteen dollars in value per item. Each manufacturer is responsible for establishing the value of each type of promotional merchandise and shall maintain records supporting such;

(b) Each item shall promote the manufacturer or a specific product or line of products made by the manufacturer;

(c) Such promotions shall not be based on past sales or a level of business; and

(d) Such promotions may not be contingent on the purchase of more than one case of a specific product.

*What types of activities are allowed for manufacturers to promote their goods or services with distributors?*

(4) Manufacturers may provide promotional merchandise, entertainment, or travel to distributors, and distributors shall be allowed to accept such, under the following guidelines:

(a) Promotional merchandise and services, such as tee shirts, caps, pens, calendars, etc. may be provided to distributors if:

(i) The value is limited to thirty-five dollars for each individual item; and

(ii) The total amount of promotional merchandise and services offered to a distributor and employees thereof shall not exceed a collective value of one thousand dollars during any calendar year.

(b) Entertainment such as meals, recreational or sporting events, etc. may be provided to distributors, or employees thereof, without limits, if:

(i) The distributor is accompanied by a licensed manufacturer's representative, owner, partner, officer, or substantial interest holder of a corporate licensee;

(ii) The entertainment is provided within the state of Washington; and

(iii) Written documentation of the business purpose of the entertainment is maintained.

(c) Trips to the factory location of a manufacturer, including transportation, meals, and lodging may be provided to distributors and/or their licensed representatives once each calendar year;

*What additional requirements apply to authorized "promotional activities"?*

(5) The following restrictions and procedures apply to promotional activities between manufacturers and distributors:

(a) All "promotional activities" shall be directly related to promotion of the manufacturer's products and in no way related to past sales;

(b) Promotional activities shall not include the direct or indirect transfer of cash, negotiable instruments, or cancellation or remittance of debts to a licensee or employee thereof. All costs related to "promotional activities" shall be initially paid for by the manufacturer rather than providing reimbursement to the distributor;

(c) Manufacturers shall be responsible for maintaining detailed records for all "promotional activities" and making such records available to the commission upon request. These records shall include at least the following:

(i) The product or service being promoted;

(ii) The name of the licensed distributor and the name of any person directly or indirectly benefiting from a "promotional activity";

(iii) The value of any gift or service provided. The value shall be based on the cost to the manufacturer to provide such;

(iv) The date a "promotional activity" was provided;

(v) The place the "promotional activity" occurred, if applicable; and

(vi) The name of the owner, partner, officer, or other representative of the manufacturer who authorized the "promotional activity."

*Can a manufacturer or distributor loan equipment to a distributor or operator?*

(6) A manufacturer or distributor may loan gambling equipment to licensed distributors or operators subject to the following restrictions:

(a) Equipment loans may be made for the following reasons:

(i) To a distributor for displaying the manufacturer's products, limited to one such loan, per product, per calendar year;

(ii) To a licensed distributor or operator for training of employees, limited to one such loan, per calendar year; or

(iii) For use as a replacement by a licensed operator while awaiting delivery of a product that has been purchased, leased, or removed for repair.

(b) Equipment loans shall be limited to ninety days per loan.

(7) This section shall not apply to transactions conducted with tribal governments operating class III casinos under tribal/state compacts or with management companies operating such casinos on the behalf of tribal governments.

#### NEW SECTION

**WAC 230-12-330 Availability of gambling equipment and related products and services—Prices—Contracts—Discounts—Restrictions—Exceptions.** Manufacturers and distributors shall make their products and services available to all licensees without discrimination. Except as authorized by this section, gambling equipment, devices, related paraphernalia or supplies, and services shall be offered to any licensee wishing to purchase such, for the same price and terms. The following restrictions, procedures, and exceptions apply to prices and terms related to sales of gambling-related products or services:

*What are the restrictions on prices of gambling products and services?*

(1) Discriminatory prices are prohibited. Prices are considered discriminatory when identical or similar items or services are offered to different persons for a different price or under different terms or conditions: *Provided*, That prices set under the following criterion shall not be considered discriminatory:

(a) Prices that are established in advance and available for every licensee's review prior to accepting a sales order utilizing such. For purposes of this section, prices are deemed to be established and available when they have been mailed or transmitted by facsimile to the commission at least forty-eight hours prior to completing sales transactions or accepting orders for products or services;

(b) Separate and different price schedules established by manufacturers or distributors for transactions conducted with licensees at different marketing levels;

(c) Prices that are based upon the delivery location of an item or service. If the price of an item or service is based upon "free on board" (FOB) terms at a specific location, such price may be varied based upon delivery at a different location, if such is justified by objective evidence. The burden of proof regarding such price differentiation is borne by the seller. Such prices are subject to all other requirements of this section; and

(d) Short-term price reductions or "sales" are authorized when:

(i) Every licensee and the commission are given notice of prices and terms prior to completing any sales transaction, and every licensee is afforded an opportunity to participate. Licensees and the commission will be considered to have received notice when full details of the sale, including price and terms, have been mailed or transmitted by facsimile to every licensee and the commission at least forty-eight hours prior to accepting orders for products or services that are being offered at the sale price; and

(ii) Any limitations or conditions must be clearly stated in the sale advertisement or notice.

*Can licensees enter into contracts that either require or restrict use of gambling-related products or services?*

(2) Except as set forth in WAC 230-12-230, licensees shall not enter into contracts that directly or indirectly restrict the distribution of gambling equipment, devices, paraphernalia, supplies, or services. The following transactions are prohibited:

(a) Any operator or distributor shall not agree to deal in, purchase, sell, lease, or operate any particular brand or brands of gambling device or equipment to the exclusion of any other brand of gambling device or equipment; and

(b) No manufacturer or distributor, or licensed representative or employee thereof, shall sell or offer to sell, lease, or loan any gambling-related product, service, or merchandise contingent upon the purchase or order of another product, service, or merchandise.

*Are discounts allowed?*

(3) Manufacturers and distributors may offer discounts of base prices that are authorized by this section when such discounts are nondiscriminatory. For purposes of this title, discounts will be deemed to be nondiscriminatory when:

(a) Offered to all licensees on the same terms;

(b) The scheme upon which the discount is based is in writing and submitted to the commission at least forty-eight hours prior to being offered;

(c) The discount applies only to a single sales transaction and does not relate to a level of sales made over a period of time; and

(d) The level of a discount is based only upon any of the following criteria:

(i) The amount of product sold or the dollar value of the sale;

(ii) Whether the purchaser makes full payment in cash at time of sale;

(iii) Whether the purchaser makes final payment for a transaction within a predetermined time period for sales made under "trade account" terms; and

(iv) Any other structure or terms, subject to pre-approval by the director. The manufacturer shall pay for the approval process and any additional requirements necessary to assure compliance with this section.

*Can manufacturers or distributors elect to limit their sales to a specific market level?*

(4) A licensed manufacturer or distributor may elect to limit sales of products and services to licensees at any marketing level. For purposes of this section, marketing levels are defined as manufacturer, distributor, and operator. If a manufacturer or distributor elects to make sales to any licensee at a marketing level, sales must be made to all licensees at the same level: *Provided*, That transactions between a manufacturer and distributor, when both are owned and operated by the same persons, are considered internal to that business. For purposes of this section, internal transactions are not considered sales at a different marketing level. All other restrictions of this section apply to such sales. For example:

(a) A licensed manufacturer may elect to sell or provide products and services only to distributors; or

(b) A licensed distributor may elect to sell or provide products and services only to operators.

*Can manufacturers or distributors establish minimum purchase requirements?*

(5) Manufacturers or distributors shall not set minimum purchase requirements for any product or service, except as authorized below:

(a) Minimum purchase requirements are not allowed for purchases made under prepaid or cash on delivery (COD) terms: *Provided*, That manufacturers may establish and charge a fee for services to handle an order for products or services below a specified level, if such policy is in writing and provided to distributors prior to accepting orders;

(b) Minimum purchase restrictions may be set for transactions between manufacturers and distributors that are conducted using trade account terms, as authorized by WAC 230-12-340;

(c) Discounts may be set based upon a minimum purchase amount as authorized by subsection (3) of this section; and

(d) Minimum purchase restrictions may be placed on products being offered for a bargain or "sale" price if a bargain or "sale" price is established for any and all levels of purchases under such terms.

*Are there restrictions on the sale of nongambling products or services sold to licensees by manufacturers or distributors?*

(6) A manufacturer or distributor shall not grant licensees, nor shall such licensees accept, more favorable prices, credit terms, or other arrangements than those extended to nonlicensed persons purchasing identical or similar nongambling goods or services. The price of nongambling goods or services sold to licensees shall be in conformity with the open market price in the locality where sold. The terms of such sales shall not exceed those

normally granted in accordance with the customary business practice of the particular trade in the locality where such sales are made.

*Do the restrictions set forth in this section apply to class III transactions?*

(7) This section shall not apply to transactions conducted with tribal governments operating class III casinos under tribal/state compacts or with management companies operating such casinos on the behalf of tribal governments.

#### NEW SECTION

**WAC 230-12-340 Sale of gambling devices, equipment, supplies, paraphernalia, and related services—Credit prohibited—Exceptions.** The use of credit in the sale of gambling equipment, devices, related supplies or paraphernalia, and services is prohibited. Except as authorized by this section, all sales of such shall be transacted on a cash basis. The following definitions, restrictions, and procedures apply to this section:

*What definitions apply to this section?*

(1) For purposes of this section, the following definitions apply:

(a) A "cash basis" means full payment is received by the seller on or before actual delivery of the product or service to the purchaser;

(b) A "trade account" is a payment system that allows distributors to place orders for inventory or services from manufacturers or distributors and to make payment for such within a specific period of time after shipment of the product or completion of the service;

(c) "Prescribed time period" is the maximum period of time a distributor has to pay for purchases of goods or services made under trade account terms prior to being restricted to cash basis terms. The time period begins when a product is shipped or service completed and ends on the date payment is actually delivered to the manufacturer or distributor, or if delivered by the U.S. mail, the postmark date of the envelope containing the payment. For purposes of this section, prescribed time period means:

(i) No later than sixty days after shipment of the products or completion of the services for all sales made on or after the effective date of this section and before October 1, 1998; and

(ii) No later than thirty days after shipment of the products or completion of the services for all sales made on or after October 1, 1998.

*What transactions are exempt from the requirements of this section?*

(2) For purposes of this WAC title, the following transactions are authorized and shall not be deemed as credit or loans of money when applicable requirements are met:

(a) Purchases of goods and services from manufacturers or distributors when paid for by checks that meet the requirements of WAC 230-12-350;

(b) Purchases of goods or services by distributors from manufacturers or other distributors when utilizing trade account terms and the requirements of subsection (3) of this section are followed;



(c) Promissory notes between manufacturers and distributors for payment of debts incurred prior to the effective date of this section when such notes are issued under the conditions set forth in this section;

(d) Purchases made under capital lease agreements when the requirements of this section are followed;

(e) All transactions between manufacturers or distributors and tribal governments or companies certified to manage class III gambling activities operated under a tribal/state compact are exempt from all provisions of this section; and

(f) The sales of nongambling equipment, fixtures, supplies, or commodities to licensees are exempt from all provisions of this section when the requirements of WAC 230-12-330 are met.

*Can distributors purchase gambling-related inventory or services on other than a cash basis?*

(3) Manufacturers and distributors may allow distributors to establish "trade accounts" to purchase gambling-related inventory or services without making immediate payment under the following conditions:

*What restrictions apply to trade accounts?*

(a) Trade account terms, if offered to any distributor, shall be made available to all distributors without discrimination: *Provided*, That trade accounts may be restricted to distributors that:

(i) Meet objective credit criterion established by a manufacturer or distributor. Such criterion must be in writing, available to the commission for review, and provided to any distributor upon request. A manufacturer or distributor may include a distributor's payment history as a part of the trade account approval criterion;

(ii) Meet minimum purchase requirements established by the manufacturer: *Provided*, That the minimum purchase requirement shall not be greater than five hundred dollars per transaction;

(b) Trade account terms shall not allow a manufacturer or distributor to gain any ownership or financial interest in a licensee. This section is not intended to prohibit or restrict a manufacturer or distributor from gaining a security interest in inventory sold for credit, as authorized by the Uniform Commercial Code: *Provided*, That this section shall not allow a manufacturer to obtain an interest in inventory sold by any other manufacturer under trade account terms;

(c) A distributor shall make full payment for all goods or services purchased under trade account terms within the prescribed time period. Failure to pay within the prescribed time period may be deemed solicitation of credit by the distributor.

*What must a manufacturer or distributor do when a distributor fails to make payments for trade account purchases within the prescribed time period?*

(4) When a distributor fails to pay for goods or services purchased under trade account terms within the prescribed time period, the debtee manufacturer or distributor shall comply with the procedures set forth below. Failure to comply with these procedures may result in the manufacturer or distributor being deemed to have extended credit to the distributor. The following procedures must be followed when a distributor fails to make required payments:

(a) Notify the delinquent distributor and the commission of failure to pay by telephone no later than the end of the next business day;

(b) Place the delinquent distributor on a cash basis for all purchases of goods and services no later than the end of the third business day after the default;

(c) Notify the commission in writing no later than the end of the fifth business day after default. Written notification shall include at least the following:

(i) The distributor's name;

(ii) The invoice or shipping order numbers involved in the transaction;

(iii) The dollar amount of the delinquent account;

(iv) The date the item was shipped or service was provided;

(v) A statement of whether the distributor has filed a complaint regarding billings and whether the amount owed is in dispute;

(vi) Any agreements between the parties to clear the debt, including terms, payment schedule, and any third party guarantors of the debt;

(vii) The interest rate or service charge, if such is charged;

(viii) Whether a security interest in the inventory or any other assets of the licensed distributor or individual owners of the distributor has been obtained or is in effect; and

(ix) Any other information requested by the commission.

*What action will the commission take after being notified in writing that a distributor has failed to make timely payment on a trade account?*

(5) If the director does not receive notice that the debtor distributor has corrected the conditions which caused the default prior to the end of the seventh business day after initial notice was received, all licensed manufacturers and distributors will be notified that such distributor has been restricted to cash basis terms. Initial notification shall be by telephone or facsimile on the next business day, followed by written notification within ten days. The manufacturer or distributor shall immediately notify the commission by telephone or facsimile upon receipt of payment. If notified prior to the end of the seventh business day after initially notifying the commission, the director will stop all proceedings and allow the reporting manufacturer or distributor to continue trade account terms without taking further action;

*What action shall manufacturers and distributors take after notification by the director that a distributor has been restricted?*

(6) Upon receipt of notification from the commission that a distributor has been restricted, manufacturers and distributors shall immediately cease sales, shipments of products, and providing of services to the delinquent distributor on other than a cash basis;

*How long will the restrictions last?*

(7) Any distributor that has been restricted by the director under this section shall remain restricted until all delinquent accounts with any reporting manufacturer or distributor are current and the director has been notified of such. The director shall utilize the following guidelines and procedures for removing trade account sales restrictions:

(a) First delinquent payment within a calendar year - The director shall notify all manufacturers by telephone or facsimile no later than the next business day after receiving notification that a delinquent distributor is current and that trade account sales may continue. Written notification shall be made within ten days; or

(b) Second and subsequent violations within a calendar year - The director may restrict a distributor to a cash basis for a period not to exceed sixty days beginning on the date of notification that a delinquent distributor is current. In this event, the director shall notify the delinquent distributor and all manufacturers and distributors in writing of the date when trade account terms may be continued.

*What are the procedures and restrictions for gambling-related purchases occurring prior to the effective date of this section?*

(8) Gambling-related products or services purchased by distributors prior to the effective date of this section shall be paid in full no later than ninety days after the effective date of this section. Any distributor failing to comply with this requirement shall be restricted to making purchases on a cash basis until all such accounts are paid in full. The director shall utilize the procedures set forth in subsections (5), (6), and (7) of this section to impose or remove restrictions imposed under this subsection: *Provided*, That debtor manufacturers and distributors may convert amounts owed by distributors at the effective date of this section into a promissory note utilizing the procedures and restrictions set forth in this section:

*What are the procedures and restrictions for conversion of trade debt outstanding at the effective date of this section to a promissory note?*

(9) Manufacturers and distributors who elect to convert amounts owed from distributors at the effective date of this section to a promissory note shall utilize the following procedures and restrictions:

(a) Written notification of conversion to a promissory note, including a copy of such note, must be received by the commission no later than ninety days after the effective date of this section;

(b) The promissory note shall not grant the manufacturer the ability to influence the management of the distributor's business: *Provided*, That in the case of legal bankruptcy, the terms and conditions of a bankruptcy order shall govern;

(c) The promissory note shall amortize the balance owed over a certain period that does not exceed sixty months;

(d) Terms of the promissory note shall require the following:

(i) Minimum monthly payment of the principal;

(ii) Interest rate, if any is imposed;

(iii) Full definition of all collateral; and

(iv) Adequate details of the procedures to be followed for late payments and/or default.

(e) A debtor manufacturer or distributor shall immediately notify the commission if a distributor fails to abide by the terms of the note and the process being pursued to correct the situation. The director may, depending upon circumstances, impose restrictions on purchases under trade account terms for the delinquent distributor.

*What are the restrictions and procedures governing the use of capital lease agreements?*

(10) Licensed manufacturers and distributors may sell gambling equipment such as dispensers, bingo blowers, roulette wheels, etc. and gambling-related support equipment such as scales, counters, computers, computer software, tables, chairs, signs, etc. through capital lease agreements or other financing arrangements to operators subject to the following conditions and requirements:

(a) The cost of a single item, or group of similar and related items included in the sale, exceeds one thousand dollars;

(b) The term of the contract does not exceed forty-eight months;

(c) All terms of the contract are in writing and copies of such agreements are provided to the commission within thirty days of execution;

(d) The manufacturer or distributor retains only a security interest in the item sold and cannot obtain any ownership interest in the licensee, or exercise any control over the use of the item in the licensed activity;

(e) The amount of payments is not based on the size or level of gambling activity and is determined by use of a standard amortization schedule for the term and stated interest rate;

(f) The interest rate charged by the contract is set at the time of sale and does not vary during the term of the contract; and

(g) The contract does not require the purchaser to directly or indirectly purchase any other products or services from the seller.

**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.

## NEW SECTION

**WAC 230-12-350 Use of checks to purchase gambling equipment, products, and services—Restrictions.** Checks may be used by licensed operators and distributors to purchase gambling equipment, devices, related supplies or paraphernalia, and services in lieu of cash under the following conditions:

*What are the restrictions on checks utilized for payment of gambling products or services?*

(1) Checks must be drawn on the licensee's business account: *Provided*, That personal checks drawn on the account of an owner, partner, or officer or substantial interest holder of a corporate licensee may be accepted;

(2) Checks received by distributors from operators must be negotiable and dated on or before the delivery date of the product or service. Checks shall not be postdated;

*When must a check be deposited?*

(3) Checks shall not be held and must be presented for payment at the manufacturer's or distributor's bank within the prescribed time frames. Failure to present checks within the prescribed time period shall be prima facie evidence of extension of credit to the drawer licensee by the manufacturer or distributor. Prescribed time frames are as follows:

(a) Checks received from operators shall be deposited within ten calendar days after the date the product or service was delivered; and

(b) Checks received from distributors shall be deposited within ten days of the date received or, if delivered by mail, thirteen days from the postmark of the envelope containing the payment.

*What are the procedures for handling a dishonored check presented to a distributor by an operator?*

(4) Checks from licensed operators that are initially returned by a bank for lack of sufficient funds may be deposited again if within five banking days after return by the bank. If dishonored by the bank a second time, the distributor shall:

(a) Deliver dishonored checks to an owner, manager, or officer of the licensee within seven banking days after return from the bank and demand payment in cash. If unable to deliver such checks to an owner, manager, or officer of the licensee within seven days, the distributor shall notify the commission; and

(b) Upon being presented with a check returned by the bank, licensees shall immediately replace such check with cash or a cash equivalent such as a money order, certified check, or other guaranteed negotiable instrument; or

(c) Failure of an operator to replace a check returned by a distributor with cash or a cash equivalent shall be prima facie evidence of solicitation of credit and must be reported to the commission by the distributor within seven days.

*What are the procedures for handling a dishonored check presented to a manufacturer or distributor by a distributor?*

(5) Checks from distributors that are initially returned by a bank for lack of sufficient funds shall be processed by manufacturers or distributors using the following procedures:

(a) Checks received for payment for a prepaid or COD transaction may be deposited again if within five banking days after return by the bank. If dishonored by the bank a second time, the manufacturer or distributor shall:

(i) Contact an owner, manager, or officer of the distributor within seven banking days by telephone or facsimile and demand payment by a certified check, postal money order, or other cash equivalent. If unable to contact an owner, manager, or officer within seven days, the manufacturer shall notify the commission;

(ii) Upon receipt of a cash equivalent to replace the dishonored check, the manufacturer or distributor shall return the check to the distributor by mail;

(iii) If a distributor that is presented a dishonored check does not immediately replace such check, the manufacturer or distributor shall cease all sales to the distributor and notify the commission within seven days. Failure to replace a dishonored check with cash or cash equivalent shall be prima facie evidence of solicitation of credit by the distributor.

(b) If payment is for a transaction completed with trade account terms, the manufacturer:

(i) May deposit the check again if the prescribed time period for payment has not passed; or

(ii) May contact an owner, manager, or officer of the distributor by telephone or facsimile and demand payment by

a cash equivalent such as a certified check or postal money order;

(iii) If the bank clears the check or payment is otherwise received prior to the prescribed time period for payment, no further action is required; and

(iv) If the prescribed time period for payment has passed and the dishonored check is not replaced prior to such, the manufacturer shall comply with the procedures set forth in WAC 230-12-340 for failure to make timely payment under trade account terms.

**WSR 97-12-027**  
**PROPOSED RULES**  
**INTERAGENCY COMMITTEE**  
**FOR OUTDOOR RECREATION**

[Filed May 30, 1997, 10:48 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-08-079.

Title of Rule: Applications, plans, and matching resources—Deadlines; income; discrimination, preferences.

Purpose: (1) To clarify the time period allowed for project agreement execution. (2) To consider adoption of one of two options regarding how income gained in an IAC grant-assisted area may be used: (a) Rewrite current WAC to improve clarity, but make no substantive change or (b) rewrite current WAC to improve clarity and allow such income to offset sponsor matching shares and be used for operation and maintenance of any unit in the sponsor's system. (3) To limit a sponsor in restricting users of IAC grant-assisted projects on the basis of residence (preferential reservations, permits, fees, etc.).

Other Identifying Information: WAC 286-13-040, 286-13-110, and 286-13-115.

Statutory Authority for Adoption: RCW 43.98A.060(1), 43.98A.070(5), 43.99.080(2), 46.09.240(1), 77.12.720.

Statute Being Implemented: See Statutory Authority above.

Summary: (1) Add text that requires applicants to execute and return the project agreement to IAC within three months. (2) Adopt one of two options regarding use of income gained in an IAC grant-assisted area: (a) Improve clarity or (b) improve clarity and allow such income to offset sponsor matching shares and be used for operation and maintenance of any unit in the sponsor's system. (3) Limit a sponsor in restricting users of IAC grant-assisted projects on the basis of residence.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Greg Lovelady, 1111 Washington Street S.E., Olympia, WA 98504-0917, (360) 902-3008; Implementation and Enforcement: Laura Eckert Johnson, 1111 Washington Street S.E., Olympia, WA 98504-0917, (360) 902-3000.

Name of Proponent: Interagency Committee for Outdoor Recreation, public and governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose and Summary above.

Proposal Changes the Following Existing Rules: See Summary above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rule changes are directed at IAC's grant recipients, that is, local, state, and federal governmental agencies and nonprofit firearm and archery range organizations. If approved, the changes will enhance efficiency and compliance with existing laws and procedures. We do not believe that small businesses will be impacted in any way.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The Interagency Committee for Outdoor Recreation is exempted under RCW 34.05.328 (5)(a)(i).

Hearing Location: Yakima Area Arboretum and Botanical Garden, Garden View Room, 1401 Arboretum Drive, Yakima, WA, on July 18, 1997, 9:15 a.m. - public comments; and 2:15 p.m. - executive session, adoption consideration.

Assistance for Persons with Disabilities: Contact Greg Lovelady by July 3, 1997, TDD (360) 902-1996 (leave message), or (360) 902-3008.

Submit Written Comments to: Greg Lovelady, Rules Coordinator, Interagency Committee for Outdoor Recreation, P.O. Box 40917, Olympia, WA 98504-0917, e-mail gregl@iac.wa.gov, FAX (360) 902-3026, by July 14, 1997.

Date of Intended Adoption: July 18, 1997.

May 9, 1997  
Greg Lovelady  
Rules Coordinator

AMENDATORY SECTION (Amending WSR 96-08-044, filed 3/29/96, effective 4/29/96)

**WAC 286-13-040 Deadlines—Applications, plans, and matching resources**~~((—Deadlines))~~. (1) Applications. To allow time for review, all applications must be submitted at least four calendar months prior to the funding meeting at which the applicant's project is first considered. Applications must be completed in final form and on file with the committee at least one calendar month before this meeting.

(2) Plans. For purposes of project evaluation, all nonhighway and off-road vehicle program, park, recreation, or habitat plans required for participation in committee grant programs must be complete and on file with the committee at least three calendar months before the funding meeting at which the applicant's project is first considered. On the director's acceptance of the plan, the applicant shall be granted eligibility to submit applications for a period of up to five years.

(3) Matches. To allow time for development of funding recommendations, written assurance must be provided whenever matching resources are to be considered as a part of an application. This assurance must be provided by the applicant to the committee at least one calendar month before the meeting at which the project is to be considered for funding.

(4) Project agreement. An applicant has three calendar months from the date of the grant award to execute and return the project agreement to the committee's office. After this period, the committee or director may reject any

agreement not signed and returned and reallocate the grant funds to another project(s).

(5) Waivers. Compliance with these deadlines is required for eligibility unless a waiver is granted by the director. Such waivers are considered based on several factors which may include:

- (a) When the applicant started the application/planning process;
- (b) What progress has been made;
- (c) When final plan adoption will occur;
- (d) The cause of the delay (procedural or content related, etc.);
- (e) Impact on the committee's evaluation process;
- (f) Equity to other applicants; and
- (g) Such other information as may be relevant.

#### OPTION A

AMENDATORY SECTION (Amending WSR 97-08-003, filed 3/20/97, effective 4/20/97)

**WAC 286-13-110 Fees, fee use, and commercial income**. (1) Income.

(a) Compatible source. The source of any income generated in a committee assisted project or project area must be compatible with the element(s) defined in the project agreement.

(b) Commerce. Commercial activity performed or authorized by a project sponsor on a committee assisted site or facility must directly relate to the recreational or habitat conservation function of the site or facility.

(c) Fees. User and/or other ((types of)) fees may be charged in connection with land acquired or facilities developed with committee grants if the fees are consistent with the:

- (i) Value of any service(s) ((or opportunities)) furnished; and
- (ii) Value of any opportunity(ies) furnished; and ((are within the))
- (iii) Prevailing range of public fees in the state for the activity.

*Excepted* are firearms and archery range recreation program safety classes (firearm and/or hunter) for which a facility/range fee must *not* be charged (RCW 77.12.720).

(2) Income use. Regardless of whether income or fees in a committee assisted area (including entrance, utility corridor, cattle grazing, timber harvesting, farming, etc.) are gained during or after the reimbursement period cited in the project agreement, unless precluded by state law((s)) the revenue ((from such fees)) may only be used to offset:

- (a) The sponsor's matching funds; and/or
- (b) The project's total cost; and/or
- (c) The expense of operation and maintenance of the facility ((funded in whole or in part)) or program assisted by the committee grant((s or for accrual of)); and/or
- (d) Capital expenses for similar acquisition and/or development.

~~((2)) Other income~~. Income that accrues to an area described in a project agreement from sources other than the intended use, including income from land management practices, must derive from use which is consistent with, and

~~complementary to the intended use of the area as described in the project agreement.~~

~~(a) Gross nonintended income that accrues during the contracted reimbursement period established in the project agreement will be used to reduce the total cost of the project.~~

~~(b) Gross nonintended income that accrues subsequent to the ending reimbursement date identified in the project agreement must be used to offset operation and maintenance expenses of the facility funded in whole or in part by committee grants or for capital acquisition and/or development of a similar type unless precluded by state law.~~

~~(3) Commercial income. Commercial activity performed by a project sponsor on a committee assisted site or facility must be directly related to the recreational service provided. After paying any necessary costs associated with this activity, any net income must be used to assist in maintaining, renovating, operating, and/or developing the site as described in WAC 286-13-110 (1) and (2).)~~

## OPTION B

AMENDATORY SECTION (Amending WSR 97-08-003, filed 3/20/97, effective 4/20/97)

WAC 286-13-110 Income, income use. (1) Income.

(a) Compatible source. The source of any income generated in a committee assisted project or project area must be compatible with the element(s) defined in the project agreement. The way the project or project area is defined varies with the source of funds provided by the committee. That is, income generated in a project assisted with funds that originate from:

(i) A state source must be consistent with the limits of the element(s) assisted by the committee (for example, within the area of an athletic field or habitat area).

(ii) The federal land and water conservation fund must be consistent within the boundary described in chapter 660.2.6.A. ("project area") of the L&WCF Grants-in-Aid Manual.

(b) Fees. User and/or other (~~(types of)~~) fees may be charged in connection with land acquired or facilities developed with committee grants if the fees are consistent with the:

(i) Value of any service(s) (~~(or opportunities)~~) furnished; and

(ii) Value of any opportunity(ies) furnished; and (~~(are within the)~~)

(iii) Prevailing range of public fees in the state for the activity.

*Excepted* are firearms and archery range recreation program safety classes (firearm and/or hunter) for which a facility/range fee must *not* be charged (RCW 77.12.720).

(2) Income use. Regardless of whether income or fees in a committee assisted area (including entrance, utility corridor permit, cattle grazing, timber harvesting, farming, etc.) are gained during or after the reimbursement period cited in the project agreement, unless precluded by state law (~~(s)~~) the revenue (~~(from such fees)~~) may only be used to offset:

(a) The sponsor's matching funds; and/or

(b) The project's total cost; and/or

(c) The expense of operation and maintenance of the facility (~~(funded in whole or in part)~~) or program assisted by the committee grant(~~(s or for accrual of)~~); and/or

(d) The expense of operation and maintenance of other units in the sponsor's park and recreation and/or habitat conservation system; and/or

(e) Capital expenses for similar acquisition and/or development.

~~((2) Other income. Income that accrues to an area described in a project agreement from sources other than the intended use, including income from land management practices, must derive from use which is consistent with, and complementary to, the intended use of the area as described in the project agreement.~~

~~(a) Gross nonintended income that accrues during the contracted reimbursement period established in the project agreement will be used to reduce the total cost of the project.~~

~~(b) Gross nonintended income that accrues subsequent to the ending reimbursement date identified in the project agreement must be used to offset operation and maintenance expenses of the facility funded in whole or in part by committee grants or for capital acquisition and/or development of a similar type unless precluded by state law.~~

~~(3) Commercial income. Commercial activity performed by a project sponsor on a committee assisted site or facility must be directly related to the recreational service provided. After paying any necessary costs associated with this activity, any net income must be used to assist in maintaining, renovating, operating, and/or developing the site as described in WAC 286-13-110 (1) and (2).)~~

AMENDATORY SECTION (Amending WSR 96-08-044, filed 3/29/96, effective 4/29/96)

WAC 286-13-115 Discrimination, preferences. (1) Sponsors shall not discriminate against users of (~~(committee funded)~~) projects assisted with committee funds on the basis of race, creed, color, sex, religion, national origin, disability, marital status, or sexual orientation.

(2) Sponsors (~~(may)~~) shall not express a preference for users of committee (~~(funded)~~) grant assisted projects on the basis of residence, including preferential reservation, membership, and/or permit systems, except that reasonable differences in admission and other fees may be maintained on the basis of residence. (~~(Differential)~~) Fees for (~~(use by)~~) nonresidents (~~(may be charged but)~~) must not exceed twice the fee imposed on residents. Where there is no fee for residents but a fee is charged to nonresidents, the nonresident fee shall not exceed the amount that would be imposed on residents at comparable state or local public facilities.

WSR 97-12-030

PROPOSED RULES

DEPARTMENT OF HEALTH

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

Supplemental Notice to WSR 97-07-074.

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

Title of Rule: Nurse technician criteria.

**Purpose:** To extend the period of time an individual may function as a nurse technician to ninety days rather than thirty days and to provide for housekeeping changes.

**Statutory Authority for Adoption:** Chapter 18.79 RCW.  
**Statute Being Implemented:** Chapter 18.79 RCW.

**Summary:** The rule would extend the period of time an individual may function as a nursing technician after graduation from a school of nursing from thirty days to ninety days. This gives the nurse extended time to arrange to schedule and take the national licensure exam and gives a better time frame for notification of licensure exam results.

**Reasons Supporting Proposal:** Employers are reestablishing "preceptor" programs for new graduates of nursing schools. They have voiced concern to the commission that the current thirty-day time frame must be extended to ninety days to meet their needs for these programs. Department of Health staff concur.

**Name of Agency Personnel Responsible for Drafting:** P. Hayes, Department of Health, (360) 664-4100; **Implementation and Enforcement:** Joan Reilly, Department of Health, (360) 664-4208.

**Name of Proponent:** Nursing Care Quality Assurance Commission/ Department of Health, governmental.

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

**Explanation of Rule, its Purpose, and Anticipated Effects:** The rule will make housekeeping changes to include changing the word "board" to "commission" and other housekeeping changes for readability. In addition, the rule will change the length of time an individual can function as a "nursing technician" after graduation from a school of nursing from thirty days to ninety days. This change is necessary from comments received from employers who are instituting preceptorship programs for new graduates. The preceptor programs had stopped when there was a perceived oversupply of nurses. In addition, staff has seen that the thirty-day time limit is insufficient, particularly in the summer months, for these new graduates to schedule a time to sit for the national licensure exam, take the exam, and then receive results back for licensure issuance.

**Proposal Changes the Following Existing Rules:** The rule completes the consolidation of the RN and LPN WACs and extends the time period for nursing technician status from thirty days to ninety days.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This proposed language does not impose any additional cost on industry.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This rule does not subject a person to a penalty or sanction, does not establish or amend a standard for licensure and does not make significant amendments to a regulatory program. This rule does make housekeeping changes and does increase the time period for an individual to function as a nursing technician from thirty days to ninety days.

**Hearing Location:** Wenatchee Convention Center Hotel, 201 North Wenatchee Avenue, Wenatchee, WA 98801, (509) 662-1234, on July 18, 1997, at 2:00 p.m.

**Assistance for Persons with Disabilities:** Contact P. Henderson by July 11, 1997, TDD (360) 664-0064, or FAX (360) 586-2165.

**Submit Written Comments to:** Joan Reilly, FAX (360) 586-2165, by July 11, 1997.

**Date of Intended Adoption:** July 18, 1997.

May 22, 1997

Patty Hayes

Executive Director

### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 246-839-860 Nursing technician criteria.

### NEW SECTION

**WAC 246-840-860 Nursing technician criteria.** To be eligible for employment as a nursing technician a student must meet the following criteria:

(1) Satisfactory completion of at least one academic term (quarter or semester) of a nursing program approved by a commission or board of nursing (ADN, diploma, or BSN). The term must have included a clinical component.

(2) Currently enrolled in a nursing commission approved program will be considered to include:

(a) All periods of regularly planned educational programs and all school scheduled vacations and holidays.

(b) The period of time of notification to the commission of completion of nursing education, following graduation and application for examination, not to exceed ninety days from the date of graduation.

(c) Current enrollment will not be construed to include:

(i) Leaves of absence or withdrawal, temporary or permanent, from the nursing educational program.

(ii) Students enrolled in nursing department classes who are solely enrolled in academic nonnursing supporting course work, whether or not those courses are required for the nursing degree.

(iii) Students who are awaiting the opportunity to reenroll in nursing courses.

**WSR 97-12-034**

**PROPOSED RULES**

**DEPARTMENT OF ECOLOGY**

[Order 94-19—Filed May 30, 1997, 3:32 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 94-16-056.

**Title of Rule:** Chapter 173-201A WAC, Water quality standards for surface water of the state of Washington.

**Purpose:** To update the standards, streamline language, add new language to improve and solve water quality problems and clarify rule language problems.

**Statutory Authority for Adoption:** Chapter 90.48 RCW, 40 CFR 131.

**Statute Being Implemented:** Chapter 173-201A WAC.

**Summary:** Changes are proposed to adopt nutrient criteria guidance for lakes, clarify that wetlands are waters of the state, streamline the section on short-term modifications, adjust and rewrite toxic criteria and metals conversion factors and other language changes.

**Reasons Supporting Proposal:** The federal Clean Water Act requires the state water quality standards to be reviewed at least once every three years. The Department of Ecology asked the public what the most important issues were. The department worked with advisory committees and held public workshops to develop new rule language and improve existing language.

**Name of Agency Personnel Responsible for Drafting:** Eric Schlorff, Olympia, (360) 407-6478; **Implementation:** Dick Wallace, Olympia, (360) 407-6489; and **Enforcement:** Dick Wallace, Statewide, (360) 407-6489.

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

**Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters:** There should be no significant impact.

**Rule is necessary because of federal law, 40 CFR 131.20(a).**

**Explanation of Rule, its Purpose, and Anticipated Effects:** The surface water quality standards are intended to be consistent with and protective of public health and public enjoyment of the surface waters and the propagation and protection of fish, shellfish, wildlife, and agricultural and domestic water supply. The Department of Ecology is responsible for administering the water quality standards under the authority of state law and under the direction of the federal Clean Water Act. Both numeric and narrative criteria are used to protect the state's waters. Numeric criteria consist of quantitative limits on how much of a particular toxic chemical or other pollutant can exist in a water body without harming the various beneficial uses. Narrative criteria are qualitative limits on what level of protection is appropriate and are implemented on a case-specific basis by the department. When a specific threshold level of exposure can be established for a chemical or substance that is consistently linked to detrimental effects to beneficial uses, the state will establish a numeric criteria. The proposed changes to the standards include changes to both the narrative and numeric criteria. The actual changes are described more fully below.

**Proposal Changes the Following Existing Rules:** The proposed changes are intended to meet the goals and purposes of the standards. (1) The addition of guidance for establishing nutrient criteria is intended to guide the adoption of numeric criteria to protect lakes. (2) The wetlands definition changes are a clarification of existing law and the changes are intended to achieve better consistency with the existing laws. (3) The changes to short-term modifications are intended to streamline the process. Instead of the process of applying for a modification, most activities will be covered under existing permits such as the NPDES, 401, or stormwater permits. Small disturbances of in-place sediment and resulting turbidity will be handled through a mixing zone. Short-term modifications for total dissolved gas will be dealt with through a change to the specific water body classifications to allow fish passage when there is an ecology-approved gas abatement plan. (4) The toxics criteria will be adjusted according to new data from the Environmental Protection Agency and other testing. Some criteria will become more lenient (part of copper, and cyanide), other criteria will become more stringent, or have no change.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed amendments are procedural, incorporate revised federal standards and information, or streamline existing requirements. No significant additional burdens or impacts are imposed on any business or industry.

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

**Hearing Location:** On July 8th, at 7:00 - 9:00 p.m., at the Department of Ecology, 300 Desmond Drive S.E., Lacey; and on July 10th, at 7:00 - 9:00 p.m., at the Spokane Public Health Center, 1101 College Avenue, Spokane.

**Assistance for Persons with Disabilities:** Contact Ann Kahler, (360) 407-6404, by June 26, 1997, 1997, TDD (360) 407-6606.

**Submit Written Comments to:** Eric Schlorff, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, FAX (360) 407-6426, by July 18, 1997, 5:00 p.m.

**Date of Intended Adoption:** November 18, 1997.

May 23, 1997

Tom Fitzsimmons

Director

**AMENDATORY SECTION** (Amending Order 92-29, filed 11/25/92, effective 12/26/92)

**WAC 173-201A-020 Definitions.** The following definitions are intended to facilitate the use of chapter 173-201A WAC:

"Action value" means a total phosphorus (TP) value established at the upper limit of the trophic states in each ecoregion. Exceedance of an action value indicates that a problem is suspected. An action is not taken until this suspicion is confirmed.

"Acute conditions" are changes in the physical, chemical, or biologic environment which are expected or demonstrated to result in injury or death to an organism as a result of short-term exposure to the substance or detrimental environmental condition.

"AKART" is an acronym for "all known, available, and reasonable methods of prevention, control, and treatment." AKART shall represent the most current methodology that can be reasonably required for preventing, controlling, or abating the pollutants associated with a discharge. The concept of AKART applies to both point and nonpoint sources of pollution. The term "best management practices," typically applied to nonpoint source pollution controls is considered a subset of the AKART requirement. "The Stormwater Management Manual for the Puget Sound Basin" (1992), may be used as a guideline, to the extent appropriate, for developing best management practices to apply AKART for storm water discharges.

"Background conditions" means the biological, chemical, and physical conditions of a water body, outside the area of influence of the discharge under consideration. Background sampling locations in an enforcement action would be up-gradient or outside the area of influence of the discharge. If several discharges to any water body exist, and enforcement action is being taken for possible violations to the standards, background sampling would be undertaken immediately up-gradient from each discharge. When assessing background conditions in the headwaters of a disturbed watershed it may

be necessary to use the background conditions of a neighboring or similar watershed as the reference conditions.

"Best management practices (BMP)" means physical, structural, and/or managerial practices approved by the department that, when used singularly or in combination, prevent or reduce pollutant discharges.

"Biological assessment" is an evaluation of the biological condition of a water body using surveys of aquatic community structure and function and other direct measurements of resident biota in surface waters.

"Bog" means those wetlands that are acidic, peat forming, and whose primary water source is precipitation, with little, if any, outflow.

"Carcinogen" means any substance or agent that produces or tends to produce cancer in humans. For implementation of this chapter, the term carcinogen will apply to substances on the United States Environmental Protection Agency lists of A (known human) and B (probable human) carcinogens, and any substance which causes a significant increased incidence of benign or malignant tumors in a single, well conducted animal bioassay, consistent with the weight of evidence approach specified in the United States Environmental Protection Agency's Guidelines for Carcinogenic Risk Assessment as set forth in 51 FR 33992 et seq. as presently published or as subsequently amended or republished.

"Chronic conditions" are changes in the physical, chemical, or biologic environment which are expected or demonstrated to result in injury or death to an organism as a result of repeated or constant exposure over an extended period of time to a substance or detrimental environmental condition.

"Created wetlands" means those wetlands intentionally created from nonwetland sites to produce or replace natural wetland habitat.

"Critical condition" is when the physical, chemical, and biological characteristics of the receiving water environment interact with the effluent to produce the greatest potential adverse impact on aquatic biota and existing or characteristic water uses. For steady-state discharges to riverine systems the critical condition may be assumed to be equal to the ((7010)) 7Q10 flow event unless determined otherwise by the department.

"Damage to the ecosystem" means any demonstrated or predicted stress to aquatic or terrestrial organisms or communities of organisms which the department reasonably concludes may interfere in the health or survival success or natural structure of such populations. This stress may be due to, but is not limited to, alteration in habitat or changes in water temperature, chemistry, or turbidity, and shall consider the potential build up of discharge constituents or temporal increases in habitat alteration which may create such stress in the long term.

"Department" means the state of Washington department of ecology.

"Director" means the director of the state of Washington department of ecology.

"Drainage ditch" means that portion of a designed and constructed conveyance system that serves the purpose of transporting surplus water; this may include natural water courses or channels incorporated in the system design, but

does not include the area adjacent to the water course or channel.

"Ecoregions" are defined using EPA's Ecoregions of the Pacific Northwest Document No. 600/3-86/033 July 1986 by Omernik and Gallant.

"Fecal coliform" means that portion of the coliform group which is present in the intestinal tracts and feces of warm-blooded animals as detected by the product of acid or gas from lactose in a suitable culture medium within twenty-four hours at 44.5 plus or minus 0.2 degrees Celsius.

"Geometric mean" means either the nth root of a product of n factors, or the antilogarithm of the arithmetic mean of the logarithms of the individual sample values.

"Ground water exchange" means the discharge and recharge of ground water to a surface water. Discharge is inflow from an aquifer, seeps or springs that increases the available supply of surface water. Recharge is outflow downgradient to an aquifer or downstream to surface water for base flow maintenance. Exchange may include ground water discharge in one season followed by recharge later in the year.

"Hardness" means a measure of the calcium and magnesium salts present in water. For purposes of this chapter, hardness is measured in milligrams per liter and expressed as calcium carbonate (CaCO<sub>3</sub>).

"Irrigation ditch" means that portion of a designed and constructed conveyance system that serves the purpose of transporting irrigation water from its supply source to its place of use; this may include natural water courses or channels incorporated in the system design, but does not include the area adjacent to the water course or channel.

"Lakes" shall be distinguished from riverine systems as being water bodies, including reservoirs, with a mean detention time of greater than fifteen days.

"Lake-specific study" means a study intended to quantify existing conditions, determine existing uses, and potential lake uses. The study determines how to protect these uses and if any uses are lost or impaired because of nutrients, algae, or aquatic plants. An appropriate study must recommend a criterion for total phosphorus (TP), total nitrogen (TN) in µg/l, or other nutrient that is causing the impairment of use due to excessive algae blooms or aquatic plant growth.

"Mean detention time" means the time obtained by dividing a reservoir's mean annual minimum total storage by the thirty-day ten-year low-flow from the reservoir.

"Migration or translocation" means any natural movement of an organism or community of organisms from one locality to another locality.

"Mixing zone" means that portion of a water body adjacent to an effluent outfall where mixing results in the dilution of the effluent with the receiving water. Water quality criteria may be exceeded in a mixing zone as conditioned and provided for in WAC 173-201A-100.

"Natural conditions" or "natural background levels" means surface water quality that was present before any human-caused pollution. When estimating natural conditions in the headwaters of a disturbed watershed it may be necessary to use the less disturbed conditions of a neighboring or similar watershed as a reference condition.

"Nonpoint source" means pollution that enters any waters of the state from any dispersed land-based or water-



based activities, including but not limited to atmospheric deposition, surface water runoff from agricultural lands, urban areas, or forest lands, subsurface or underground sources, or discharges from boats or marine vessels not otherwise regulated under the National Pollutant Discharge Elimination System program.

"Permit" means a document issued pursuant to RCW 90.48.160 et seq. or RCW 90.48.260 or both, specifying the waste treatment and control requirements and waste discharge conditions.

"pH" means the negative logarithm of the hydrogen ion concentration.

"Pollution" means such contamination, or other alteration of the physical, chemical, or biological properties, of any waters of the state, including change in temperature, taste, color, turbidity, or odor of the waters, or such discharge of any liquid, gaseous, solid, radioactive, or other substance into any waters of the state as will or is likely to create a nuisance or render such waters harmful, detrimental, or injurious to the public health, safety, or welfare, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish, or other aquatic life.

"Primary contact recreation" means activities where a person would have direct contact with water to the point of complete submergence including, but not limited to, skin diving, swimming, and water skiing.

"Secondary contact recreation" means activities where a person's water contact would be limited (wading or fishing) to the extent that bacterial infections of eyes, ears, respiratory or digestive systems, or urogenital areas would normally be avoided.

"Shoreline stabilization" means the anchoring of soil at the water's edge, or in shallow water, by fibrous plant root complexes; this may include long-term accretion of sediment or peat, along with shoreline progradation in such areas.

"Storm water" means that portion of precipitation that does not naturally percolate into the ground or evaporate, but flows via overland flow, interflow, pipes, and other features of a storm water drainage system into a defined surface water body, or a constructed infiltration facility.

"Storm water attenuation" means the process by which peak flows from precipitation are reduced and runoff velocities are slowed as a result of passing through a surface waterbody.

"Surface waters of the state" includes lakes, rivers, ponds, streams, inland waters, saltwaters, wetlands and all other surface waters and water courses within the jurisdiction of the state of Washington.

"Temperature" means water temperature expressed in degrees Celsius (°C).

"Treatment wetlands" means those wetlands intentionally constructed on nonwetland sites and managed for the primary purpose of wastewater or storm water treatment. Treatment wetlands are considered part of a collection and treatment system, and generally are not subject to the criteria of this chapter.

"Trophic state" means a classification of the productivity of a lake ecosystem. The productivity depends on the amount of nutrients or plants that grow in a lake and may be based on total phosphorus (TP). Secchi depth and chlorophyll-a measurements may be used to improve the

trophic state classification of a lake. Trophic states used in this rule include ultra-oligotrophic, oligotrophic, lower mesotrophic, upper mesotrophic, and eutrophic.

"Turbidity" means the clarity of water expressed as nephelometric turbidity units (NTU) and measured with a calibrated turbidimeter.

"Upwelling" means the natural process along Washington's Pacific Coast where the summer prevailing northerly winds produce a seaward transport of surface water. Cold, deeper more saline waters rich in nutrients and low in dissolved oxygen, rise to replace the surface water. The cold oxygen deficient water enters Puget Sound and other coastal ~~((estuaries))~~ estuaries at depth where it displaces the existing deep water and eventually rises to replace the surface water. Such surface water replacement results in an overall increase in salinity and nutrients accompanied by a depression in dissolved oxygen. Localized upwelling of the deeper water of Puget Sound can occur year-round under influence of tidal currents, winds, and geomorphic features.

"USEPA" means the United States Environmental Protection Agency.

"Wetlands" means areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from nonwetland areas to mitigate the conversion of wetlands. (Waterbodies exempted in this definition are waters of the state and must meet the applicable water quality criteria.)

"Wildlife habitat" means waters of the state used by, or that directly or indirectly provide food support to, fish, other aquatic life, and wildlife for any life history stage or activity.

**AMENDATORY SECTION** (Amending Order 92-29, filed 11/25/92, effective 12/26/92)

**WAC 173-201A-030 General water use and criteria classes.** The following criteria shall apply to the various classes of surface waters in the state of Washington:

(1) **Class AA (extraordinary).**

(a) General characteristic. Water quality of this class shall markedly and uniformly exceed the requirements for all or substantially all uses.

(b) Characteristic uses. Characteristic uses shall include, but not be limited to, the following:

(i) Water supply (domestic, industrial, agricultural).

(ii) Stock watering.

(iii) Fish and shellfish:

Salmonid migration, rearing, spawning, and harvesting.

Other fish migration, rearing, spawning, and harvesting.

Clam, oyster, and mussel rearing, spawning, and harvesting.

Crustaceans and other shellfish (crabs, shrimp, crayfish, scallops, etc.) rearing, spawning, and harvesting.

(iv) Wildlife habitat.

(v) Recreation (primary contact recreation, sport fishing, boating, and aesthetic enjoyment).

(vi) Commerce and navigation.

(c) Water quality criteria:

(i) Fecal coliform organisms:

(A) Freshwater - fecal coliform organism levels shall both not exceed a geometric mean value of 50 colonies/100 mL and not have more than 10 percent of all samples obtained for calculating the geometric mean value exceeding 100 colonies/100 mL.

(B) Marine water - fecal coliform organism levels shall both not exceed a geometric mean value of 14 colonies/100 mL, and not have more than 10 percent of all samples obtained for calculating the geometric mean value exceeding 43 colonies/100 mL.

(ii) Dissolved oxygen:

(A) Freshwater - dissolved oxygen shall exceed 9.5 mg/L.

(B) Marine water - dissolved oxygen shall exceed 7.0 mg/L. When natural conditions, such as upwelling, occur, causing the dissolved oxygen to be depressed near or below 7.0 mg/L, natural dissolved oxygen levels may be degraded by up to 0.2 mg/L by human-caused activities.

(iii) Total dissolved gas shall not exceed 110 percent of saturation at any point of sample collection.

(iv) Temperature shall not exceed 16.0°C (freshwater) or 13.0°C (marine water) due to human activities. When natural conditions exceed 16.0°C (freshwater) and 13.0°C (marine water), no temperature increases will be allowed which will raise the receiving water temperature by greater than 0.3°C.

Incremental temperature increases resulting from point source activities shall not, at any time, exceed  $t=23/(T+5)$  (freshwater) or  $t=8/(T-4)$  (marine water). Incremental temperature increases resulting from nonpoint source activities shall not exceed 2.8°C.

For purposes hereof, "t" represents the maximum permissible temperature increase measured at a mixing zone boundary; and "T" represents the background temperature as measured at a point or points unaffected by the discharge and representative of the highest ambient water temperature in the vicinity of the discharge.

(v) pH shall be within the range of 6.5 to 8.5 (freshwater) or 7.0 to 8.5 (marine water) with a human-caused variation within ~~(±)~~ the above range of less than 0.2 units.

(vi) Turbidity shall not exceed 5 NTU over background turbidity when the background turbidity is 50 NTU or less, or have more than a 10 percent increase in turbidity when the background turbidity is more than 50 NTU.

(vii) Toxic, radioactive, or deleterious material concentrations shall be below those which have the potential either singularly or cumulatively to adversely affect characteristic water uses, cause acute or chronic conditions to the most sensitive biota dependent upon those waters, or adversely affect public health, as determined by the department (see WAC 173-201A-040 and 173-201A-050).

(viii) Aesthetic values shall not be impaired by the presence of materials or their effects, excluding those of

natural origin, which offend the senses of sight, smell, touch, or taste.

(2) **Class A (excellent).**

(a) General characteristic. Water quality of this class shall meet or exceed the requirements for all or substantially all uses.

(b) Characteristic uses. Characteristic uses shall include, but not be limited to, the following:

(i) Water supply (domestic, industrial, agricultural).

(ii) Stock watering.

(iii) Fish and shellfish:

Salmonid migration, rearing, spawning, and harvesting.

Other fish migration, rearing, spawning, and harvesting.

Clam, oyster, and mussel rearing, spawning, and harvesting.

Crustaceans and other shellfish (crabs, shrimp, crayfish, scallops, etc.) rearing, spawning, and harvesting.

(iv) Wildlife habitat.

(v) Recreation (primary contact recreation, sport fishing, boating, and aesthetic enjoyment).

(vi) Commerce and navigation.

(c) Water quality criteria:

(i) Fecal coliform organisms:

(A) Freshwater - fecal coliform organism levels shall both not exceed a geometric mean value of 100 colonies/100 mL, and not have more than 10 percent of all samples obtained for calculating the geometric mean value exceeding 200 colonies/100 mL.

(B) Marine water - fecal coliform organism levels shall both not exceed a geometric mean value of 14 colonies/100 mL, and not have more than 10 percent of all samples obtained for calculating the geometric mean value exceeding 43 colonies/100 mL.

(ii) Dissolved oxygen:

(A) Freshwater - dissolved oxygen shall exceed 8.0 mg/L.

(B) Marine water - dissolved oxygen shall exceed 6.0 mg/L. When natural conditions, such as upwelling, occur, causing the dissolved oxygen to be depressed near or below 6.0 mg/L, natural dissolved oxygen levels may be degraded by up to 0.2 mg/L by human-caused activities.

(iii) Total dissolved gas shall not exceed 110 percent of saturation at any point of sample collection.

(iv) Temperature shall not exceed 18.0°C (freshwater) or 16.0°C (marine water) due to human activities. When natural conditions exceed 18.0°C (freshwater) and 16.0°C (marine water), no temperature increases will be allowed which will raise the receiving water temperature by greater than 0.3°C.

Incremental temperature increases resulting from point source activities shall not, at any time, exceed  $t=28/(T+7)$  (freshwater) or  $t=12/(T-2)$  (marine water). Incremental temperature increases resulting from nonpoint source activities shall not exceed 2.8°C.

For purposes hereof, "t" represents the maximum permissible temperature increase measured at a mixing zone boundary; and "T" represents the background temperature as measured at a point or points unaffected by the discharge and representative of the highest ambient water temperature in the vicinity of the discharge.

(v) pH shall be within the range of 6.5 to 8.5 (freshwater) or 7.0 to 8.5 (marine water) with a human-caused variation within ((a)) the above range of less than 0.5 units.

(vi) Turbidity shall not exceed 5 NTU over background turbidity when the background turbidity is 50 NTU or less, or have more than a 10 percent increase in turbidity when the background turbidity is more than 50 NTU.

(vii) Toxic, radioactive, or deleterious material concentrations shall be below those which have the potential either singularly or cumulatively to adversely affect characteristic water uses, cause acute or chronic conditions to the most sensitive biota dependent upon those waters, or adversely affect public health, as determined by the department (see WAC 173-201A-040 and 173-201A-050).

(viii) Aesthetic values shall not be impaired by the presence of materials or their effects, excluding those of natural origin, which offend the senses of sight, smell, touch, or taste.

**(3) Class B (good).**

(a) General characteristic. Water quality of this class shall meet or exceed the requirements for most uses.

(b) Characteristic uses. Characteristic uses shall include, but not be limited to, the following:

(i) Water supply (industrial and agricultural).

(ii) Stock watering.

(iii) Fish and shellfish:

Salmonid migration, rearing, and harvesting.

Other fish migration, rearing, spawning, and harvesting.

Clam, oyster, and mussel rearing and spawning.

Crustaceans and other shellfish (crabs, shrimp, crayfish, scallops, etc.) rearing, spawning, and harvesting.

(iv) Wildlife habitat.

(v) Recreation (secondary contact recreation, sport fishing, boating, and aesthetic enjoyment).

(vi) Commerce and navigation.

(c) Water quality criteria:

(i) Fecal coliform organisms:

(A) Freshwater - fecal coliform organism levels shall both not exceed a geometric mean value of 200 colonies/100 mL, and not have more than 10 percent of all samples obtained for calculating the geometric mean value exceeding 400 colonies/100 mL.

(B) Marine water - fecal coliform organism levels shall both not exceed a geometric mean value of 100 colonies/100 mL, and not have more than 10 percent of all samples obtained for calculating the geometric mean value exceeding 200 colonies/100 mL.

(ii) Dissolved oxygen:

(A) Freshwater - dissolved oxygen shall exceed 6.5 mg/L.

(B) Marine water - dissolved oxygen shall exceed 5.0 mg/L. When natural conditions, such as upwelling, occur, causing the dissolved oxygen to be depressed near or below 5.0 mg/L, natural dissolved oxygen levels may be degraded by up to 0.2 mg/L by human-caused activities.

(iii) Total dissolved gas shall not exceed 110 percent of saturation at any point of sample collection.

(iv) Temperature shall not exceed 21.0°C (freshwater) or 19.0°C (marine water) due to human activities. When natural conditions exceed 21.0°C (freshwater) and 19.0°C (marine water), no temperature increases will be allowed

which will raise the receiving water temperature by greater than 0.3°C.

Incremental temperature increases resulting from point source activities shall not, at any time, exceed  $t=34/(T+9)$  (freshwater) or  $t=16/(T)$  (marine water). Incremental temperature increases resulting from nonpoint source activities shall not exceed 2.8°C.

For purposes hereof, "t" represents the maximum permissible temperature increase measured at a mixing zone boundary; and "T" represents the background temperature as measured at a point or points unaffected by the discharge and representative of the highest ambient water temperature in the vicinity of the discharge.

(v) pH shall be within the range of 6.5 to 8.5 (freshwater) and 7.0 to 8.5 (marine water) with a human-caused variation within ((a)) the above range of less than 0.5 units.

(vi) Turbidity shall not exceed 10 NTU over background turbidity when the background turbidity is 50 NTU or less, or have more than a 20 percent increase in turbidity when the background turbidity is more than 50 NTU.

(vii) Toxic, radioactive, or deleterious material concentrations shall be below those which have the potential either singularly or cumulatively to adversely affect characteristic water uses, cause acute or chronic conditions to the most sensitive biota dependent upon those waters, or adversely affect public health, as determined by the department (see WAC 173-201A-040 and 173-201A-050).

(viii) Aesthetic values shall not be reduced by dissolved, suspended, floating, or submerged matter not attributed to natural causes, so as to affect water use or taint the flesh of edible species.

**(4) Class C (fair).**

(a) General characteristic. Water quality of this class shall meet or exceed the requirements of selected and essential uses.

(b) Characteristic uses. Characteristic uses shall include, but not be limited to, the following:

(i) Water supply (industrial).

(ii) Fish (salmonid and other fish migration).

(iii) Recreation (secondary contact recreation, sport fishing, boating, and aesthetic enjoyment).

(iv) Commerce and navigation.

(c) Water quality criteria - marine water:

(i) Fecal coliform organism levels shall both not exceed a geometric mean value of 200 colonies/100 mL, and not have more than 10 percent of all samples obtained for calculating the geometric mean value exceeding 400 colonies/100 mL.

(ii) Dissolved oxygen shall exceed 4.0 mg/L. When natural conditions, such as upwelling, occur, causing the dissolved oxygen to be depressed near or below 4.0 mg/L, natural dissolved oxygen levels may be degraded by up to 0.2 mg/L by human-caused activities.

(iii) Temperature shall not exceed 22.0°C due to human activities. When natural conditions exceed 22.0°C, no temperature increases will be allowed which will raise the receiving water temperature by greater than 0.3°C.

Incremental temperature increases shall not, at any time, exceed  $t=20/(T+2)$ .

For purposes hereof, "t" represents the maximum permissible temperature increase measured at a mixing zone boundary; and "T" represents the background temperature as

measured at a point or points unaffected by the discharge and representative of the highest ambient water temperature in the vicinity of the discharge.

(iv) pH shall be within the range of 6.5 to 9.0 with a human-caused variation within a range of less than 0.5 units.

(v) Turbidity shall not exceed 10 NTU over background turbidity when the background turbidity is 50 NTU or less, or have more than a 20 percent increase in turbidity when the background turbidity is more than 50 NTU.

(vi) Toxic, radioactive, or deleterious material concentrations shall be below those which have the potential either singularly or cumulatively to adversely affect characteristic water uses, cause acute or chronic conditions to the most sensitive biota dependent upon those waters, or adversely affect public health, as determined by the department (see WAC 173-201A-040 and 173-201A-050).

(vii) Aesthetic values shall not be interfered with by the presence of obnoxious wastes, slimes, aquatic growths, or materials which will taint the flesh of edible species.

**(5) Lake class.**

(a) General characteristic. Water quality of this class shall meet or exceed the requirements for all or substantially all uses.

(b) Characteristic uses. Characteristic uses shall include, but not be limited to, the following:

(i) Water supply (domestic, industrial, agricultural).

(ii) Stock watering.

(iii) Fish and shellfish:

Salmonid migration, rearing, spawning, and harvesting.

Other fish migration, rearing, spawning, and harvesting.

Clam and mussel rearing, spawning, and harvesting.

Crayfish rearing, spawning, and harvesting.

(iv) Wildlife habitat.

(v) Recreation (primary contact recreation, sport fishing, boating, and aesthetic enjoyment).

(vi) Commerce and navigation.

(c) Water quality criteria:

(i) Fecal coliform organism levels shall both not exceed a geometric mean value of 50 colonies/100 mL, and not have more than 10 percent of all samples obtained for calculating the geometric mean value exceeding 100 colonies/100 mL.

(ii) Dissolved oxygen - no measurable decrease from natural conditions.

(iii) Total dissolved gas shall not exceed 110 percent of saturation at any point of sample collection.

(iv) Temperature - no measurable change from natural conditions.

(v) pH - no measurable change from natural conditions.

(vi) Turbidity shall not exceed 5 NTU over background conditions.

(vii) Toxic, radioactive, or deleterious material concentrations shall be below those which have the potential either singularly or cumulatively to adversely affect characteristic water uses, cause acute or chronic conditions to the most sensitive biota dependent upon those waters, or adversely affect public health, as determined by the department (see WAC 173-201A-040 and 173-201A-050).

(viii) Aesthetic values shall not be impaired by the presence of materials or their effects, excluding those of natural origin, which offend the senses of sight, smell, touch, or taste.

**(6) Establishing lake nutrient criteria.**

**(a) The following table shall be used to aid in establishing nutrient criteria:**

(Table 1) The ecoregional and trophic-state action values for establishing nutrient criteria:

<b>Coast Range, Puget Lowlands, and Northern Rockies Ecoregions:</b>		
Trophic State	If Ambient TP (µg/l) Range of Lake is:	Then criteria should be set at:
Ultra-oligotrophic	0-4	4 or less
Oligotrophic	>4-10	10 or less
Lower mesotrophic	>10-20	20 or less
	<u>Action value</u> >20..... lake specific study may be initiated.	
<b>Cascades Ecoregion:</b>		
Trophic State	If Ambient TP (µg/l) Range of Lake is:	Then criteria should be set at:
Ultra-oligotrophic	0-4	4 or less
Oligotrophic	>4-10	10 or less
	<u>Action value</u> >10..... lake specific study may be initiated.	
<b>Columbia Basin Ecoregion:</b>		
Trophic State	If Ambient TP (µg/l) Range of Lake is:	Then criteria should be set at:
Ultra-oligotrophic	0-4	4 or less
Oligotrophic	>4-10	10 or less
Lower mesotrophic	>10-20	20 or less
Upper mesotrophic	>20-35	35 or less
	<u>Action value</u> >35..... lake specific study may be initiated.	

PROPOSED

Lakes in the Willamette, East Cascade Foothills, or Blue Mountain ecoregions do not have recommended values and need to have lake-specific studies in order to receive criteria as described in (c)(i) of this subsection.

(b) The following actions are recommended if ambient monitoring of a lake shows the total phosphorus to be below the action value for an ecoregion, shown in Table 1 of this section:

(i) Determine trophic status from existing or newly gathered data. The recommended minimum sampling to determine trophic status is calculated as the mean of four or more samples collected from the epilimnion over a period from June through September in one or more years. Sampling must be spread throughout the season.

(ii) Propose criteria at or below the upper limit of the trophic state; or

(iii) Conduct lake-specific study to determine and adopt appropriate criteria as described in (c)(i) of this subsection.

(c) The following actions are recommended if ambient monitoring of a lake shows total phosphorus to exceed the action value for an ecoregion shown in Table 1 of this section or where recommended ecoregional action values do not exist:

(i) Conduct a lake-specific study to evaluate the characteristic uses of the lake. A lake-specific study may vary depending on the source or threat of impairment. Phytoplankton blooms, toxic phytoplankton, excessive aquatic plants, or exotic aquatic plants are examples of

various sources of impairment. The following are examples of quantitative measures that a study may describe: Total phosphorus, total nitrogen, chlorophyll-a, dissolved oxygen in the hypolimnion if thermally stratified, pH, hardness, or other measures of existing conditions and potential changes in any one of these parameters.

(ii) Determine appropriate total phosphorus levels or other nutrient criteria to protect characteristic lake uses. If the existing total phosphorus level is protective of characteristic lake uses, then set criteria at existing total phosphorus level. If the existing total phosphorus level is not protective of the existing characteristic lake uses, then set criteria at protective level.

(iii) Determine if the total phosphorus level necessary to protect aesthetic uses is achievable. If the recommended criterion is not achievable and if the characteristic use the criterion is intended to protect is not an existing use, then a higher criterion may be set in conformance with 40 CFR part 131.10.

(e) The department will consider proposed lake-specific nutrient criteria during any water quality standards rule making that follows receipt of that proposal. Adoption by rule formally establishes the criteria for that lake.

(f) Prioritization and investigation of lakes by the department will be initiated by listing problem lakes in a watershed needs assessment, and scheduled as part of the water quality program's watershed approach to pollution control. This prioritization will apply to lakes identified as

warranting a criteria based on the results of a lake-specific study, to lakes warranting a lake-specific study for establishing criteria, and to lakes requiring restoration and pollution control measures due to exceedance of an established criterion. The adoption of nutrient criteria are generally not intended to apply to lakes or ponds with a surface area smaller than five acres; or to ponds wholly contained on private property owned and surrounded by a single landowner; and nutrients do not drain or leach from these lakes or private ponds to the detriment of other property owners or other water bodies; and do not impact designated uses in the lake. However, if the landowner proposes criteria the department may consider adoption.

(g) The department may not need to set a lake-specific criteria or further investigate a lake if existing water quality conditions are naturally poorer (higher TP) than the action value and uses have not been lost or degraded, per WAC 173-201A-070(2).

**AMENDATORY SECTION** (Amending Order 92-29, filed 11/25/92, effective 12/26/92)

**WAC 173-201A-040 Toxic substances.** (1) Toxic substances shall not be introduced above natural background levels in waters of the state which have the potential either singularly or cumulatively to adversely affect characteristic water uses, cause acute or chronic toxicity to the most sensitive biota dependent upon those waters, or adversely affect public health, as determined by the department.

(2) The department shall employ or require chemical testing, acute and chronic toxicity testing, and biological assessments, as appropriate, to evaluate compliance with subsection (1) of this section and to ensure that aquatic communities and the existing and characteristic beneficial uses of waters are being fully protected.

(3) The following criteria shall be applied to all surface waters of the state of Washington for the protection of aquatic life. The department may revise the following criteria on a state-wide or waterbody-specific basis as needed to protect aquatic life occurring in waters of the state and to increase the technical accuracy of the criteria being applied. The department shall formally adopt any appropriate revised criteria as part of this chapter in accordance with the provisions established in chapter 34.05 RCW, the Administrative Procedure Act. The department shall ensure there are early opportunities for public review and comment on proposals to develop revised criteria. Values are µg/L for all substances except Ammonia and Chloride which are mg/L:

Substance	Freshwater		Marine Water	
	Acute	Chronic	Acute	Chronic
Aldrin/Dieldrin	2.5a	0.0019b	0.71a	0.0019b
Ammonia (un-ionized NH <sub>3</sub> ) hh	f,c	g,d	0.233h,c	0.035h,d
Arsenic ff, ll	360.0c	190.0d	69.0c	36.0d,cc
Cadmium dd	i,c	j,d	<del>(37.2e)</del> 8.0d)	42.0c 9.3d
Chlordane	2.4a	0.0043b	0.09a	0.004b
Chloride (Dissolved) k	860.0h,c	230.0h,d	-	-
Chlorine (Total Residual) ((Chloropyrifos))	19.0c	11.0d	13.0c	7.5d
Chloropyrifos	0.083c	0.041d	0.011c	0.0056d
Chromium (Hex)	<del>(16.0e)</del> 11.0d	<del>1,100.0e,1</del> 50.0d)	1,100.0c,1	50.0d,1
Chromium (Tri) gg	16.0c,1,ii	11.0d,ii	1,100.0c,1,1	50.0d,1

Copper dd	o,c	p,d	<del>(2.5e)</del> 4.8b,11	<del>3.1d,11</del> 3.1d,11
Cyanide ee	22.0c	5.2d	<del>(1.0e)</del> 9.1c	<del>2.8d</del> 2.8d
DDT (and metabolites)	1.1a	0.001b	0.13a	0.001b
Dieldrin/Aldrin e	2.5a	0.0019b	0.71a	0.0019b
Endosulfan	0.22a	0.056b	0.034a	0.0087b
Endrin	0.18a	0.0023b	0.037a	0.0023b
Heptachlor	0.52a	0.0038b	0.053a	0.0036b
Hexachlorocyclohexane (Lindane)	2.0a	0.08b	0.16a	-
Lead dd	q,c	r,d	<del>(151.1e)</del> 210.0c,11	<del>5.8d)</del> 8.1d,11
Mercury s, ff	<del>(2.4e)</del> 2.4c,kk	<del>0.012d)</del> 0.012d	<del>2.1e)</del> 1.8c,11	<del>0.025d)</del> 0.025d
Nickel dd	t,c	u,d	<del>(71.3e)</del> 74.0c,11	<del>7.9d)</del> 8.2d,11
Parathion	0.065c	0.013d	-	-
Pentachlorophenol (PCP)	w,c	v,d	13.0c	7.9d
Polychlorinated Biphenyls (PCBs)	2.0b	0.014b	10.0b	0.030b
Selenium ff	20.0c	5.0d	<del>(300.0e)</del> 290c,11	<del>71.0d,x)</del> 71.0d,x,11
Silver dd	y,a	-	<del>(1.9a)</del> 1.9a,11	-
Toxaphene	0.73c,z	0.0002d	0.21c,z	0.0002d
Zinc dd	aa,c	bb,d	<del>(84.6e)</del> 90.0c,11	<del>76.6d)</del> 81.0d,11

Notes to Table:

- a. An instantaneous concentration not to be exceeded at any time.
- b. A 24-hour average not to be exceeded.
- c. A 1-hour average concentration not to be exceeded more than once every three years on the average.
- d. A 4-day average concentration not to be exceeded more than once every three years on the average.
- e. Aldrin is metabolically converted to Dieldrin. Therefore, the sum of the Aldrin and Dieldrin concentrations are compared with the Dieldrin criteria.
- f. Shall not exceed the numerical value given by:

$$\frac{(FT)(FPH)(2))}{0.52 \div (FT)(FPH)(2)}$$

where: FT = 10<sup>(0.03(20-TCAP))</sup>; TCAP ≤ T ≤ 30

$$FT = 10^{(0.03(20-T))}; 0 \leq T \leq TCAP$$

$$FPH = 1; 8 \leq pH \leq 9$$

$$FPH = \frac{((1+10^{(7.4-pH)}))}{(1+10^{(7.4-pH)})} \div 1.25; 6.5 \leq pH \leq 8.0$$

$$\frac{((1+10^{(7.4-pH)}))}{(1+10^{(7.4-pH)})}$$

TCAP = 20°C; Salmonids present.

TCAP = 25°C; Salmonids absent.

- g. Shall not exceed the numerical value given by:

$$\frac{(FT)(FPH)(RATIO))}{0.80 \div (FT)(FPH)(RATIO)}$$

where: RATIO = ((16) 13.5; 7.7 ≤ pH ≤ 9

$$RATIO = \frac{((24 \times 10^{(7.7-pH)}))}{(20.25 \times 10^{(7.7-pH)})} \div (1 + 10^{(7.4-pH)}); 6.5 \leq pH \leq 7.7$$

where: FT and FPH are as shown in (f) above except:

TCAP = 15°C; Salmonids present.

TCAP = 20°C; Salmonids absent.

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- h. Measured in milligrams per liter rather than micrograms per liter.
- i.  $(\leq (0.865)(e^{(1.128[\ln(\text{hardness}) - 3.828])}) \leq (0.944)(e^{(1.128[\ln(\text{hardness}) - 3.828])})$  at hardness = 100. Conversion factor (CF) of 0.944 is hardness dependent. CF is calculated for other hardnesses as follows:  $CF = 1.136672 - [(\ln \text{ hardness})(0.041838)]$ .
- j.  $(\leq (0.865)(e^{(0.7852[\ln(\text{hardness}) - 3.490])}) \leq (0.909)(e^{(0.7852[\ln(\text{hardness}) - 3.490])})$  at hardness = 100. Conversion factor (CF) of 0.909 is hardness dependent. CF is calculated for other hardnesses as follows:  $CF = 1.101672 - [(\ln \text{ hardness})(0.041838)]$ .
- k. Criterion based on dissolved chloride in association with sodium. This criterion probably will not be adequately protective when the chloride is associated with potassium, calcium, or magnesium, rather than sodium.
- l. Salinity dependent effects. At low salinity the 1-hour average may not be sufficiently protective.
- m.  $\leq (0.316)e^{(0.8190[\ln(\text{hardness})] + 3.688)}$
- n.  $\leq (0.860)e^{(0.8190[\ln(\text{hardness})] + 1.561)}$
- o.  $\leq ((0.862)) (0.960)(e^{(0.9422[\ln(\text{hardness})] - 1.464)})$
- p.  $\leq ((0.862)) (0.960)(e^{(0.8545[\ln(\text{hardness})] - 1.465)})$
- q.  $(\leq (0.687)(e^{(1.273[\ln(\text{hardness}) - 1.460])}) \leq (0.791)(e^{(1.273[\ln(\text{hardness}) - 1.460])})$  at hardness = 100. Conversion factor (CF) of 0.791 is hardness dependent. CF is calculated for other hardnesses as follows:  $CF = 1.46203 - [(\ln \text{ hardness})(0.145712)]$ .
- r.  $(\leq (0.687)(e^{(1.273[\ln(\text{hardness}) - 4.705])}) \leq (0.791)(e^{(1.273[\ln(\text{hardness}) - 4.705])})$  at hardness = 100. Conversion factor (CF) of 0.791 is hardness dependent. CF is calculated for other hardnesses as follows:  $CF = 1.46203 - [(\ln \text{ hardness})(0.145712)]$ .
- s. If the four-day average chronic concentration is exceeded more than once in a three-year period, the edible portion of the consumed species should be analyzed. Said edible tissue concentrations shall not be allowed to exceed 1.0 mg/kg of methylmercury.
- t.  $\leq ((0.95)) (0.998)(e^{(0.8460[\ln(\text{hardness})] + 3.3612)})$
- u.  $\leq ((0.95)) (0.997)(e^{(0.8460[\ln(\text{hardness})] + 1.1645)})$
- v.  $\leq e^{[1.005(\text{pH}) - 5.290]}$
- w.  $\leq e^{[1.005(\text{pH}) - 4.830]}$
- x. The status of the fish community should be monitored whenever the concentration of selenium exceeds 5.0 ug/l in salt water.
- y.  $\leq ((0.534)) (0.85)(e^{(1.72[\ln(\text{hardness})] - 6.52)})$
- z. Channel Catfish may be more acutely sensitive.
- aa.  $\leq ((0.894)) (0.978)(e^{(0.8473[\ln(\text{hardness})] + 0.8604)})$
- bb.  $\leq ((0.894)) (0.986)(e^{(0.8473[\ln(\text{hardness})] + 0.7614)})$
- cc. Nonlethal effects (growth, C-14 uptake, and chlorophyll production) to diatoms (*Thalassiosira aestivalis* and *Skeletonema costatum*) which are common to Washington's waters have been noted at levels below the established criteria. The importance of these effects to the diatom populations and the aquatic system is sufficiently in question to persuade the state to adopt the USEPA National Criteria value (36 µg/L) as the state threshold criteria, however, wherever practical the ambient concentrations should not be allowed to exceed a chronic marine concentration of 21 µg/L.
- dd. These ambient criteria are based on the dissolved fraction (for cyanide criteria using the weak and dissociable method) of the metal. The department shall apply the criteria as total recoverable values to calculate effluent limits unless data is made available to the department clearly demonstrating the seasonal partitioning of the dissolved metal in the ambient water in relation to an effluent discharge. Metals criteria may be adjusted on a site-specific basis when data is made available to the department clearly demonstrating the effective use of the water effects ratio approach established by USEPA, as generally guided by the procedures in USEPA *Water Quality Standards Handbook*, December 1983, as supplemented or replaced. Information which is used to develop effluent limits based on applying metals partitioning studies or the water effects ratio approach shall be

identified in the permit fact sheet developed pursuant to WAC 173-220-060 or 173-226-110, as appropriate, and shall be made available for the public comment period required pursuant to WAC 173-220-050 or 173-226-130(3), as appropriate.

- ee. The criteria for cyanide is based on the weak and dissociable method in the 17th Ed. *Standard Methods for the Examination of Water and Wastewater*, 4500-CN I, and as revised (see footnote dd, above).
- ff. These criteria are based on the total-recoverable fraction of the metal.
- gg. Where methods to measure trivalent chromium are unavailable, these criteria are to be represented by total-recoverable chromium.
- hh. Tables for the conversion of total ammonia to un-ionized ammonia for freshwater can be found in the USEPA's *Quality Criteria for Water*, 1986. Criteria concentrations based on total ammonia for marine water can be found in USEPA *Ambient Water Quality Criteria for Ammonia (Saltwater)-1989*, EPA440/5-88-004, April 1989.
- ii. Conversion factor to calculate dissolved metal concentration is 0.982.
- jj. Conversion factor to calculate dissolved metal concentration is 0.962.
- kk. Conversion factor to calculate dissolved metal concentration is 0.85.
- ll. Marine criteria conversion factors (CF) for calculating dissolved metals concentrations. Conversion factors are applicable to both acute and chronic criteria for all metals except mercury. CF for mercury is applicable to the acute criterion only. Conversion factors are already incorporated into the criteria in the table. Dissolved criterion = criterion x CF

Metal	CF
Arsenic	1.000
Cadmium	0.994
Chromium (VI)	0.993
Copper	0.83
Lead	0.951
Mercury	0.85
Nickel	0.990
Selenium	0.998
Silver	0.85
Zinc	0.946

(4) USEPA *Quality Criteria for Water, 1986* shall be used in the use and interpretation of the values listed in subsection ((4)) (3) of this section.

(5) Concentrations of toxic, and other substances with toxic propensities not listed in subsection ((4)) (3) of this section shall be determined in consideration of *USEPA Quality Criteria for Water, 1986*, and as revised, and other relevant information as appropriate. Human health-based water quality criteria used by the state are contained in the National Toxics Rule (FR, V.57, No. 246, December 22, 1992).

(6) Risk-based criteria for carcinogenic substances shall be selected such that the upper-bound excess cancer risk is less than or equal to one in one million.

Reviser's note: The brackets and enclosed material in the text of 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.

AMENDATORY SECTION (Amending Order 92-29, filed 11/25/92, effective 12/26/92)

**WAC 173-201A-050 Radioactive substances.** (1) Deleterious concentrations of radioactive materials for all classes shall be as determined by the lowest practicable concentration attainable and in no case shall exceed:

(a) ((4400)) 1/12.5 of the values listed in WAC 246-221-290 (Column 2, Table II, ((Appendix A)) effluent

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concentrations, rules and regulations for radiation protection); or

(b) USEPA Drinking Water Regulations for radionuclides, as published in the Federal Register of July 9, 1976, or subsequent revisions thereto.

(2) Nothing in this chapter shall be interpreted to be applicable to those aspects of governmental regulation of radioactive waters which have been preempted from state regulation by the Atomic Energy Act of 1954, as amended, as interpreted by the United States Supreme Court in the cases of *Northern States Power Co. v. Minnesota* 405 U.S. 1035 (1972) and *Train v. Colorado Public Interest Research Group*, 426 U.S. 1 (1976).

**AMENDATORY SECTION** (Amending Order 92-29, filed 11/25/92, effective 12/26/92)

**WAC 173-201A-060 General considerations.** The following general guidelines shall apply to the water quality criteria and classifications set forth in WAC 173-201A-030 through 173-201A-140 hereof:

(1) At the boundary between waters of different classifications, the water quality criteria for the higher classification shall prevail.

(2) In brackish waters of estuaries, where the fresh and marine water quality criteria differ within the same classification, the criteria shall be ~~((interpolated on the basis of salinity; except that the marine water quality criteria shall apply for dissolved oxygen when the salinity is one part per thousand or greater and for fecal coliform organisms when the salinity is ten parts per thousand or greater))~~ applied on the basis of vertically averaged salinity. The freshwater criteria shall be applied at any point where ninety-five percent of the vertically averaged daily maximum salinity values are less than or equal to one part per thousand. Marine criteria shall apply at all other locations.

(3) In determining compliance with the fecal coliform criteria in WAC 173-201A-030, averaging of data collected beyond a thirty-day period, or beyond a specific discharge event under investigation, shall not be permitted when such averaging would skew the data set so as to mask noncompliance periods.

(4)(a) The water quality criteria herein established for total dissolved gas shall not apply when the stream flow exceeds the seven-day, ten-year frequency flood.

(b) The total dissolved gas criteria may be adjusted to aid fish passage over hydroelectric dams when consistent with a department approved gas abatement plan. This gas abatement plan must be accompanied by fisheries management and physical and biological monitoring plans. The elevated total dissolved gas levels are intended to allow increased fish passage without causing more harm to fish populations than caused by turbine fish passage. The specific allowances for total dissolved gas exceedances are listed as special conditions for sections of the Snake and Columbia rivers in WAC 173-201A-130 and as shown in the following exemption:

**Special fish passage exemption for sections of the Snake and Columbia rivers:** When spilling water at dams is necessary to aid fish passage, total dissolved gas must not exceed an average of one hundred fifteen percent as measured at Camas/Washougal below Bonneville dam or as

measured in the forebays of the next downstream dams. Total dissolved gas must also not exceed an average of one hundred twenty percent as measured in the tailraces of each dam. These averages are based on the twelve highest hourly readings in any one day of total dissolved gas. In addition, there is a maximum total dissolved gas one hour average of one hundred twenty-five percent, relative to atmospheric pressure, during spillage for fish passage. These special conditions for total dissolved gas in the Snake and Columbia rivers are viewed as temporary and are to be reviewed by the year 2003.

(c) Nothing in these special conditions allows the impact of beneficial uses.

(5) Waste discharge permits, whether issued pursuant to the National Pollutant Discharge Elimination System or otherwise, shall be conditioned so the discharges authorized will meet the water quality standards.

(a) However, persons discharging wastes in compliance with the terms and conditions of permits shall not be subject to civil and criminal penalties on the basis that the discharge violates water quality standards.

(b) Permits shall be subject to modification by the department whenever it appears to the department the discharge violates water quality standards. Modification of permits, as provided herein, shall be subject to review in the same manner as originally issued permits.

(6) No waste discharge permit shall be issued which results in a violation of established water quality criteria, except as provided for under WAC 173-201A-100 or 173-201A-110.

(7) Due consideration will be given to the precision and accuracy of the sampling and analytical methods used as well as existing conditions at the time, in the application of the criteria.

(8) The analytical testing methods for these criteria shall be in accordance with the "Guidelines Establishing Test Procedures for the Analysis of Pollutants" (40 C.F.R. Part 136) and other or superseding methods published and/or approved by the department following consultation with adjacent states and concurrence of the USEPA.

(9) Nothing in this chapter shall be interpreted to prohibit the establishment of effluent limitations for the control of the thermal component of any discharge in accordance with Section 316 of the federal Clean Water Act (33 U.S.C. 1251 et seq.).

(10) The primary means for protecting water quality in wetlands is through implementing the antidegradation procedures section (WAC 173-201A-070).

(a) In addition to designated uses, wetlands may have existing beneficial uses that are to be protected that include ground water exchange, shoreline stabilization, and storm water attenuation.

(b) Water quality in wetlands is maintained and protected by maintaining the hydrologic conditions, hydrophytic vegetation, and substrate characteristics necessary to support existing and designated uses.

(c) Wetlands shall be delineated using the Washington State Wetlands Identification and Delineation Manual, in accordance with WAC 173-22-035.



AMENDATORY SECTION (Amending Order 92-29, filed 11/25/92, effective 12/26/92)

**WAC 173-201A-110 Short-term modifications.**

~~((1))~~ The criteria and special conditions established in WAC 173-201A-030 through 173-201A-140 may be modified for a specific water body on a short-term basis when necessary to accommodate essential activities, respond to emergencies, or to otherwise protect the public interest, even though such activities may result in a temporary reduction of water quality conditions below those criteria and classifications established by this regulation. ~~((Such modification shall be issued in writing by the director or his/her designee subject to such terms and conditions as he/she may prescribe, and such modification shall not exceed a twelve-month period.~~

~~(2))~~ In no case will any degradation of water quality be allowed if this degradation significantly interferes with or becomes injurious to existing water uses or causes long-term harm to the environment.

~~((3) Notwithstanding the above, the aquatic application of herbicides which result in water use restrictions shall be considered an activity for which a short term modification generally may be issued subject to the following conditions:~~

~~(a)) (1) A short-term modification may be issued in writing by the director or his/her designee to an individual or entity proposing the aquatic application of pesticides, including but not limited to those used for control of federally or state listed noxious and invasive species, and excess populations of native aquatic plants, mosquitoes, burrowing shrimp, and fish, subject to the following terms and conditions:~~

~~(a) A short-term modification will in no way lessen or remove the project proponent's obligations and liabilities under other federal, state and local rules and regulations.~~

~~(b) A request for a short-term modification shall be made to the department on forms supplied by the department. Such request ((generally)) shall be made at least thirty days prior to ((herbicide application);~~

~~(b) Such herbicide application shall be in accordance with state of Washington department of agriculture regulations;~~

~~(c) Such herbicide application shall be in accordance with label provisions promulgated by USEPA under the federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C. 136, et seq.);~~

~~(d) Notice, including identification of the herbicide, applicator, location where the herbicide will be applied, proposed timing and method of application, and water use restrictions shall be given according to the following requirements:~~

~~(i) Appropriate public notice as determined and prescribed by the director or his/her designee shall be given of any water use restrictions specified in USEPA label provisions;~~

~~(ii) The appropriate regional offices of the departments of fisheries and wildlife shall be notified twenty four hours prior to herbicide application; and~~

~~(iii) In the event of any fish kills, the departments of ecology, fisheries, and wildlife shall be notified immediately)) initiation of the proposed activity, and after the project~~

proponent has complied with the requirements of the State Environmental Policy Act (SEPA);

(c) A short-term modification shall be valid for the duration of the activity requiring modification of the criteria and special conditions in WAC 173-201A-030 through 173-201A-140, or for one year, whichever is less, except when the activity is part of an ongoing or long-term federal, state or local agency operation and maintenance plan, integrated pest or noxious weed management plan, waterbody or watershed management plan, or restoration plan. Such a plan must be developed through a public involvement process consistent with the Administrative Procedure Act (chapter 34.05 RCW) and be in compliance with SEPA, chapter 43.21C RCW, in which case the standards may be modified for the duration of the plan, or for five years, whichever is less;

(d) Appropriate public notice as determined and prescribed by the director or his/her designee shall be given, identifying the pesticide, applicator, location where the pesticide will be applied, proposed timing and method of application, and any water use restrictions specified in USEPA label provisions;

(e) The ((herbicide)) pesticide application shall be made at times so as to:

(i) Minimize public water use restrictions during weekends; and

(ii) ((Completely)) Avoid public water use restrictions during the opening week of fishing season, Memorial Day weekend, Independence Day weekend, and Labor Day weekend;

(f) Any additional conditions as may be prescribed by the director or his/her designee.

(2) A short-term modification may be issued for the control or eradication of noxious weeds identified as such in accordance with the state noxious weed control law, chapter 17.10 RCW, and Control of spartina and purple loosestrife, chapter 17.26 RCW. Short-term modifications for noxious weed control shall be included in a water quality permit issued in accordance with RCW 90.48.445, and the following requirements:

(a) Water quality permits for noxious weed control may be issued to the Washington state department of agriculture (WSDA) for the purposes of coordinating and conducting noxious weed control activities consistent with their responsibilities under chapter 17.10 and 17.26 RCW. Coordination may include noxious weed control activities identified in a WSDA integrated noxious weed management plan and conducted by individual landowners or land managers.

(b) Water quality permits may also be issued to individual landowners or land managers for noxious weed control activities where such activities are not covered by a WSDA integrated noxious weed management plan.

(3) The turbidity criteria established under WAC 173-201A-030 shall be modified to allow a temporary mixing zone during and immediately after necessary in-water or shoreline construction activities that result in the disturbance of in-place sediments. A temporary turbidity mixing zone is authorized only after the activity has received all other necessary local and state permits and approvals, and after the implementation of appropriate best management practices to avoid or minimize disturbance of in-place sediments and

exceedances of the turbidity criteria. A temporary turbidity mixing zone shall be as follows:

(a) For waters up to 10 cfs flow at the time of construction, the point of compliance shall be one hundred feet downstream from activity causing the turbidity exceedance.

(b) For waters above 10 cfs up to 100 cfs flow at the time of construction, the point of compliance shall be two hundred feet downstream of activity causing the turbidity exceedance.

(c) For waters above 100 cfs flow at the time of construction, the point of compliance shall be three hundred feet downstream of activity causing the turbidity exceedance.

(d) For projects working within or along lakes, ponds, wetlands, estuaries, marine waters or other nonflowing waters, the point of compliance shall be at a radius of one hundred fifty feet from activity causing the turbidity exceedance.

AMENDATORY SECTION (Amending Order 92-29, filed 11/25/92, effective 12/26/92)

**WAC 173-201A-130 Specific classifications—Freshwater.** Specific fresh surface waters of the state of Washington are classified as follows:

- (1) American River. Class AA
- (2) Big Quilcene River and tributaries. Class AA
- (3) Bumping River. Class AA
- (4) Burnt Bridge Creek. Class A
- (5) Cedar River from Lake Washington to the Maplewood Bridge (river mile 4.1). Class A
- (6) Cedar River and tributaries from the Maplewood Bridge (river mile 4.1) to Landsburg Dam (river mile 21.6). Class AA
- (7) Cedar River and tributaries from Landsburg Dam (river mile 21.6) to headwaters. Special condition - no waste discharge will be permitted. Class AA
- (8) Chehalis River from upper boundary of Grays Harbor at Cosmopolis (river mile 3.1, longitude 123°45'45" W) to Scammon Creek (river mile 65.8). Class A
- (9) Chehalis River from Scammon Creek (river mile 65.8) to Newaukum River (river mile 75.2). Special condition - dissolved oxygen shall exceed 5.0 mg/L from June 1 to September 15. For the remainder of the year, the dissolved oxygen shall meet Class A criteria. Class A
- (10) Chehalis River from Newaukum River (river mile 75.2) to Rock Creek (river mile 106.7). Class A
- (11) Chehalis River, from Rock Creek (river mile 106.7) to headwaters. Class AA
- (12) Chehalis River, south fork. Class A
- (13) Chewuch River. Class AA
- (14) Chiwawa River. Class AA
- (15) Cispus River. Class AA
- (16) Clearwater River. Class A
- (17) Cle Elum River. Class AA
- (18) Cloquallum Creek. Class A
- (19) Clover Creek from outlet of Lake Spanaway to inlet of Lake Steilacoom. Class A

- (20) Columbia River from mouth to the Washington-Oregon border (river mile 309.3). Special conditions - temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed 0.3°C due to any single source or 1.1°C due to all such activities combined. Dissolved oxygen shall exceed 90 percent of saturation. Special condition - special fish passage exemption as described in WAC 173-201A-060 (4)(b). Class A
- (21) Columbia River from Washington-Oregon border (river mile 309.3) to Grand Coulee Dam (river mile 596.6). Special condition from Washington-Oregon border (river mile 309.3) to Priest Rapids Dam (river mile 397.1). Temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed t=34/(T+9). Special condition - special fish passage exemption as described in WAC 173-201A-060 (4)(b). Class A
- (22) Columbia River from Grand Coulee Dam (river mile 596.6) to Canadian border (river mile 745.0). Class AA
- (23) Colville River. Class A
- (24) Coweeman River from mouth to Mulholland Creek (river mile 18.4). Class A
- (25) Coweeman River from Mulholland Creek (river mile 18.4) to headwaters. Class AA
- (26) Cowlitz River from mouth to base of Riffe Lake Dam (river mile 52.0). Class A
- (27) Cowlitz River from base of Riffe Lake Dam (river mile 52.0) to headwaters. Class AA
- (28) Crab Creek and tributaries. Class B
- (29) Decker Creek. Class AA
- (30) Deschutes River from mouth to boundary of Snoqualmie National Forest (river mile 48.2). Class A
- (31) Deschutes River from boundary of Snoqualmie National Forest (river mile 48.2) to headwaters. Class AA
- (32) Dickey River. Class A
- (33) Dosewallips River and tributaries. Class AA
- (34) Duckabush River and tributaries. Class AA
- (35) Dungeness River from mouth to Canyon Creek (river mile 10.8). Class A
- (36) Dungeness River and tributaries from Canyon Creek (river mile 10.8) to headwaters. Class AA
- (37) Duwamish River from mouth south of a line bearing 254° true from the NW corner of berth 3, terminal No. 37 to the Black River (river mile 11.0) (Duwamish River continues as the Green River above the Black River). Class B
- (38) Elochoman River. Class A
- (39) Elwha River and tributaries. Class AA
- (40) Entiat River from Wenatchee National Forest boundary (river mile 20.5) to headwaters. Class AA
- (41) Grande Ronde River from mouth to Oregon border (river mile 37). Special condition - temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed t=34/(T+9). Class A
- (42) Grays River from Grays River Falls (river mile 15.8) to headwaters. Class AA
- (43) Green River (Cowlitz County). Class AA
- (44) Green River (King County) from Black River (river mile 11.0 and point where Duwamish River continues as the Green River) to west boundary of Sec. 27-T21N-R6E (west boundary of Flaming Geyser State Park at river mile 42.3). Class A

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- (45) Green River (King County) from west boundary of Sec. 27-T21N-R6E (west boundary of Flaming Geyser State Park, river mile 42.3) to west boundary of Sec. 13-T21N-R7E (river mile 59.1). Class AA
- (46) Green River and tributaries (King County) from west boundary of Sec. 13-T21N-R7E (river mile 59.1) to headwaters. Special condition - no waste discharge will be permitted. Class AA
- (47) Hamma Hamma River and tributaries. Class AA
- (48) Hanaford Creek from mouth to east boundary of Sec. 25-T15N-R2W (river mile 4.1). Special condition - dissolved oxygen shall exceed 6.5 mg/L. Class A
- (49) Hanaford Creek from east boundary of Sec. 25-T15N-R2W (river mile 4.1) to headwaters. Class A
- (50) Hoh River and tributaries. Class AA
- (51) Hoquiam River (continues as west fork above east fork) from mouth to river mile 9.3 (Dekay Road Bridge) (upper limit of tidal influence). Class B
- (52) Humptulips River and tributaries from mouth to Olympic National Forest boundary on east fork (river mile 12.8) and west fork (river mile 40.4) (main stem continues as west fork). Class A
- (53) Humptulips River, east fork from Olympic National Forest boundary (river mile 12.8) to headwaters. Class AA
- (54) Humptulips River, west fork from Olympic National Forest boundary (river mile 40.4) to headwaters. Class AA
- (55) Issaquah Creek. Class A
- (56) Kalama River from lower Kalama River Falls (river mile 10.4) to headwaters. Class AA
- (57) Klickitat River from Little Klickitat River (river mile 19.8) to boundary of Yakima Indian Reservation. Class AA
- (58) Lake Washington Ship Canal from Government Locks (river mile 1.0) to Lake Washington (river mile 8.6). Special condition - salinity shall not exceed one part per thousand (1.0 ppt) at any point or depth along a line that transects the ship canal at the University Bridge (river mile 6.1). Lake Class
- (59) Lewis River, east fork, from Multon Falls (river mile 24.6) to headwaters. Class AA
- (60) Little Wenatchee River. Class AA
- (61) Methow River from mouth to Chewuch River (river mile 50.1). Class A
- (62) Methow River from Chewuch River (river mile 50.1) to headwaters. Class AA
- (63) Mill Creek from mouth to 13th Street Bridge in Walla Walla (river mile 6.4). Special condition - dissolved oxygen concentration shall exceed 5.0 mg/L. Class B
- (64) Mill Creek from 13th Street Bridge in Walla Walla (river mile 6.4) to Walla Walla Waterworks Dam ((~~river mile 25.2~~)) (river mile 11.5). Class A
- (65) Mill Creek and tributaries from city of Walla Walla Waterworks Dam ((~~river mile 25.2~~)) (river mile 21.6) to headwaters. Special condition - no waste discharge will be permitted. Class AA
- (66) Naches River from Snoqualmie National Forest boundary (river mile 35.7) to headwaters. Class AA
- (67) Naselle River from Naselle "Falls" (cascade at river mile 18.6) to headwaters. Class AA
- (68) Newaukum River. Class A
- (69) Nisqually River from mouth to Alder Dam (river mile 44.2). Class A
- (70) Nisqually River from Alder Dam (river mile 44.2) to headwaters. Class AA
- (71) Nooksack River from mouth to Maple Creek (river mile 49.7). Class A
- (72) Nooksack River from Maple Creek (river mile 49.7) to headwaters. Class AA
- (73) Nooksack River, south fork, from mouth to Skookum Creek (river mile 14.3). Class A
- (74) Nooksack River, south fork, from Skookum Creek (river mile 14.3) to headwaters. Class AA
- (75) Nooksack River, middle fork. Class AA
- (76) Okanogan River. Class A
- (77) Palouse River from mouth to south fork (Colfax, river mile 89.6). Class B
- (78) Palouse River from south fork (Colfax, river mile 89.6) to Idaho border (river mile 123.4). Special condition - temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed  $t=34/(T+9)$ . Class A
- (79) Pend Oreille River from Canadian border (river mile 16.0) to Idaho border (river mile 87.7). Special condition - temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed  $t=34/(T+9)$ . Class A
- (80) Pilchuck River from city of Snohomish Waterworks Dam (river mile 26.8) to headwaters. Class AA
- (81) Puyallup River from mouth to river mile 1.0. Class B
- (82) Puyallup River from river mile 1.0 to Kings Creek (river mile 31.6). Class A
- (83) Puyallup River from Kings Creek (river mile 31.6) to headwaters. Class AA
- (84) Queets River and tributaries. Class AA
- (85) Quillayute River. Class AA
- (86) Quinalt River and tributaries. Class AA
- (87) Salmon Creek (Clark County). Class A
- (88) Satsop River from mouth to west fork (river mile 6.4). Class A
- (89) Satsop River, east fork. Class AA
- (90) Satsop River, middle fork. Class AA
- (91) Satsop River, west fork. Class AA
- (92) Skagit River from mouth to Skiyou Slough-lower end (river mile 25.6). Class A
- (93) Skagit River and tributaries (includes Baker, Suak, Suiattle, and Cascade rivers) from Skiyou Slough-lower end, (river mile 25.6) to Canadian border (river mile 127.0). Special condition - Skagit River (Gorge by-pass reach) from Gorge Dam (river mile 96.6) to Gorge Powerhouse (river mile 94.2). Temperature shall not exceed 21°C due to human activities. When natural conditions exceed 21°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C, nor shall such temperature increases, at any time, exceed  $t=34/(T+9)$ . Class AA
- (94) Skokomish River and tributaries. Class AA
- (95) Skookumchuck River from Bloody Run Creek (river mile 21.4) to headwaters. Class AA
- (96) Skykomish River from mouth to May Creek (above Gold Bar at river mile 41.2). Class A
- (97) Skykomish River from May Creek (above Gold Bar at river mile 41.2) to headwaters. Class AA
- (98) Snake River from mouth to Washington-Idaho-Oregon border (river mile 176.1). Special condition: (a) Below Clearwater River (river mile 139.3). Temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed  $t=34/(T+9)$ . Special condition - special fish passage exemption as described in WAC 173-201A-060 (4)(b). (b) Above Clearwater River (river mile 139.3). Temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increases will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed 0.3°C due to any single source or 1.1°C due to all such activities combined. Class A

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- (99) Snohomish River from mouth and east of longitude 122°13'40"W upstream to latitude 47°56'30"N (southern tip of Ebey Island at river mile 8.1). Special condition - fecal coliform organism levels shall both not exceed a geometric mean value of 200 colonies/100 mL and not have more than 10 percent of the samples obtained for calculating the mean value exceeding 400 colonies/100 mL. Class A
- (100) Snohomish River upstream from latitude 47°56'30"N (southern tip of Ebey Island river mile 8.1) to confluence with Skykomish and Snoqualmie River (river mile 20.5). Class A
- (101) Snoqualmie River and tributaries from mouth to west boundary of Twin Falls State Park on south fork (river mile 9.1). Class A
- (102) Snoqualmie River, middle fork. Class AA
- (103) Snoqualmie River, north fork. Class AA
- (104) Snoqualmie River, south fork, from west boundary of Twin Falls State Park (river mile 9.1) to headwaters. Class AA
- (105) Soleduck River and tributaries. Class AA
- (106) Spokane River from mouth to Long Lake Dam (river mile 33.9). Special condition - temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed  $t=34/(T+9)$ . Class A
- (107) Spokane River from Long Lake Dam (river mile 33.9) to Nine Mile Bridge (river mile 58.0). Special conditions:  
 (a) The average euphotic zone concentration of total phosphorus (as P) shall not exceed 25µg/L during the period of June 1 to October 31.  
 (b) Temperature shall not exceed 20.0°C, due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time exceed  $t=34/(T+9)$ . Lake Class
- (108) Spokane River from Nine Mile Bridge (river mile 58.0) to the Idaho border (river mile 96.5). Temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time exceed  $t=34/(T+9)$ . Class A
- (109) Stehekin River. Class AA
- (110) Stillaguamish River from mouth to north and south forks (river mile 17.8). Class A
- (111) Stillaguamish River, north fork, from mouth to Squire Creek (river mile 31.2). Class A
- (112) Stillaguamish River, north fork, from Squire Creek (river mile 31.2) to headwaters. Class AA
- (113) Stillaguamish River, south fork, from mouth to Canyon Creek (river mile 33.7). Class A
- (114) Stillaguamish River, south fork, from Canyon Creek (river mile 33.7) to headwaters. Class AA
- (115) Sulphur Creek. Class B
- (116) Sultan River from mouth to Chaplain Creek (river mile 5.9). Class A
- (117) Sultan River and tributaries from Chaplain Creek (river mile 5.9) to headwaters. Special condition - no waste discharge will be permitted above city of Everett Diversion Dam (river mile 9.4). Class AA
- (118) Sumas River from Canadian border (river mile 12) to headwaters (river mile 23). Class A
- (119) Tieton River. Class AA
- (120) Tolt River, south fork and tributaries from mouth to west boundary of Sec. 31-T26N-R9E (river mile 6.9). Class AA
- (121) Tolt River, south fork from west boundary of Sec. 31-T26N-R9E (river mile 6.9) to headwaters. Special condition - no waste discharge will be permitted. Class AA
- (122) Touchet River, north fork from Dayton water intake structure (river mile 3.0) to headwaters. Class AA
- (123) Toutle River, north fork, from Green River to headwaters. Class AA
- (124) Toutle River, south fork. Class AA
- (125) Tucannon River from Umatilla National Forest boundary (river mile 38.1) to headwaters. Class AA
- (126) Twisp River. Class AA
- (127) Union River and tributaries from Bremerton Waterworks Dam (river mile 6.9) to headwaters. Special condition - no waste discharge will be permitted. Class AA
- (128) Walla Walla River from mouth to Lowden (Dry Creek at river mile 27.2). Class B
- (129) Walla Walla River from Lowden (Dry Creek at river mile 27.2) to Oregon border (river mile 40). Special condition - temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed  $t=34/(T+9)$ . Class A
- (130) Wenatchee River from Wenatchee National Forest boundary (river mile 27.1) to headwaters. Class AA
- (131) White River (Pierce-King counties) from Mud Mountain Dam (river mile 27.1) to headwaters. Class AA
- (132) White River (Chelan County). Class AA
- (133) Wildcat Creek. Class A
- (134) Willapa River upstream of a line bearing 70° true through Mailboat Slough light (river mile 1.8). Class A
- (135) Wishkah River from mouth to river mile 6 (SW 1/4 SW 1/4 NE 1/4 Sec. 21-T18N-R9W). Class B
- (136) Wishkah River from river mile 6 (SW 1/4 SW 1/4 NE 1/4 Sec. 21-T18N-R9W) to west fork (river mile 17.7). Class A
- (137) Wishkah River from west fork of Wishkah River (river mile 17.7) to south boundary of Sec. 33-T21N-R8W (river mile 32.0). Class AA
- (138) Wishkah River and tributaries from south boundary of Sec. 33-T21N-R8W (river mile 32.0) to headwaters. Special condition - no waste discharge will be permitted. Class AA
- (139) Wynoochee River from mouth to Olympic National Forest boundary (river mile 45.9). Class A
- (140) Wynoochee River from Olympic National Forest boundary (river mile 45.9) to headwaters. Class AA
- (141) Yakima River from mouth to Cle Elum River (river mile 185.6). Special condition - temperature shall not exceed 21.0°C due to human activities. When natural conditions exceed 21.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed  $t=34/(T+9)$ . Class A
- (142) Yakima River from Cle Elum River (river mile 185.6) to headwaters. Class AA

**AMENDATORY SECTION** (Amending Order 92-29, filed 11/25/92, effective 12/26/92)

**WAC 173-201A-140 Specific classifications—Marine water.** Specific marine surface waters of the state of Washington are classified as follows:

- (1) Budd Inlet south of latitude 47°04'N (south of Priest Point Park). Class B
- (2) Coastal waters: Pacific Ocean from Ilwaco to Cape Flattery. Class AA
- (3) Commencement Bay south and east of a line bearing 258° true from "Brown's Point" and north and west of line bearing 225° true through the Hylebos waterway light. Class A

- (4) Commencement Bay, inner, south and east of a line bearing 225° true through Hylebos waterway light except the city waterway south and east of south 11th Street. Class B
- (5) Commencement Bay, city waterway south and east of south 11th Street. Class C
- (6) Drayton Harbor, south of entrance. Class A
- (7) Dyes and Sinclair Inlets west of longitude 122°37'W. Class A
- (8) Elliott Bay east of a line between Pier 91 and Duwamish head. Class A
- (9) Everett Harbor, inner, northeast of a line bearing 121° true from approximately 47°59'5"N and 122°13'44"W (southwest corner of the pier). Class B
- (10) Grays Harbor west of longitude 123°59'W. Class A
- (11) Grays Harbor east of longitude 123°59'W to longitude 123°45'45"W (Cosmopolis Chehalis River, river mile 3.1). Special condition - dissolved oxygen shall exceed 5.0 mg/L. Class B
- (12) Guemes Channel, Padilla, Samish and Bellingham Bays east of longitude 122°39'W and north of latitude 48°27'20"N. Class A
- (13) Hood Canal. Class AA
- (14) Mukilteo and all North Puget Sound west of longitude 122°39' W (Whidbey, Fidalgo, Guemes and Lummi islands and State Highway 20 Bridge at Deception Pass), except as otherwise noted. Class AA
- (15) Oakland Bay west of longitude 123°05'W (inner Shelton harbor). Class B
- (16) Port Angeles south and west of a line bearing 152° true from buoy "2" at the tip of Ediz Hook. Class A
- (17) Port Gamble south of latitude ((47°15'20"N) 47°51'20"N). Class A
- (18) Port Townsend west of a line between Point Hudson and Kala Point. Class A
- (19) Possession Sound, south of latitude 47°57'N. Class AA
- (20) Possession Sound, Port Susan, Saratoga Passage, and Skagit Bay east of Whidbey Island and State Highway 20 Bridge at Deception Pass between latitude 47°57'N (Mukilteo) and latitude 48°27'20"N (Similk Bay), except as otherwise noted. Class A
- (21) Puget Sound through Admiralty Inlet and South Puget Sound, south and west to longitude 122°52'30"W (Brisco Point) and longitude 122°51'W (northern tip of Hartstene Island). Class AA
- (22) Sequim Bay southward of entrance. Class AA
- (23) South Puget Sound west of longitude 122°52'30"W (Brisco Point) and longitude 122°51'W (northern tip of Hartstene Island, except as otherwise noted). Class A
- (24) Strait of Juan de Fuca. Class AA
- (25) Totten Inlet and Little Skookum Inlet, west of longitude ((422°5'32") 122°56'32" (west side of Steamboat Island). Class AA
- (26) Willapa Bay seaward of a line bearing 70° true through Mailboat Slough light (Willapa River, river mile 1.8). Class A

(a) Activities which generate nonpoint source pollution shall be conducted so as to comply with the water quality standards. The primary means to be used for requiring compliance with the standards shall be through best management practices required in waste discharge permits, rules, orders, and directives issued by the department for activities which generate nonpoint source pollution.

(b) Best management practices shall be applied so that when all appropriate combinations of individual best management practices are utilized, violation of water quality criteria shall be prevented. If a discharger is applying all best management practices appropriate or required by the department and a violation of water quality criteria occurs, the discharger shall modify existing practices or apply further water pollution control measures, selected or approved by the department, to achieve compliance with water quality criteria. Best management practices established in permits, orders, rules, or directives of the department shall be reviewed and modified, as appropriate, so as to achieve compliance with water quality criteria.

(c) Activities which contribute to nonpoint source pollution shall be conducted utilizing best management practices to prevent violation of water quality criteria. When applicable best management practices are not being implemented, the department may conclude individual activities are causing pollution in violation of RCW 90.48.080. In these situations, the department may pursue orders, directives, permits, or civil or criminal sanctions to gain compliance with the standards.

(d) Activities which cause pollution of storm water shall be conducted so as to comply with the water quality standards. The primary means to be used for requiring compliance with the standards shall be through best management practices required in waste discharge permits, rules, orders, and directives issued by the department for activities which generate storm water pollution. The consideration and control procedures in (b) and (c) of this subsection apply to the control of pollutants in storm water.

**(4) Allowance for compliance schedules.**

(a) Permits, orders, and directives of the department for existing discharges may include a schedule for achieving compliance with water quality criteria contained in this chapter. Such schedules of compliance shall be developed to ensure final compliance with all water quality-based effluent limits in the shortest practicable time. Decisions regarding whether to issue schedules of compliance will be made on a case-by-case basis by the department. Schedules of compliance may not be issued for new discharges. Schedules of compliance may be issued to allow for: (i) construction of necessary treatment capability; (ii) implementation of necessary best management practices; (iii) implementation of additional storm water best management practices for discharges determined not to meet water quality criteria following implementation of an initial set of best management practices; (iv) completion of necessary water quality studies; or (v) resolution of a pending water quality standards' issue through rule-making action.

(b) For the period of time during which compliance with water quality criteria is deferred, interim effluent limitations shall be formally established, based on the best professional judgment of the department. Interim effluent limitations may be numeric or nonnumeric (e.g., construction of

**AMENDATORY SECTION** (Amending Order 92-29, filed 11/25/92, effective 12/26/92)

**WAC 173-201A-160 Implementation.** (1) **Discharges from municipal, commercial, and industrial operations.** The primary means to be used for controlling municipal, commercial, and industrial waste discharges shall be through the issuance of waste disposal permits, as provided for in RCW 90.48.160, 90.48.162, and 90.48.260.

(2) **Miscellaneous waste discharge or water quality effect sources.** The director shall, through the issuance of regulatory permits, directives, and orders, as are appropriate, control miscellaneous waste discharges and water quality effect sources not covered by subsection (1) of this section.

(3) **Nonpoint source and storm water pollution.**

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necessary facilities by a specified date as contained in an ecology order or permit).

(c) Prior to establishing a schedule of compliance, the department shall require the discharger to evaluate the possibility of achieving water quality criteria via nonconstruction changes (e.g., facility operation, pollution prevention). Schedules of compliance may in no case exceed ten years, and shall generally not exceed the term of any permit.

**WSR 97-12-044**  
**PROPOSED RULES**  
**DEPARTMENT OF LICENSING**  
[Filed June 2, 1997, 3:00 p.m.]

Original Notice.

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

Title of Rule: Chapter 308-330 WAC, Washington model traffic ordinance.

Purpose: Implementation of EHB 1940, chapter 229, Laws of 1997, and SSB 5060, chapter 66, Laws of 1997. The proposed rule amendments reflect the changes made to the model traffic ordinances by enactment of this legislation.

Statutory Authority for Adoption: RCW 46.90.010.

Statute Being Implemented: Chapters 66 and 229, Laws of 1997.

Summary: The model traffic ordinance is amended relating to the driving while under the influence of liquor or drugs and to clarify driving statutes.

Reasons Supporting Proposal: Implementation of 1997 session legislation.

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

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: Amendatory sections WAC 308-330-307, adding RCW 46.20.720, [46.20].730, and [46.20].740 amended by EHB 1940, chapter 229, Laws of 1997 and adding sections 1 and 2, chapter 66, Laws of 1997, added by SSB 5060; and WAC 308-330-425, adding section 4, chapter 66, Laws of 1997, added by SSB 5060.

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.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The proposed rule making does not impose more than a minor cost on businesses in an industry. 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 July 10, 1997, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Jack Lince by July 8, 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 July 8, 1997.

Date of Intended Adoption: July 15, 1997.

June 2, 1997  
Eric L. Anderson  
for Nancy Kelly, Administrator  
Title and Registration Services

AMENDATORY SECTION (Amending WSR 97-10-068, filed 5/5/97, effective 6/5/97)

**WAC 308-330-307 RCW sections adopted—Driver licenses-identcards.** The following sections of the Revised Code of Washington (RCW) pertaining to driver licenses and identification cards as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.20.021, 46.20.022, 46.20.025, 46.20.027, 46.20.031, 46.20.041, 46.20.045, 46.20.055, 46.20.070, 46.20.190, 46.20.220, 46.20.308, 46.20.336, 46.20.338, 46.20.342, 46.20.343, 46.20.344, 46.20.391, 46.20.394, 46.20.410, 46.20.420, 46.20.430, 46.20.500, 46.20.510, 46.20.550, 46.20.720, 46.20.730, 46.20.740, 46.20.750, ((and)) 46.20.3101, and sections 1 and 2, chapter 66, Laws of 1997.

AMENDATORY SECTION (Amending WSR 97-10-068, filed 5/5/97, effective 6/5/97)

**WAC 308-330-425 RCW sections adopted—Reckless driving, vehicular homicide and assault.** The following sections of the Revised Code of Washington (RCW) pertaining to reckless driving, driving while under the influence of intoxicating liquor or any drug, vehicular homicide and assault as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.61.500, 46.61.502, 46.61.503, 46.61.504, 46.61.5054, 46.61.5055, 46.61.5057, 46.61.5058, 46.61.506, 46.61.517, 46.61.519, 46.61.5191, 46.61.5195, 46.61.525, 46.61.527, 46.61.530, 46.61.535, ((and)) 46.61.540, and section 4, chapter 66, Laws of 1997.

**WSR 97-12-062**  
**WITHDRAWAL OF PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(By the Code Reviser's Office)  
[Filed June 3, 1997, 1:00 p.m.]

WAC 388-513-1380, proposed by the Department of Social and Health Services in WSR 96-23-045, appearing in issue 96-23 of the State Register, which was distributed on December 4, 1996, is withdrawn by the code reviser's office under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor  
Washington State Register

**WSR 97-12-063**  
**WITHDRAWAL OF PROPOSED RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
 (By the Code Reviser's Office)  
 [Filed June 3, 1997, 1:02 p.m.]

WAC 296-306-060, 296-306-330, 296-306-400, 296-306-40007 and 296-306-40009, proposed by the Department of Labor and Industries in WSR 96-23-062, appearing in issue 96-23 of the State Register, which was distributed on December 4, 1996, is withdrawn by the code reviser's office under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor  
 Washington State Register

**WSR 97-12-068**  
**PROPOSED RULES**  
**CODE REVISER'S OFFICE**  
 [Filed June 3, 1997, 3:45 p.m.]

**Original Notice.**

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

Title of Rule: WAC 1-21-010 Preproposal statement of inquiry; 1-21-020 Notice—Form, contents, numbers; 1-21-070 Administrative order; 1-21-170 Official forms; and 1-21-180 Rule-making activity report.

Purpose: To amend chapter 1-21 WAC to reflect new requirements imposed by sections 202 and 208, chapter 409, Laws of 1997, and to make housekeeping changes.

Statutory Authority for Adoption: RCW 1.08.110, 34.05.385, 34.08.020, and 34.08.030.

Statute Being Implemented: RCW 34.05.230, 34.05.354, and sections 202 and 208, chapter 409, Laws of 1997.

Summary: Amending chapter 1-21 WAC to clarify the guidelines required by sections 202 and 208, chapter 409, Laws of 1997, and making housekeeping changes.

Reasons Supporting Proposal: Necessary to implement chapter 409, Laws of 1997 (E2SHB 1032).

Name of Agency Personnel Responsible for Drafting: Gary Reid, Legislative Building, Olympia, Washington, (360) 786-6777; Implementation and Enforcement: Code Reviser's Office, Legislative Building, Olympia, Washington, (360) 786-6777.

Name of Proponent: Code Reviser's Office, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 1-21-010 and 1-21-020 are amended to incorporate changes passed by the legislature in sections 202 and 208, chapter 409, Laws of 1997; WAC 1-21-070 is amended to remove outdated information; WAC 1-21-170 is amended to change the name of the CR-101X form to Expedited Repeal—Preproposal Statement of Inquiry and to add the CR-102X form entitled Expedited Adoption—Proposed Rule Making; and WAC 1-21-180 is amended to correct internal references.

Proposal Changes the Following Existing Rules: WAC 1-21-010 is amended to clarify the new expedited repeal requirements of RCW 34.05.354; WAC 1-21-020 is amended to clarify the new expedited adoption requirements of RCW 34.05.230; WAC 1-21-070 is amended to remove an outdated requirement; WAC 1-21-170 is amended to change the name of the CR-101X form and to add the CR-102X form; and WAC 1-21-180 is amended to correct internal references.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The Code Reviser's Office has determined that the rule is not subject to the Regulatory Fairness Act because the rule is for the purpose of implementing the requirements of chapter 409, Laws of 1997, and will not impact businesses.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The Code Reviser's Office is not a listed agency in RCW 34.05.328.

Hearing Location: House Rules Room, Legislative Building, Southwest Corner, on July 8, 1997, at 3:00 p.m.

Assistance for Persons with Disabilities: Contact Kerry Radcliff by July 2, 1997, TDD (800) 635-9993, or (360) 786-6697.

Submit Written Comments to: Kerry Radcliff, Code Reviser's Office, P.O. Box 40551, Olympia, WA 98504-0551, FAX (360) 586-6480, by July 7, 1997.

Date of Intended Adoption: July 10, 1997.

June 3, 1997

Dennis W. Cooper  
 Code Reviser

**AMENDATORY SECTION** (Amending WSR 95-17-070, filed 8/17/95, effective 9/17/95)

**WAC 1-21-010 Preproposal statement of inquiry.**

To solicit comments from the public as required by RCW 34.05.310 on a subject of possible rule making, but before a formal notice is filed under RCW 34.05.320, an agency shall complete and file with the code reviser's office a CR-101 form (Preproposal Statement of Inquiry). This requirement does not apply to all rule making. The exceptions are set forth in RCW 34.05.310(4).

The text of the new rule is neither required nor recommended at this stage, but if text is submitted for filing, it must meet the form and style requirements of WAC 1-21-110 through 1-21-130. The filing will appear in the Register in accordance with the schedule provided in WAC 1-21-040. Note that the CR-101 must be published at least thirty days before the CR-102 form (Proposed Rule Making) may be filed.

WAC sections proposed for expedited repeal under RCW (~~34.05. (1995 e 403 s 701))~~ 34.05.354 should be listed by citation and caption only, either individually or by entire chapter, and filed (~~between June 10th and June 30th~~) either March 10th through April 1st or September 10th through October 1st of each year.

**AMENDATORY SECTION** (Amending WSR 95-17-070, filed 8/17/95, effective 9/17/95)

**WAC 1-21-020 Notice—Form, contents, numbers.**

(1)(a) An agency shall file a regular notice of proposed rule making under RCW 34.05.320 with the code reviser's office

on a CR-102 form (Proposed Rule Making). The agency must file the full text of the proposed rule along with the Notice form (RCW 34.08.020). This filing must be at least thirty days after the CR-101 form, if required, was published (RCW 34.05.310); or

(b) An agency shall file notice for the expedited adoption of rules under RCW 34.05.230 with the code reviser's office on a CR-102X form (Expedited Adoption—Proposed Rule Making). The agency must file the full text of the proposed rule along with the CR-102X form (RCW 34.05.230). This filing must be published in the Register at least forty-five days before the agency may adopt the proposal and file a CR-103 form (Rule-Making Order).

(2) The agency shall file the original and six copies of ~~(the)~~ either notice package (form and text). The code reviser's office will keep the original and two copies and return four stamped copies to the agency. The joint administrative rules review committee has requested that the agency submit three of these copies to the committee for purposes of legislative review. The agency should keep the remaining copy for its files.

AMENDATORY SECTION (Amending Order 89-1, filed 5/31/89)

**WAC 1-21-070 Administrative order.** (1) The administrative order by which an agency adopts a rule shall be done on a CR-103 form (Rule-making Order) provided by the code reviser's office or, if required by agency practice, on an agency form that provides the information required by RCW 34.05.360. ~~((The agency shall number administrative orders sequentially, with a unique number for each rule-making proceeding.))~~

(2) The agency shall file with the code reviser's office the original and three copies of the text of permanent rules, along with four copies of the administrative order. Emergency rules require an additional three copies of the order and the text, which the agency shall file with the rules review committee after the copies have been stamped by the code reviser's office.

AMENDATORY SECTION (Amending WSR 95-17-070, filed 8/17/95, effective 9/17/95)

**WAC 1-21-170 Official forms.** Agencies may obtain the following official forms from the code reviser's office upon request:

- (1) Form CR-101 Preproposal Statement of Inquiry
- (2) Form CR-101X Expedited Repeal—Preproposal Statement of Inquiry ~~((for expedited repeal only))~~
- (3) Form CR-102 Proposed Rule Making
- (4) Form CR-102X Expedited Adoption—Proposed Rule Making
- ~~(5)~~ Form CR-103 Rule-making Order
- ~~((5))~~ (6) Form CR-104 Review of Previously Adopted Rules.

AMENDATORY SECTION (Amending WSR 95-17-070, filed 8/17/95, effective 9/17/95)

**WAC 1-21-180 Rule-making activity report.** To implement RCW ~~((1.08.—(1995 e 403 s 704)))~~ 1.08.112, agencies shall supply the information required by RCW

~~((1.08.—))~~ 1.08.112 (1)(a) through (f) and (i) ~~((1995 e 403 s 704 (1)(a) through (f) and (i)))~~ by completing the appropriate parts of the CR-103 form. Agencies shall report information required by RCW ~~((1.08.—))~~ 1.08.112 (1)(g) and (h) ~~((1995 e 403 s 704 (1)(g) and (h)))~~ by a memorandum on agency letterhead to the code reviser.

**WSR 97-12-074**  
**PROPOSED RULES**  
**DEPARTMENT OF TRANSPORTATION**  
[Filed June 4, 1997, 8:40 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-03-118.

Title of Rule: Repealing Title 466 WAC, Toll Bridge Authority and WAC 468-300-210 Transporting hazardous materials on Washington state ferries; and new WAC 468-300-220 Calculation of charter rates for vessels owned by the Washington [state ferry system].

Purpose: To revise rules to reflect 1997 legislative changes in chapter 323, Laws of 1997.

Statutory Authority for Adoption: RCW 47.01.061 and 42.30.070.

Statute Being Implemented: Chapter 47.60 RCW.

Summary: Title 466 WAC, Toll Bridge Authority and WAC 468-300-210 are repealed due to 1997 legislation. WAC 468-300-220 will implement that legislation.

Reasons Supporting Proposal: Chapter 323, Laws of 1997, amended chapter 47.60 RCW to allow chartering of Washington state ferry vessels to hazardous material transporters and set forth conditions of such chartering.

Name of Agency Personnel Responsible for Drafting: William L. Williams, Assistant Attorney General and Bill Greene, Washington State Ferries, Olympia and Seattle, (360) 753-4960; Implementation: Terry McCarthy, Colman Dock, Seattle, Washington, (206) 515-3403; and Enforcement: Paul Green, Colman Dock, Seattle, Washington, (206) 515-3401.

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: WAC 468-300-220 will implement 1997 legislation concerning chartering of Washington state ferry vessels, including hazardous material transporters. It sets forth the calculation of charter rates for those vessels from July 27, 1997, (the date specified in the legislation), through June 30, 1998. Consistent with the legislation, the rates will be updated each year beginning July 1, 1998. Because of effective date set forth in the legislation, it is anticipated that this rule will be adopted on both an emergency and regular basis at the July 16, 1997, hearing.

Proposal Changes the Following Existing Rules: WSR 97-03-118 began the process for modifying rules relating to transportation of hazardous materials on Washington state ferry vessels. The Transportation Commission postponed considering modifications because the 1997 legislature was considering addressing this matter with legislation. Chapter 323, Laws of 1997, stipulates the conditions for such



June 3, 1997  
Chris R. Rose  
Administrator

chartering. To implement the provisions of this legislation, this proposal would repeal Title 466 WAC, Toll Bridge Authority and WAC 468-300-210 Transporting hazardous materials on Washington state ferries and implement a new rule, WAC 468-300-220 Calculation of charter rates for vessels owned by the Washington state ferry system.

No small business economic impact statement has been prepared under chapter 19.85 RCW. It is exempt pursuant to RCW 19.85.025 and 34.05.310(4) in that the rule adopts or incorporates provisions of state law.

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

Hearing Location: Transportation Commission, Room 1D2, Transportation Building, Olympia, Washington 98504, on July 16, 1997, at 1:00 p.m.

Assistance for Persons with Disabilities: Contact Commission Office by July 7, 1997, TDD (360) 705-6980, or 1-800-486-8392.

Submit Written Comments to: Terry McCarthy, Washington State Ferries Deputy Director, Colman Dock, Pier 52, 801 Alaskan Way, Mailstop TB-32, Seattle, WA 98104-1487, FAX (206) 515-3682, by July 14, 1997.

Date of Intended Adoption: July 16, 1997.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

- WAC 468-300-210 Transporting hazardous materials on Washington state ferries.
- Title 466 WAC Toll Bridge Authority.

**NEW SECTION**

**WAC 468-300-220 Calculation of charter rates for vessels owned by the Washington state ferry system.** Pursuant to Chapter 323, Laws of 1997, vessels owned by the Washington State Ferry System may be made available for charter subject to operational availability. Execution of a charter agreement as set forth in the statute must precede a commitment to charter. The following actual hourly vessel operating costs have been calculated for establishing the rates to be charged for vessel charters from July 27, 1997, through June 30, 1998:

Vessel Class	Deck Crew On Overtime	Deck Crew Not On Overtime
Jumbo	\$987.69	808.53
Super	949.27	776.27
Evergreen	725.99	582.84
Issaquah	723.97	594.50
Steel	602.60	489.58
Rhododendron	575.60	462.58
Hiyu	430.27	356.31
Passenger Only	420.05	359.75

The rate for an individual charter will be calculated by multiplying the actual operating cost set forth above for the vessel that is chartered by the number of hours, or fraction thereof, for which the vessel is chartered. If a particular charter requires a crew callout, additional labor costs, mileage and per diem expenses incurred shall be added to determine the total actual cost, which shall then be increased by fifty percent, and then rounded to the nearest fifty dollars to determine the rate to be charged for the charter. In the case of charters for the transport of hazardous materials, the transporter is required to pay for all legs necessary to complete the charter, even if the vessel is simultaneously engaged in an operational voyage on behalf of the Washington State Ferry System.

**WSR 97-12-079  
PROPOSED RULES  
PERSONNEL RESOURCES BOARD**

[Filed June 4, 1997, 10:03 a.m.]

Original Notice.

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

Title of Rule: New sections WAC 356-05-422 Tier and 356-14-069 Compensation for broad band classifications; and amending WAC 356-14-010 Compensation plan—General provisions, 356-14-110 Salary—Periodic increment dates—Original—Subsequent, 356-14-120 Salary—Periodic increment date—Promotion, 356-14-140 Salary—Increase on promotion, 356-14-160 Salary—Voluntary demotion—Computation, 356-30-330 Reduction in force—Reasons, regulations—Procedure, and 356-34-020 Reduction in salary—Demotion—Procedure.

Purpose: These rules pertain to definitions, compensation, periodic increment dates, promotion, demotion, voluntary demotion, and reduction-in-force.

Statutory Authority for Adoption: Chapter 41.06 RCW.

Statute Being Implemented: RCW 41.06.150.

Summary: These modifications will allow a broad band approach to be applied to a variety of classifications in the general service.

Name of Agency Personnel Responsible for Drafting: Sharon Peck, 521 Capitol Way South, Olympia, WA, (360) 753-0468; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: These rules pertain to definitions, compensation, periodic increment dates, promotion, demotion, voluntary demotion, and reduction-in-force. Currently, the classification structure is very specifically defined. Each position is assigned to a job class and corresponding salary range. These modifications will change the current system to allow for a new concept called "broad band approach" to be applied to a variety of classifications in general service. This broad band class concept combines related functions into occupational groupings and are compensated through tiers which incorporate the salary ranges of the related functions. A tier will be considered equivalent to a class. This broad band approach will establish a classification and compensation system that will meet the changing current and future needs of state agencies and institutions.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not required.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. These rules relate to internal government operations that are not subject to violation by a nongovernmental party. Therefore, pursuant to RCW 34.05.328 [(5)](b)(ii), section 201 does not apply.

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA, on July 10, 1997, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Department of Personnel by July 3, 1997, TDD (360) 753-4107, or (360) 586-0509.

Submit Written Comments to: Sharon Peck, Department of Personnel, P.O. Box 47500, FAX (360) 586-4694, by July 8, 1997.

Date of Intended Adoption: July 10, 1997.

June 4, 1997  
Dennis Karras  
Secretary

**AMENDATORY SECTION** (Amending WSR 84-17-042 (Order 209), filed 8/10/84)

**WAC 356-05-075 Class.** Identification of a position, or a group of positions, sufficiently similar in duties so that the same requirements of training, experience, or skill and the same title, examination, and salary range may be applied. Broad band classes combine related functions into occupational groupings and are compensated through tiers which incorporate the salary ranges of the related functions. A tier shall be considered equivalent to a class.

## NEW SECTION

**WAC 356-05-422 Tier.** A tier is a level within a general service broad band classification. Each tier will have a maximum and minimum salary established by the Board. After serving a probationary or trial service period, an employee will gain permanent status in the tier. For purposes of promotion, demotion, and transfer the minimum and maximum salary for each tier will be equivalent to a salary range. For purposes of administering these rules, including reduction in force, a tier will be considered equivalent to a class.

## NEW SECTION

**WAC 356-14-069 Compensation for broad band classifications.** For the purposes of administering WAC 356, a tier will be considered equivalent to a class.

(1) Compensation for positions within broad band classifications shall not exceed the maximum or fall below the minimum amount of the tier set by the Board unless specified under these rules. After the initial transition, the agency may make salary adjustments to all or individual positions under the following conditions:

(a) Documented recruitment and/or retention problems that exceed the tier as approved by the director or designee in advance of the action. Such increases may be a one time payment or be added to base pay. These increases shall not exceed prevailing rate as determined by the Department of Personnel.

(b) Combined salary adjustments under (1)(c), (d), and (e) of this section normally shall not exceed 10% in a 12 consecutive months period. Increases above 10% must be approved by the director of personnel prior to the action.

(c) When the employee remains in the position, service increments of 5% shall be provided for the first three years following initial hire into a tier as provided in WAC 356-14-110. The following applies to employees who transition to broad band classes:

(i) Employees who at the time of transition are at step K or Y-rated shall not be eligible for service increments.

(ii) Employees who are not at step K shall retain their periodic increment date and receive periodic increments through step K of the range held at the time of transition.

(iii) Employees who transition shall continue to receive scheduled salary adjustments such as in-training adjustments.

(d) After promotion to a higher tier, service increments of 5% each may be provided for up to 3 years as provided in WAC 356-14-140.

(e) Job growth increases may be given as follows:

(i) up to 10% may be granted to recognize changes in the duties and responsibilities of a position within a tier.

(ii) The addition of supervisory responsibilities normally should be compensated with an increase of from 5% to 10%.

(f) Developmental pay increases up to 10% may be granted to recognize an employee's acquisition and application of new skills, knowledge, or competencies or for recognition of added capacity or value to the organization as determined by agency management. This may be a one-time payment or it may be added to base pay. Developmental pay increases may be given only once in a 12 consecutive month period. Developmental pay shall be granted only after service increment pay is exhausted.

(g) Promotion to a subsequent tier shall be compensated up to 10% increase. Promotion over an intervening tier may exceed the 10% limit as authorized by the director of personnel as provided in WAC 356-14-140. Upon promotion, an increase of more than 10% to bring the employee to the minimum salary of the new tier shall not require approval by the director.

(h) Voluntary demotion to a lower tier may result in a lower salary as provided in WAC 356-14-160. The agency shall determine the salary based on the following:

- (i) the requirements of the position,
- (ii) internal alignment,
- (iii) unusual circumstances, and/or
- (iv) the qualifications of the employee.

(i) A disciplinary demotion for cause may result in a lower salary within the current tier or in a lower tier as provided in WAC 356-34-020.

(j) Salary for reallocation to a lower tier shall be determined under the provisions of WAC 356-10-040.

(2) Requests for salary adjustment exceptions may be granted only by the Director of Personnel.

(3) Assignment pay and Y-rates shall be handled based on the provisions of chapters 356-14 and 356-15 WAC.

(4) Each agency shall develop policies and procedures for salary adjustments within broad band classifications that are consistent with these rules. The policies and procedures shall include:

- (a) criteria for determining placement within a tier,
- (b) criteria for determining eligibility for job growth increases,
- (c) criteria for determining eligibility for developmental increases, and
- (d) criteria for determining salary adjustment percentage rates.

**AMENDATORY SECTION** (Amending WSR 86-14-071 (Order 253), filed 7/1/86, effective 8/1/86)

**WAC 356-14-010 Compensation plan—General provisions.** The director of personnel shall prepare a compensation plan for all classifications. The plan shall provide for:

(1) Full compensation to each employee for all work assigned and performed and consideration of all compensation to the employee in setting the employee's salary.

(2) Salary range schedules including the first, intervening, and maximum steps of each range or tiers with maximum and minimum salary amounts for each level in a broad band classification.

(3) Assignment of each classification to a salary range giving full consideration to the prevailing rates in Washington state private industries, and other governmental units, for positions of a similar nature to provide like pay for like work.

(4) Work period designation of each classification, or individual positions within a classification.

(5) Rates of premium pay, shift premium, and standby pay schedules determined by the personnel board in the same manner as are basic salaries.

(6) Appropriate statistical standards and reporting requirements as outlined in chapter 356-14 WAC for comprehensive and trend salary/fringe benefit surveys.

**AMENDATORY SECTION** (Amending WSR 95-19-054, filed 9/15/95, effective 10/16/95)

**WAC 356-14-110 Salary—Periodic increment dates—Original—Subsequent.** (1) The periodic increment date (PID) is the date on which an employee automatically advances to a higher dollar amount in the range to which the employee's position is classified; provided

(a) The employee's basic salary is not already at or above the maximum step of the assigned range, or

(b) The employee's standards of performance are such as to permit retention in a job status.

(2) The dollar amount of the increase will be two salary schedule increments; except

(a) The amount shall be one salary schedule increment if a two-increment increase would place the employee's basic salary above the maximum of the range of the employee's classification, or

(b) A fractional part of an increment amount shall be regarded as a full increment advance, if the employee's basic salary was between salary schedule steps immediately prior to the increase, or

(c) The dollar amount increase is stated otherwise in the compensation plan appendix or chapter 15.

(3) The original periodic increment date for an employee is:

(a) Six continuous months from the date the employee began work at the first step of a salary range, or

(b) One calendar year from the date on which the employee began work at an intervening salary step; provided that in either (a) or (b):

(i) Any work period starting before the 16th of the month will count as a full month.

(ii) Any work period starting after the 15th of the month will not be counted.

(iii) An employee at or above the maximum step of a salary range does not have a periodic increment date.

(4) The periodic increment date shall be recomputed following leaves of absence without pay, in accordance with WAC 356-18-220, breaks in ~~((serve))~~ service due to reduction in force or reversion action. In such adjustments, calendar months of pay status already spent at a step will be credited toward the time required to advance to the next available increase in that range.

(5) An employee's periodic increment date shall be set and remain the same unless subsequently changed in accordance with the provisions of the merit system rules.

(6) For employees in broad band classifications, subsections (1) through (5) of this section do not apply.

(7) For employees appointed to and remaining in a broad band classification, a 5% service increment within the tier shall be provided for each of the first three years following initial hire. The following applies to employees who transition to broad band classes:

(a) Employees who at the time of transition are at step K or Y-rated shall not be eligible for service increments.

(b) Employees who are not at step K shall retain their periodic increment date and receive periodic increments through step K of the range held at the time of transition.

(c) Employees who transition shall continue to receive scheduled salary adjustments such as in-training adjustments.

(8) The following applies to service increment dates for employees in broad band classifications.

(a) The service increment date is one calendar year from the date on which the employee began work provided that:

(i) Any work period starting before the 16th of the month will count as a full month.

(ii) Any work period starting after the 15th of the month will not be counted.

(iii) An employee at or above the maximum salary of the tier does not have a service increment date.

(b) The service increment date shall be recomputed following leaves of absence without pay, in accordance with WAC 356-18-220, breaks in service due to reduction in force or reversion action. In such adjustments, calendar months of pay status already spent in a tier will be credited toward the time required to advance to the next available increase in that tier.

(c) An employee's service increment date shall be set and remain the same unless subsequently changed in accordance with the provisions of these rules.

**AMENDATORY SECTION** (Amending WSR 85-19-078 (Order 230), filed 9/18/95 [9/18/85])

**WAC 356-14-120 Salary—Periodic increment date—Promotion.** Employees who receive a salary increase through promotion shall retain their present periodic increment date except:

(1) When the employee is placed at the first step, the employee either retains the same periodic increment date or assumes a new one six calendar months from the promotion, whichever date occurs first.

(2) An employee with no periodic increment date because of being promoted from a maximum step or a Y rated amount above the maximum step of a range, will assume a new periodic increment date if the employee is moving to a minimum or intervening salary step as provided in WAC 356-14-110.

(3) Subsections (1) and (2) of this section shall not apply to employees in broad band classifications.

(4) Employees in broad band classifications who receive a salary increase through promotion to a higher tier may have a service increment date set as provided in WAC 356-14-110 and may receive service increments of 5% each for up to three years at the agency's discretion.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**AMENDATORY SECTION** (Amending WSR 90-23-030 (Order 361), filed 11/14/90, effective 12/15/90)

**WAC 356-14-140 Salary—Increase on promotion.**

(1) An employee who is promoted to a class whose base range is less than six ranges higher than the base range of the former class will advance to the step of the range for the new class which is nearest to 5% higher than the amount of the prepromotional step.

(2) An employee who is promoted under any one or more of the following conditions shall advance to the step of the range for the new class which is nearest to 10% higher than the amount of the prepromotional step.

(a) When the employee is promoted to a class whose base range is six or more ranges higher than the base range of the employee's former class.

(b) When the employee is promoted over an intervening class in the same class series.

(c) When the employee is promoted from one class series to a higher class in a different series and over an intervening class in the new series which would have represented a promotion.

(d) When an employee's promotion requires a change of residence to another geographic area to be within a reasonable commuting distance of the new place of work.

(3) When an employee is promoted from a Y-rate salary, the Y-rate shall first terminate, and the promotional increase shall be calculated from the next-lower step of the range for the class from which promoted. The calculation will then be completed as illustrated in 1 or 2.

(4) Any promotional increase must result in a salary which is not less than the first, and not more than the top, step of the range for the class to which the employee is promoted.

(5) No assignment pay or other special pay provision, except applicable comparable worth ranges, shall be considered in calculating promotional increases.

(6) Promotional increases for T-ranges (teachers and principals) are not calculated in the manner described above.

(7) An employee who is working in a position which is included in an approved class series study, and who accepts a promotion within that agency to a classification impacted by the same study, shall be paid not less than the salary that would have been paid if the employee had remained in the former position and benefited from an upward reallocation. The new higher salary must be within the range for the new class to which the employee is promoted, and shall be effective on the effective date of the class study.

(8) The salary of any employee who, after June 30, 1990, was promoted to a class whose range has a higher top step than that of the former class, and who received less promotional increase than is provided under subsection 1 or 2 of this section, shall be recalculated. Effective September 16, 1990, such salary shall move to the even step of the range which would result if the promotion had occurred that day.

If such employee has received a periodic increment increase since June 30, 1990, the base salary on September 16, 1990, shall be not less than if the increment date had occurred on September 16, 1990.

(9) Promotional increases for "N" ranges (classes requiring licensure as a registered nurse) are not calculated in the manner described above.

An employee who is promoted into or between classes which have special pay range "N" shall advance to the step in the new range, as shown in the "N" range salary schedule, which represents the greater of (a) or (b) below.

(a) Placement on the step which coincides with the employee's total length of experience as a registered nurse (RN) and/or licensed practical nurse (LPN). Experience shall be credited as follows:

- (i) RN experience shall be credited year for year.  
 (ii) Up to ten years LPN experience shall be credited at the rate of two years LPN experience equals one year of RN experience, for a maximum credit of five years.

or

(b) Placement on the step of the new range which is nearest to 5% higher than the amount of the prepromotional step.

(10) Subsections (1) through (9) of this section shall not apply to employees in broad band classifications.

(11) For employees in broad band classifications, promotion to a higher tier shall be compensated by an increase no greater than 10%. Promotion over an intervening tier may exceed the 10% limit when approved by the director of the department of personnel. However, an increase of more than 10% to bring the employee to the minimum salary of the new tier after promotion shall not require approval by the director. An agency may provide 5% service increments each year for up to three years after promotion.

AMENDATORY SECTION (Amending Order 77, filed 5/7/75)

**WAC 356-14-160 Salary—Voluntary demotion—Computation.** (1) An employee accepting a demotion shall receive credit for all continuous employment in the higher range in determining the step in the lower salary range except that the employee who has not been employed in a lower salary range shall be reduced on a step-for-step basis.

(2) Exceptional qualifications or unusual circumstances may warrant a salary different than prescribed above. In such cases, the employing agency may authorize a higher salary step within the lower salary range. ~~((Employing agencies shall retain records of such actions.))~~

(3) Subsections (1) and (2) of this section shall not apply to employees in broad band classifications.

(4) Voluntary demotion to a lower tier may result in a lower salary. The agency shall determine the salary based on the following:

(a) the requirements of the position,

(b) internal alignment,

(c) unusual circumstances, and/or

(d) the qualifications of the employee.

(5) Employing agencies shall retain records of all actions taken under this section.

AMENDATORY SECTION (Amending WSR 96-02-073, filed 1/3/96, effective 2/3/96)

**WAC 356-30-330 Reduction in force—Reasons, regulations—Procedure.** (1) Employees may be separated in accordance with the statutes and the agencies' approved reduction in force procedures after at least fifteen calendar days' notice in writing, without prejudice, because of lack of funds or curtailment of work, or good faith reorganization for efficiency purposes, ineligibility to continue in a position which has been reallocated, or when there are fewer positions than there are employees entitled to such positions either by statute or within other provisions of merit system rules.

(2) When employees have statutory and merit system rule rights to return to the classified service, such employees first shall be returned to the classification selected. If such return causes the total number of employees to exceed the number of positions to be filled in the classification, the least senior person in the position shall have the reduction in force rights prescribed in this section.

(3) The agencies shall develop a reduction in force procedure that is consistent with the following:

(a) For purposes of reduction in force (WAC 356-30-330), seniority shall be determined by the definition in WAC 356-05-390. Ties in seniority will be broken by first measuring the employees' last continuous time within their current classification; if the tie still exists, by measuring the employees' last continuous time in their current agency; and if the tie still exists, by lot.

(b) Clearly defined layoff units, either geographically or by administrative units or both, so as to limit the disruption of an agency's total operation; but not to unduly restrict the options available to employees with greater seniority. The definition of layoff units may be a series of progressively larger units within an agency when a valid option in lieu of separation cannot be offered to respective employees within a lesser-sized unit. Employment projects, established under the provisions of WAC 356-30-145, Project employment, are distinct layoff units, separate and exclusive of any other defined layoff unit or employment project. Seasonal career layoff units, established under the provisions of WAC 356-30-130, Seasonal career employment, are distinct layoff units, separate and exclusive of any other defined layoff unit.

(c) Options in lieu of separation by reduction in force shall be offered by an agency only when such options are in accordance with the agency's reduction in force procedure which has been approved by the director of personnel.

Employees in broad band classifications shall have reduction in force rights to tiers in which they have held permanent status. Within the tiers, employees shall have reduction in force rights to other positions with same or similar job duties and salary as the positions where they held permanent status. All other provisions in this reduction in force section shall apply to positions and employees in general service broad band classifications.

(d) Agency reduction in force procedures shall specify the rights and obligations for employees to accept or reject options offered in lieu of separation due to reduction in force.

(e) "Bumping" by employees with greater seniority will be limited to:

(i) The same layoff unit; and

(ii) Classification in which the "bumping" employee previously held permanent status; and

(iii) Position at the current salary range or salary within a tier of the employee doing the bumping, or lower; and

(iv) Employee with the least seniority within the same category of full-time or part-time employment; and

(v) Competition at one progressively lower classification or tier at a time.

(f) An employee may not exercise a bumping option in lieu of separation due to a reduction in force if there is within the agency a vacant position which satisfies all of the criteria set forth below.

The position is one which:

PROPOSED

(i) The agency intends to fill;

(ii) Is in the current classification of the employee being offered the option, or in a classification within which the employee being offered the option previously held permanent status;

(iii) Is at a salary range no lower than the range or salary within the tier that would have otherwise been a bumping option;

(iv) Is located within a reasonable commuting distance of the employee's permanent work location; and

(v) Is on the same or similar workshift as the one which the employee currently holds.

(g) When an employee has previously held permanent status in more than one classification at the same salary range or salary within the tier and is eligible to bump, then the employee shall be offered the option to bump into the position occupied by the employee with the least seniority.

(h) The right to actually "bump" shall be exercised only after the employee to be "bumped" has received at least fifteen calendar days' notice of the scheduled action.

(i) Options of full-time positions will be offered first to full-time employees before part-time positions are offered. For the purpose of these offers, employees who previously accepted part-time positions due to a reduction in force action or to lessen the impact of a reduction in force shall be considered full-time employees.

(j) Seniority for part-time employees will be computed on a basic payroll hour basis within the same provision and restrictions of the general definition of seniority. When part-time employees become full-time employees, their payroll hours will be integrated on a comparable time basis as full-time employees.

(k) Permanent employees who have been scheduled for reduction in force shall have the right to take a transfer or a voluntary demotion to a vacancy that is to be filled in their own layoff unit for which they qualify, as determined by the director of personnel. This right is to be exercised according to the seniority of those desiring the same vacancy.

(l) Options of other than permanent positions as named in (m) of this subsection are to be made if no permanent position to be filled is available within a reasonable commuting distance.

(m) The reduction in force procedure shall contain the statement that, "No permanent employee shall be separated from state service through reduction in force without being offered within fifteen calendar days prior to what would be the permanent employee's effective separation those positions at the same or lesser salary range within the layoff unit for which he/she qualifies, currently being held by emergency, temporary, probationary, or intermittent employees."

(n) The salary of an employee who has accepted a lower position will be reduced to the top of the range of the lower class unless the previous salary is within the range of the new class, in which case it will remain unchanged.

(4) The agency shall submit the procedure to the director of personnel for approval.

(5) Vacancies will not be filled either by local list procedures or on a temporary, intermittent, or seasonal basis without contacting the department of personnel in an effort to fill the positions by qualified employees who have been or are scheduled for separation due to reduction in force.

(6) When a majority of the positions in a layoff unit other than in project employment is to be eliminated because of a lack of funds and/or work, permanent employees in such positions shall be offered, according to their seniority, those positions in classes in which they have held permanent status which are currently being held by emergency, temporary, or probationary employees; provided they have not rejected offers of vacant positions made by certifications from the registers. Such options shall be offered in accordance with the following requirements:

(a) Positions in the employee's own agency and within a reasonable commuting distance shall be offered first; second, in the classified service within a reasonable commuting distance; third, anywhere within the employee's own agency; and fourth, throughout the classified service.

(b) A permanent employee's right to fill a position may be exercised only within fifteen calendar days prior to the effective date of separation.

(c) Offers will be made in accordance with a procedure established by the director of personnel.

(7) In order to exercise an option to a position which may require selective criteria, the following applies. The option may be exercised only by an employee who possesses the required specialized qualifications when:

(a) The criteria were approved when the position was established, reallocated or last filled; or

(b) The specialized qualifications were previously required for a classification that was later merged with other classifications that did not require them; or

(c) When, at a subsequent time, it was determined that the position requires the performance of specialized duties that would warrant future selective certification.

(d) In the case of (c) of this subsection, the selective criteria shall not be applied for the purposes of determining reduction in force options until six months after the notification of the new duties has been made to the department of personnel.

(e) In the case of (a), (b) and (c) of this subsection, the director of personnel or designee must have determined that the specialized qualifications are still essential for the successful job performance and the qualifications could not be learned within a reasonable length of time.

(8) Options to positions which are covered by WAC 356-26-140 may be exercised only by employees who, at the time they are notified they are scheduled for reduction in force:

(a) Are exempt from a background inquiry by WAC 356-26-140(4); or

(b) Authorize a background inquiry as provided for in WAC 356-26-140 and are cleared for the option as a result of the inquiry.

**AMENDATORY SECTION** (Amending WSR 88-03-043 (Order 292), filed 1/19/88, effective 3/1/88)

**WAC 356-34-020 Reduction in salary—Demotion—Procedure.** Appointing authorities may reduce the salary of a permanent employee within the range or tier or may demote an employee to a position at a lesser pay range or tier, in lieu of dismissal for cause, as specified in these rules. The specified charges for either of these actions shall be furnished in writing to the employee at least 15 calendar

days prior to the effective date of the action. The employee must meet the minimum qualifications for the class to which being demoted.

**WSR 97-12-081**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Medical Assistance Administration)  
(Public Assistance)  
(Filed June 4, 1997, 10:31 a.m.)

**Original Notice.**

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

Title of Rule: WAC 388-522-2205 and 388-524-2405.

Purpose: Implement federal requirements for longer time frames for Medicaid to continue upon termination of SSI.

Statutory Authority for Adoption: RCW 74.08.090 and 74.09.530.

Statute Being Implemented: 42 CFR 435 and 42 U.S.C. 1302.

Summary: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Joanie Scotson, Medical Assistance Administration, 617 8th S.E., Olympia, WA 98504, (360) 753-7462.

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

Rule is necessary because of federal law, 42 CFR Part 435.

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal Changes the Following Existing Rules: See Purpose above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule has no impact on small business as it just affects the benefit amount for SSI recipients.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This section (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 July 8, 1997, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Leslie Baldwin, Rules Coordinator, by June 27, 1997, TTY (360) 902-8324, phone (360) 902-7540, e-mail lbaldwin@dshs.wa.gov.

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

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

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

AMENDATORY SECTION (Amending Order 3732, filed 5/3/94, effective 6/3/94)

**WAC 388-522-2205 Redetermination of medical assistance.** (1) Before termination of a client's medical assistance, the department shall redetermine the client's eligibility for other medical assistance programs or the medically indigent program.

(a) When additional information is necessary to redetermine eligibility, the department shall give the client ten days notice and an opportunity to provide such information.

(b) The department shall give the client advance and adequate notice of the redetermination decision before termination of medical assistance as described under WAC 388-245-1700.

(c) ~~((Until the department redetermines a client's eligibility in conformity with the requirements of this section,))~~ The client shall remain eligible for categorically needy medical benefits until the department redetermines a client's eligibility according to the requirements of this section.

(2) ~~((The department shall redetermine the client's eligibility for other financial and medical programs within thirty calendar days))~~ When SSA terminates the client's SSI/SSP financial benefits, refer to WAC 388-524-2405.

AMENDATORY SECTION (Amending Order 3732, filed 5/3/94, effective 6/3/94)

**WAC 388-524-2405 SSI/state supplement termination.** ~~((When SSA terminates an SSI/state supplemental client because of failure to meet blindness and disability criteria under Title XVI,))~~ (1) The department shall ((terminate)) provide uninterrupted medical assistance ((at the end of the second month following the month in which eligibility based on disability or blindness criteria ceases)) for a period of up to one hundred twenty days:

(a) For a person whose SSI/state supplemental is terminated; and

(b) While the department redetermines the person's eligibility for other financial or medical programs.

~~((1) If the client has))~~ (2) The department shall continue medical assistance for a person:

(a) Who has filed a timely request for a hearing under SSA jurisdiction; and ((SSA continues benefits, the department shall continue medical assistance concurrently))

(b) Until SSA makes a final decision on the hearing request and any subsequent timely appeals.

~~((2))~~ (3) The department shall not ((authorize the CSO to re)) submit a request for a redetermination of blindness or disability ((for consideration of the categorically needy or medically needy program:

~~((3) If the client)) unless:~~

(a) The person presents new medical evidence ((to the CSO or the client's));

(b) The person's medical condition ((worsens, the department shall require a referral to SSA)) changes significantly; or

(c) The termination of SSI/state supplement or Social Security Disability Insurance was not based on a review of current medical evidence.

**WSR 97-12-082**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

(Public Assistance)

[Filed June 4, 1997, 10:35 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-06-072.

Title of Rule: WAC 388-96-010, 388-96-224, 388-96-505, 388-96-534, 388-96-553, 388-96-554, 388-96-559, 388-96-565, 388-96-585, 388-96-709, 388-96-719, 388-96-735, 388-96-745(7), 388-96-754, 388-96-774, and 388-96-776.

Purpose: WAC 388-96-010, define intangible assets. Removes numbering system and makes other editorial changes to specific definitions.

WAC 388-96-224, in nonaudit years, clarifies desk reviewed allowable costs are used to compute the final statement.

WAC 388-96-505, add refunds of any allowable cost as an example of financial benefit that must be offset against allowable costs in year of receipt.

WAC 388-96-534, clarifies effective dates of a JCADs and reduces the time for a revision from ninety days to thirty days.

WAC 388-96-553, raises limit on depreciable assets to \$750; deletes subsections (3), (4) and (5); and moves (6) to WAC 388-96-565.

WAC 388-96-554, changes limit to \$750 and removes subsections (3) and (4).

WAC 388-96-559, implement 1997 legislation on establishing land value; define depreciable assets and land value when builder sells new nursing facility before operating it.

WAC 388-96-565, adds subsection (6) from WAC 388-96-553 and implements 1997 legislative changes.

WAC 388-96-585, revises subsection (2)(j) Bad debts, limits the time to request compensation from date the bad debt occurred. Revises subsection (2)(w), removes "in terms of costs to employees and benefits commensurate to such costs." Revises subsection (2)(gg), lists bed rights as an example of intangible assets that are not used in patient care.

WAC 388-96-709, 388-96-719 and 388-96-735, implements 1997 amendment to RCW on method for determining anticipated days. Implements 1997 amendment to RCW on occupancy level for new facilities. Edit changes.

WAC 388-96-745(7), removes actual tables from Marshall Swift and makes a reference to the latest published Marshall Swift. Implements 1997 amendment to RCW on anticipated days when beds are reduced or increased.

WAC 388-96-754, implements 1997 amendment to RCW on anticipated days when beds are reduced or increased.

WAC 388-96-774, implements 1995 legislative limit on current funding.

WAC 388-96-776, implements 1997 amendment to RCW that allows current funding of real estate taxes that result from renovations.

Statutory Authority for Adoption: For WAC 388-96-010 and 388-96-735 is RCW 74.46.800; for WAC 388-96-224 is RCW 74.46.150, [74.46.]160, [74.46.]170 and [74.46.]800; for WAC 388-96-505 is RCW 74.46.200 and

74.46.800; for WAC 388-96-534 is RCW 74.46.270 and [74.46.]800; for WAC 388-96-553, 388-96-554 and 388-96-565 is RCW 74.46.310, [74.46.]320, [74.46.]330 and [74.46.]800; for WAC 388-96-559 is RCW 74.46.360 and [74.46.]800; for WAC 388-96-585 is RCW 74.46.190, [74.46.]460 and [74.46.]800; for WAC 388-96-709 is RCW 74.46.510 and [74.46.]800; for WAC 388-96-719 is RCW 74.46.430 and [74.46.]800; for WAC 388-96-745(7) is RCW 74.46.800 and 74.46.530; for WAC 388-96-754 is RCW 74.46.530 and [74.46.]800; for WAC 388-96-774 is RCW 74.46.460 and [74.46.]800; and for WAC 388-96-776 is RCW 74.46.465 and [74.46.]800.

Statute Being Implemented: Chapter 74.46 RCW.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Patricia Hague, P.O. Box 45600, Lacey, WA 98503, (360) 493-2969; Implementation: Paul Montgomery, P.O. Box 45600, Lacey, WA 98503, (360) 493-2587; and Enforcement: Denise Gaither, P.O. Box 45600, Lacey, WA 98503, (360) 493-2525.

Name of Proponent: The Department of Social and Health Services, Aging and Adult Services Administration, Management Services, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal Changes the Following Existing Rules: See Purpose above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. No small businesses will be impacted by the revisions to chapter 388-96 WAC.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The Department of Social and Health Services is not a named agency within RCW 34.05.328 (5)(a)(i).

Hearing Location: Lacey Government Center (behind Tokyo Bento restaurant), 1009 College Street S.E., Room 104-A, Lacey, WA 98503, on August 5, 1997, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Leslie Baldwin by July 27, 1997, TDD (360) 902-8324, or (360) 902-7540.

Submit Written Comments to: Leslie Baldwin, Department of Social and Health Services, Rules Coordinator, P.O. Box 45800, Olympia, WA 98504, FAX (360) 902-8292, by August 5, 1997.

Date of Intended Adoption: No sooner than August 6, 1997.

June 3, 1997

Merry A. Kogut, Manager  
 Rules and Policies Assistance Unit

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 97-14 issue of the Register.

PROPOSED



**WSR 97-12-085**  
**PROPOSED RULES**  
**DEPARTMENT OF HEALTH**  
 [Filed June 4, 1997, 11:37 a.m.]

Original Notice.

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

Title of Rule: WAC 246-919-990 Physician and surgeon fees.

Purpose: Amend WAC 246-919-990 per SB 5448, Laws of 1997, to modify fee tables for both full and limited MD licenses by eliminating the \$100.00 disciplinary assessment fee category and combining it with the \$100.00 renewal fee for a total renewal fee of \$200.00. Cost per license does not change.

Statutory Authority for Adoption: RCW 18.71.017.

Statute Being Implemented: RCW 43.70.250.

Summary: SB 5448 directs the agency to combine the \$100.00 disciplinary assessment fee with the \$100.00 renewal fee to equal a \$200.00 renewal fee. The total fee for full and limited MD licenses is not affected.

Reasons Supporting Proposal: The Board of Medical Examiners and the Medical Disciplinary Board were combined by 1994 legislation. SB 5448 streamlines the fee structure to reflect the merge.

Name of Agency Personnel Responsible for Drafting: Susan Anthony, 1300 S.E. Quince Street, Olympia, (360) 664-8420; Implementation: Beverly Teeter, 1300 S.E. Quince Street, Olympia, (360) 664-8420; and Enforcement: Bonnie King, 1300 S.E. Quince Street, Olympia, (360) 664-8420.

Name of Proponent: Department of Health, Medical Quality Assurance Commission, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: There is no fiscal impact, or impact to licensees or public.

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

Explanation of Rule, its Purpose, and Anticipated Effects: SB 5448 merges MQAC's disciplinary assessment fee account into the renewal fee account and combines the amounts into the renewal fee account. Streamlines the fee structure and simplifies the accounting process. There will be no affect on licensees or the public.

Proposal Changes the Following Existing Rules: SB 5448 merges MQAC's disciplinary assessment fee account into the renewal fee account and combines the amounts into the renewal fee account. Amend the fee tables for full and limited licenses to reflect these changes. Total cost to licensee does not change.

No small business economic impact statement has been prepared under chapter 19.85 RCW. There is no fiscal impact to the agency or to small business concerns.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This rule does not subject a person to a penalty or sanction; does not establish, alter or revoke a qualification or standard for full or limited MD licensure; and does not make significant amendment to a policy or regulatory program. This rule merges two license fees into one.

Hearing Location: 1st Floor Conference Room, 1300 S.E. Quince Street, Olympia, WA, on July 8, 1997, at 11:00 a.m.

Assistance for Persons with Disabilities: Contact Terry Taylor by June 23, 1997, TDD (800) 833-6388, or FAX (360) 586-4573.

Submit Written Comments to: Terry Taylor, FAX (360) 586-4573, by July 8, 1997.

Date of Intended Adoption: July 8, 1997.

June 4, 1997  
 Bruce Miyahara  
 Secretary

AMENDATORY SECTION (Amending WSR 96-03-073, filed 1/17/96, effective 2/17/96)

**WAC 246-919-990 Physician and surgeon fees.** The following nonrefundable fees shall be charged by the health professional quality assurance division of the department of health:

<b>Title of Fee</b>	<b>Fee</b>
Physician and surgeons: Chapter 18.71 RCW	
Application	\$300.00
Retired active physician license renewal	125.00
Renewal	((400.00)) 200.00
<del>((Disciplinary assessment</del>	<del>100.00))</del>
Late renewal penalty	50.00
Surcharge for impaired physician program	25.00
State certification	50.00
Duplicate license	15.00
Temporary permit	50.00
Postgraduate limited license fees: RCW 18.71.095	
Limited license application	200.00
Limited license renewal	((400.00)) 200.00
<del>((Disciplinary assessment</del>	<del>100.00))</del>
Surcharge-impaired physician	25.00
Limited duplicate license	15.00

**WSR 97-12-086**  
**PROPOSED RULES**  
**DEPARTMENT OF HEALTH**  
 [Filed June 4, 1997, 11:40 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-04-040.

Title of Rule: Apprenticeship program—Definitions and Apprenticeship program—Minimum training requirements.

Purpose: Establishes a mandatory training program for the licensure of hearing instrument fitter/dispensers. These amendments will ensure that all practicing hearing instrument fitter/dispensers have met training requirements defined by the board. The amendments will help protect consumers from incompetent providers.

Other Identifying Information: These amendments are proposed in accordance with SHB 2309, chapter 200, Laws of 1996.

Statutory Authority for Adoption: RCW 18.35.040 and 18.35.161.

Statute Being Implemented: RCW 18.35.040.

PROPOSED

Summary: Amendments to WAC 246-828-055 and 246-828-070 are necessary to provide direction for the new legislature mandated apprenticeship program. Individuals applying for hearing instrument fitter/dispenser licensure must complete an apprenticeship program established by the Board of Hearing and Speech. The amendments to these rules will provide those individuals with the needed curriculum to complete for licensure.

Reasons Supporting Proposal: At this time there are no training or education requirements for hearing instrument fitter/dispensers.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Diane Young, 1300 S.E. Quince Street, Olympia, WA 98504-7869, (360) 586-0205.

Name of Proponent: Department of Health, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed requirements for hearing instrument fitter/dispenser apprenticeship programs replace the previous hearing aid fitter/dispenser trainee program. The requirements are intended to protect the public from being misled by incompetent, unethical and unauthorized persons and to assure the availability of hearing services of high quality to citizens of Washington state.

Proposal Changes the Following Existing Rules: The proposal will change trainee to the apprenticeship program.

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

#### ECONOMIC IMPACT ANALYSIS and

#### SMALL BUSINESS ECONOMIC IMPACT STATEMENT

This report contains, the Economic Impact Analysis used by Health Professions Quality Assurance in determining program costs associated with the apprenticeship training requirements.

Background: The state of Washington recognizes hearing instrument fitting/dispensing as a profession that provides services related to the sale, lease or rental of hearing instruments together with the selection and modification of hearing instruments; the administration of nondiagnostic tests; the use of procedures essential to the performance of these functions; and includes recommending specific hearing instruments or systems, the taking of impressions for ear molds for these purposes, the use of nondiagnostic procedures and equipment to verify the appropriateness of the hearing instrument fitting. These services are provided in a number of professional health care settings to infants, children, adults and elderly.

The proposed requirements for hearing instrument fitter/dispenser apprenticeship programs replace the previous hearing aid fitter/dispenser trainee program. The requirements are intended to protect the public from being misled by incompetent, unethical and unauthorized persons and to assure the availability of hearing services of high quality to citizens of Washington state.

The potential for physical, economical and mental harm compelled the industry to seek regulation. Some examples of harm that could and have resulted from incompetent practice include: Defrauding individuals of thousands of

dollars, failure to recognize early signs of chronic disease, and misuse of hearing instrumentation causing infections or lacerations of the ear or perforation of the ear drum.

Pursuant to RCW 18.35.040 (1)(b) after December 31, 1996, applicants for hearing instrument fitter/dispenser licensure must have at least six months of apprenticeship training that meets requirements established by the board.

#### Economic Impact Analysis

Costs to a Business: Considering the newly required apprenticeship program merely replaces the previously necessary trainee program there is no new impact on businesses or the prospective licensees. Research demonstrates the majority of applicants complete a trainee program at least six months in duration or a formal education program.

There would be no disproportionate effect on small and large entities. The regulated entities are all small businesses. These businesses have been involved in work groups to develop the rules defining the apprenticeship program requirements and suggestions submitted by individuals in writing have been incorporated into the proposed rule.

Department of Health Costs to Administer the Regulation: Estimated expenditures are based on the Department of Health standard cost factors for budgeting. These include costs for support staffing and agency indirect costs.

This revenue must be collected from fees assessed on the regulated entities.

The required program revenue includes funds to support recurring expenses for program administration.

The following table illustrates overall administration cost and estimated revenue.

Sheet1

Fee	Permit		
	\$ 100.00		
Annual volume	40		
revenue	<u>\$4,000.00</u>	Total revenue from permits issued	\$ 4,000.00
DOH time	Program staff time for Clerk Typist 3 at \$12.40hr and Program Manager at \$19.10hr		
review	45 minutes x \$12.40hr = \$9.30	15 minutes x \$12.40hr = \$3.10	
wage x time	30 minutes x \$19.10hr = \$9.55	20 minutes x \$12.40hr = \$4.13	
processing	60 minutes x \$12.40hr = \$12.40		
	\$9.30		
	\$9.55	\$3.10	
	<u>\$12.40</u>	<u>\$4.13</u>	
	\$31.25	\$7.23	
	cost of application review and processing time multiplied by annual volume		
	\$31.25	\$7.23	
	40	40	
	<u>\$1,250.00</u>	<u>\$289.20</u>	\$1,539.20
Equipment	computer		
	printer		
	copier		
	FAX		
cost	\$ 671.96		
	x 2		
	<u>\$ 1,343.92</u>		\$ 1,343.92
		Subtotal	\$2,883.12
		Agency Indirect (20.5%)	<u>\$591.04</u>
		Total annual cost of administering program	<u>\$ 3,474.16</u>

PROPOSED

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A copy of the statement may be obtained by writing to Diane Young, Program Manager, Board of Hearing and Speech, 1300 S.E. Quince Street, P.O. Box 47869, Olympia, WA 98504-7869, phone (360) 586-0205, or FAX (360) 586-7840.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This rule does not make significant amendments to policy.

Hearing Location: Department of Health, Office of Emergency and Trauma Prevention, Target Plaza, 2725 Harrison N.W., Olympia, WA 98502, on July 8, 1997, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Betty Bird by June 27, 1997, TDD (800) 525-0127, or FAX (360) 586-7840.

Submit Written Comments to: Diane Young, FAX (360) 586-7840, by July 4, 1997.

Date of Intended Adoption: July 8, 1997.

May 29, 1997  
Delores E. Spice  
Executive Director

**AMENDATORY SECTION** (Amending WSR 94-11-108, filed 5/18/94, effective 6/18/94)

**WAC 246-828-055 ((Trainees)) Apprenticeship program—Definitions.** For the purposes of this chapter, these terms shall be defined as follows:

(1) "Sponsor" ~~((shall mean))~~ means the licensed hearing ~~((aid))~~ instrument fitter/dispenser or certified audiologist who is registered with the department of health to provide sponsorship to ~~((a trainee))~~ an apprentice. The sponsor must ~~((have been))~~ be licensed or certified in good standing as a hearing ~~((aid))~~ instrument fitter/dispenser ~~((in))~~ or audiologist with the state of Washington for at least ~~((one))~~ two years.

(2) "Direct supervision" ~~((shall mean))~~ means that the sponsor is physically present and in the same room with the ~~((trainee))~~ apprentice, observing the testing, fitting and dispensing activities of the ~~((trainee))~~ apprentice at all times.

(3) ~~((“Indirect supervision” shall mean the sponsor is immediately available for consultation.~~

~~(4))~~ "Sponsor in good standing" ~~((shall mean))~~ means a sponsor whose license or certificate has not been subject to sanctions ~~((pursuant to))~~ under RCW 18.130.160 in the last ~~((one))~~ two years.

AMENDATORY SECTION (Amending WSR 95-19-017, filed 9/7/95, effective 10/8/95)

WAC 246-828-070 ((Trainees)) Apprenticeship program—Minimum ((standards of)) training requirements. (1) ~~((The sponsor shall provide training in the following areas during the direct supervision period:~~

- ~~(a) Basic physics of sound;~~
  - ~~(b) The human hearing mechanism, including the science of hearing and the causes and rehabilitation of abnormal hearing and hearing disorders;~~
  - ~~(c) Structure and function of hearing aids;~~
  - ~~(d) Pure tone audiometry, including air conduction testing and bone conduction testing;~~
  - ~~(e) Live voice or recorded voice speech audiometry, including speech reception, threshold testing, most comfortable level, uncomfortable level, and speech discrimination testing;~~
  - ~~(f) Effective masking;~~
  - ~~(g) Recording and evaluation of audiograms and speech audiometry to determine hearing aid candidacy;~~
  - ~~(h) Selection and adaptation of hearing aids and testing of hearing aids;~~
  - ~~(i) Taking ear mold impressions;~~
  - ~~(j) Otoscopy;~~
  - ~~(k) Evidence of knowledge regarding the medical and rehabilitation facilities that are available for children and adults in the area served;~~
  - ~~(l) Evidence of knowledge of grounds for revocation or suspension of license under the provisions of this chapter;~~
  - ~~(m) Fitting verification and post-fitting follow-up.~~
- ~~(2) Completion of the above training and competency of the trainee to perform such duties shall be documented by initial of both trainee and sponsor on a form provided by the department. The completed training verification form shall be submitted to the department upon completion of the direct supervision period. Failure to maintain a training log or to verify training to the department shall be a violation of this chapter and may subject the sponsor to disciplinary action by the board.~~

~~(3) Trainees who have met one of the following are exempt from the minimum standards of training requirement. Documentation of the exemption shall be certified by the sponsor and submitted on a form provided by the department.~~

~~(a) Successful completion of the National Institute for Hearing Instruments Studies (NIHS) Basic Course for Independent Study;~~

~~(b) Documentation that the trainee is either licensed in audiology in another state, or certified as an audiologist by the American Speech and Hearing Association, or holds a masters degree in audiology;~~

~~(c) Certification by the sponsor that the trainee has received the required minimum training from a previous sponsor.~~

~~(d) Successful completion of a vocational training program approved by the board.)~~ An apprenticeship program will be at least six months in duration. The apprentice is in an apprenticeship program for a minimum of ten hours each week. The apprentice is under the direct supervision of the sponsor at all times when performing the functions of a hearing instrument fitter/dispenser apprentice. An apprentice

must hold a valid hearing instrument fitter/dispenser permit. An apprentice must complete the National Hearing Aid Society home study course and submit proof of passing the home study course final examination and complete all stages of the apprenticeship program prior to taking the Washington state examination. If the apprentice passes the home study course final examination but fails the Washington state licensure examination, the apprentice will not have to repeat the home study course before the next available Washington state licensure examination. The apprenticeship program is divided into three stages:

(a) Stage 1 is at least 1 month in duration. During this stage, the apprentice may perform audiometric tests, and make ear mold impressions and modifications. The sponsor is physically present, in the same room at all times when the apprentice is performing these functions. The apprentice can not recommend the selection of a hearing instrument, dispense a hearing instrument, or counsel a client.

(b) Stage 2 - at least 2 months. During this stage the apprentice may perform all tasks in Stage 1, recommend the selection of a hearing instrument, and counsel a client. The sponsor is physically present, in the same room at all times when the apprentice is performing these functions. The apprentice can not dispense a hearing instrument.

(c) Stage 3 - at least 3 months. During this stage the apprentice may perform all the tasks in Stage 1 and 2 and dispense hearing instruments, but the sponsor is physically present in the same room at the time a hearing instrument is delivered to the client. The receipt required by RCW 18.35.030 must have the signatures and the license/permit numbers of the sponsor and apprentice. The title of the sponsor and apprentice is next to the respective signatures.

(2) It is the sponsor's responsibility to provide instruction and guidance, in order to adequately prepare the apprentice for practice as a hearing instrument fitter/dispenser and for the written and practical examinations. Training received by an apprentice during the apprenticeship program must include at least the following subject areas:

(a) Chapters 18.35 and 18.130 RCW, and chapter 246-828 WAC;

(b) Physics of sound;

(c) Anatomy of the outer, middle and inner ear;

(d) Otoscopy;

(e) Hearing disorders: Conductive hearing loss, sensorineural hearing loss, mixed hearing loss, central auditory processing disorder, nonorganic hearing loss;

(f) Diseases of the ear;

(g) Current criteria for medical referral;

(h) Pure tone audiometry, air conduction and bone conduction;

(i) Masking for pure tone audiometry: Rationale; methods; techniques;

(j) Speech audiometry;

(k) Masking for speech audiometry: Rationale; methods; techniques;

(l) Sound field testing;

(m) Audiogram analysis and interpretation;

(n) Proper ear/ears selection: Hearing instrument selection/modifications (evaluating fitting criteria);

(o) Cros/bi-cros: Rationale and its application;

(p) Hearing aid measurements (ANSI)standard;

(g) Interpretation of hearing instruments specification data;

(r) Impression technique;

(s) Earmolds: Shell design and their effects on frequency response;

(t) Types and styles of hearing instruments; components, functions, and benefits;

(u) Dispensing hearing instruments and counseling on usage and care.

(3) The sponsor must file a report with the department at the end of each stage of the apprentice program; this report must be filed no later than ten days after the completion of each stage. The sponsor must certify that the educational and training objectives of each stage have been met and the number of hours of training provided.

(4) The apprenticeship program begins at the date of department approval, unless the board specifies another date.

(5) Transfer of apprentice to another sponsor. The department may approve transfers of an apprentice to another eligible sponsor, prior to the completion of the apprenticeship program, upon the request of either the sponsor or the apprentice.

(a) An apprentice who changes his or her sponsor for any reason must not continue his or her apprenticeship status with a new sponsor until a new apprenticeship application and fee has been filed and approved by the department.

(b) It is the apprentice's responsibility to report the loss of such sponsorship to the department in writing within ten days of such occurrence and to stop the practice of fitting and dispensing.

(c) The sponsor of an apprentice who desires to terminate the responsibilities of sponsorship must provide the apprentice two weeks written notice of such termination, stating reasons for termination, and shall immediately notify the department, by registered or certified mail, of the sponsorship termination and the reasons for termination.

(d) In the event the apprentice terminates the program, the sponsor must notify the department immediately by registered or certified mail.

The sponsor is responsible for the apprentice until such time as the notification of termination to the department is deposited in the United States mail.

(e) Whenever a transfer is approved, credit is transferred for the completed stages of the apprenticeship program.

(f) Transfer of credit for stages uncompleted is subject to review and approval by the board.



**WSR 97-12-011**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**

[Filed May 27, 1997, 11:49 a.m., effective July 1, 1997]

May 27, 1997

Gary Moore

Director

Date of Adoption: May 27, 1997.

Purpose: Adopt revisions to special drywall industry rules which include clarifying qualifications for discounted rates, creation of nine new reporting classifications, addition of related base rates for the new classifications, modification of a general reporting construction rule, and repeal of three existing risk classification definitions. These changes have been requested by members of the drywall industry.

Citation of Existing Rules Affected by this Order: Repealing WAC 296-17-52114, 296-17-52115 and 296-17-52117; and amending WAC 296-17-45003, 296-17-45006, and 296-17-89502.

Statutory Authority for Adoption: RCW 51.04.020, 51.16.035, and 51.32.073.

Adopted under notice filed as WSR 97-08-051 on March 31, 1997.

Changes Other than Editing from Proposed to Adopted Version: Changes were made to WAC 296-17-45006 at the request of drywall contractors. The changes are as follows:

Subsection (1), third sentence the word "is" is changed to "can be"; the words "finished, stocked and/or scrapped" were added in the fourth sentence.

Subsection (2)(a), section clarified to state that a business must attend the workshops prior to the end of a quarter in which they want the discounted rates to apply; criteria contained in the original version of subsection (b) has been removed and is now found in [in] subsection (c) and the language previously contained in subsection (d) is changed to subsection (b); the original version of subsection (c) is renumbered to subsection (d); the remaining subsections (e) and (f) are unchanged. The reformatting is to make the discount rate criteria follow a sequential pattern. The overall scope and intent of this rule remains the same.

Subsection (3) is revised to add a clarification that failing to meet the criteria for discounted rates is different from being disqualified. The overall scope and intent remains the same.

The remainder of this rule and the other rules filed as WSR 97-08-051 are adopted as filed.

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 9, amended 3, repealed 3.

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 9, amended 3, repealed 3.

Effective Date of Rule: July 1, 1997.

**AMENDATORY SECTION** (Amending WSR 97-06-007, filed 2/24/97, effective 4/1/97)

**WAC 296-17-45003 Building, construction and erection contractor reporting rules.** (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, 0526, 0527, 0528, 0529, 0530, 0531, 0532, 0533, 0534, 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 carpenter's 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 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 unless another classification treatment is provided for

in other rules. 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." An example of where construction site cleanup is treated differently is drywall work. Employees of nonbuilding material dealers engaged in wallboard scrapping are reported in either classification 0529 or classification 0534 as applicable.

(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." The classification treatment of nonbuilding material dealers engaged in wallboard cleanup (scrapping) are to be reported in either classification 0529 or classification 0534 as applicable.

(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." Helicopter services that are engaged to assist in lifting beams, air conditioning units, statues and other objects on to buildings



or structures are to be reported separately in classification 6803.

(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.

**AMENDATORY SECTION** (Amending WSR 97-06-007, filed 2/24/97, effective 4/1/97)

**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 employ-

ees. While the worker hour system works well for most industries, this method of paying premium ~~((+))~~ can be 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, finished, stocked and/or scrapped (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, 0526, 0527, 0528, 0529, 0530, 0531, 0532, 0533, and 0534 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.)~~ Prior to the end of the quarter that you want the discounted classifications and rates to be applied to your business, you must attend two workshops that we will offer. For example, if you want the discounted classifications and rates to apply to your business for the third quarter 1997 (July 1 through September 30, 1997), you must attend the two workshops by September 30, 1997. One of the workshops covers claims and risk management practices. The other workshop will cover premium reporting and recordkeeping. The two workshops may be offered together or separately. Be sure to sign in so that you receive credit for attending the workshops.

(b) Provide us with a signed and completed voluntary release of information form that we will provide to you or your representative at the workshops. We will use this release form to obtain material and supply/purchase sales records from the material supply dealer(s) that you use in the event of an audit. This will aid us as we verify the information you supply us on your premium and supplemental reports. If we need to verify the information that you supplied us, we will send you written notice before we contact your material supply dealer(s). We must receive this release form prior to the end of the quarter in which you want the discounted classifications and rates to become effective. For example, if you want the discounted classifications and rates to apply to your business for the third quarter 1997 (July 1 through September 30, 1997), we must receive your signed and completed release of information form by September 30, 1997. You can complete the voluntary release form at the workshop and give it to our representative at the workshop or mail it to:

Labor and Industries  
Employer Services - Drywall Manager  
P.O. Box 44166  
Olympia, Washington 98504-4166

(c) 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 quarter or period prior to December 31, 1996, we will allow you to report in the discounted classifications. To meet this condition you must file all reports required by this section when due; and if you have not paid premiums which were due for any quarterly report you submitted to us prior to and including the fourth quarter 1996 (October 1, through December 31, 1996), either pay the balance due immediately or maintain a current payment agreement with us for any past due premium. For purposes of this section, a "current payment agreement" is a written legal agreement which we have approved and entered into with you. This agreement will set forth your unpaid premium obligation, any applicable penalties and interest that must be paid, the amount of each installment (payment) and a schedule of payment due dates. If you fail to make any payment covered in a payment agreement you will lose the right to use the discounted classifications and rates. You will not be allowed to use a discounted classification or rate if you fail to submit reports, or make premium payments on time for any period beginning with the first quarter 1997. This requirement applies to any classification assigned to your business and for any exposure (hours, square feet, etc.,) which occurs after January 1, 1997.

(d) 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. This report is to be attached to and submitted with your quarterly premium report.

(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, as opposed to failing to qualify because you did not meet the conditions of subsection (2) of this section, 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; if you fail to maintain the payments in a payment agreement you have entered into with us; or fail to meet any other condition set forth in this rule.

(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. This includes a business which you own or owned that is in bankruptcy status and for which you have not entered into a payment agreement, if you owe us any money; or money that you owe us which we wrote off as an uncollectible debt.

(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? Yes, 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)) In the event 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. If you do not pay the audit balance or disputed amount when requested or post an equivalent bond, you will not be permitted to use any of the discounted classifications.

(8) I am the owner of the business, and I do some of the work myself, can I deduct the work I do from the total square feet to be reported to you? Yes, as an owner of the business you can deduct the amount of work that you did from the total square feet which you are going to report to us.

(9) How do I calculate and report this deduction to you? To claim this deduction you must send us a report

which shows by job, project, site or location the total amount of material that was installed or finished at that job, project, site or location; the amount of material which you as the owner installed and/or finished at the job, project, site or location; the hours that it took you to install and/or finish the material you are claiming deduction for; the total material installed and/or finished by employees at the job, project, site or location; and the hours the employees worked by job, project, site or location. This report must accompany the quarterly report in which you are claiming a deduction. If there are several owners, you must supply this information for each owner you wish to claim a deduction for.

#### NEW SECTION

##### **WAC 296-17-52118 Classification 0526.**

Wallboard taping - discounted rate

This classification excludes wallboard installation, wallboard priming and texturing, wallboard stocking, and wallboard scrapping which is to be reported separately in classification applicable to the work being performed.

*Special note: The basis of premium for this classification is material finished (square feet).*

#### NEW SECTION

##### **WAC 296-17-52119 Classification 0527.**

Wallboard priming and texturing - discounted rate

This classification includes incidental painting when performed by employees of an employer subject to this classification, but excludes wallboard installation, wallboard taping, wallboard stocking, and wallboard scrapping which is to be reported separately in classification applicable to the work being performed.

*Special note: The basis of premium for this classification is material finished (square feet).*

#### NEW SECTION

##### **WAC 296-17-52120 Classification 0528.**

Wallboard stocking by nonmaterial dealer employees - discounted rate

This classification excludes wallboard stocking by building material dealer employees which is to be reported separately in classification 1101, wallboard installation, wallboard taping, wallboard priming and texturing and wallboard scrapping which is to be reported separately in classification applicable to the work being performed.

*Special note: The basis of premium for this classification is material stocked (square feet).*

#### NEW SECTION

##### **WAC 296-17-52121 Classification 0529.**

Wallboard scrapping by nonmaterial dealer employees - discounted rate

This classification excludes wallboard scrapping by building material dealer employees which is to be reported separately in classification 1101, wallboard installation, wallboard taping, wallboard stocking, and wallboard priming and texturing which is to be reported separately in classification applicable to the work being performed.

*Special note: The basis of premium for this classification is material stocked (square feet).*

#### NEW SECTION

##### **WAC 296-17-52122 Classification 0530.**

Wallboard installation - nondiscounted rate

This classification excludes wallboard taping, wallboard priming, wallboard texturing work, wallboard stocking and wallboard scrapping which is to be reported separately in the classification applicable to the work being performed. This classification does not apply to employees of a building material dealer engaged in stocking or scrapping which are to be reported separately in classification 1101.

*Special note: The basis of premium for this classification is material installed (square feet).*

#### NEW SECTION

##### **WAC 296-17-52123 Classification 0531.**

Wallboard taping - nondiscounted rate

This classification excludes wallboard installation, wallboard priming and texturing, wallboard stocking, and wallboard scrapping which is to be reported separately in classification applicable to the work being performed.

*Special note: The basis of premium for this classification is material finished (square feet).*

#### NEW SECTION

##### **WAC 296-17-52124 Classification 0532.**

Wallboard priming and texturing - nondiscounted rate

This classification includes incidental painting when performed by employees of an employer subject to this classification, but excludes wallboard installation, wallboard taping, wallboard stocking, and wallboard scrapping which is to be reported separately in classification applicable to the work being performed.

*Special note: The basis of premium for this classification is material finished (square feet).*

#### NEW SECTION

##### **WAC 296-17-52125 Classification 0533.**

Wallboard stocking by nonmaterial dealer employees - nondiscounted rate

This classification excludes wallboard stocking by building material dealer employees which is to be reported separately in classification 1101, wallboard installation, wallboard taping, wallboard priming and texturing and wallboard scrapping which is to be reported separately in classification applicable to the work being performed.

*Special note: The basis of premium for this classification is material stocked (square feet).*

#### NEW SECTION

##### **WAC 296-17-52126 Classification 0534.**

Wallboard scrapping by nonmaterial dealer employees - nondiscounted rate

This classification excludes wallboard scrapping by building material dealer employees which is to be reported separately in classification 1101, wallboard installation, wallboard taping, wallboard stocking, and wallboard priming and texturing which is to be reported separately in classification applicable to the work being performed.

Special note: The basis of premium for this classification is material stocked (square feet).

AMENDATORY SECTION (Amending WSR 97-06-007, filed 2/24/97, effective 4/1/97)

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.

Table with 4 columns: Class, Accident Fund, Medical Aid Fund, Supplemental Pension Fund. Rows list various class numbers and their corresponding rates effective April 1, 1997.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 296-17-52114 Classification 0522.
WAC 296-17-52115 Classification 0523.
WAC 296-17-52117 Classification 0525.

WSR 97-12-015
PERMANENT RULES
DEPARTMENT OF LICENSING
[Filed May 28, 1997, 9:55 a.m.]

Date of Adoption: May 28, 1997.

Purpose: Maintenance of rules pertaining to motor vehicle excise tax.

Citation of Existing Rules Affected by this Order: Repealing WAC 308-57-220, 308-57-250, 308-57-310, 308-57-320, 308-57-410, 308-57-420, 308-57-430 and 308-57-440; and amending WAC 308-57-005, 308-57-010, 308-57-020, 308-57-030, 308-57-110, 308-57-120, 308-57-130, 308-57-140, 308-57-210, 308-57-230, and 308-57-240.

Statutory Authority for Adoption: RCW 46.01.110.
Adopted under notice filed as WSR 97-07-069 on March 19, 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 11, repealed 8.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, amended 11, repealed 8.

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 1, amended 11, repealed 8.

Effective Date of Rule: Thirty-one days after filing.
May 28, 1997
Evelyn P. Yenson
Director

AMENDATORY SECTION (Amending WSR 91-04-026, filed 1/29/91, effective 3/1/91)

WAC 308-57-005 Definitions. The following definitions apply to the terminology used in this chapter:

(1) ("Department" means the department of licensing.
(2)) "Excise tax ((depreciation)) fee schedule one" means the ((statutory)) depreciation table ((as)) described in RCW 82.44.041 (3)(b).

((3)) (2) "Excise tax ((depreciation)) fee schedule two" means the ((statutory)) depreciation table ((as)) described in RCW 82.44.041(1).

((4)) (3) "Excise tax ((depreciation)) fee schedule three" means the ((statutory)) depreciation table ((as)) described in RCW 82.50.425(2).

((5)) (4) "Excise tax fee schedule four" means the depreciation table established for power units towing trailers with permanent plates issued in accordance with RCW 46.16.068.

(5) "RTA excise tax fee schedule five" means the depreciation table described in RCW 82.44.041 (3)(b) for use in the Central Puget Sound Regional Transit Authority area.

(6) "RTA excise tax fee schedule six" means the depreciation table described in RCW 82.44.041(1) for use in the Central Puget Sound Regional Transit Authority area.

(7) "Fleet" means any person ((or any type of business entity who is a registered owner of)) with fifteen or more vehicles registered in the same name.

((6)) (8) "Light duty truck" means a truck which is smaller than a truck type power unit. The empty scale weight is six thousand pounds or less. It includes vehicles such as pickup trucks, vans, and utility vehicles.

((7)) (9) "MSRP" means the base manufacturer's suggested retail price as defined in RCW 82.44.041(3) and 82.50.425.

((8)) "One hundred ten percent rule" means the limit of excise tax increase pursuant to RCW 82.44.041.

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~~(9))~~ (10) "Purchase price" means the selling price of the vehicle before deducting for trade-in value or adding sales/use tax.

~~((10))~~ (11) "Registered within a county" means the county ~~(that)~~ which the vehicle registered owner indicates as ~~(it's)~~ their resident address.

~~((11))~~ (12) "Tax code" means a two-digit alpha, numeric, or alpha-numeric representation of a value assigned by the department of revenue to passenger vehicles, ~~((motorhomes;))~~ light duty trucks, and ~~((motorhomes))~~ motor homes prior to vehicle model year 1986. This value represents the value of the vehicle when first offered for sale. In 1986 and thereafter, the MSRP is used to represent the value of the vehicle.

~~((12))~~ (13) "Truck type power unit" means trucks as ~~((described))~~ defined in RCW ~~((82.44.041(1)))~~ 82.44.010(3). This includes vehicles with ~~((CIR (circus;))~~ FIX (fixed load), or TOW (tow truck) use classes, regardless of scale weight; CMB (combination), COM (commercial), FAR (farm), FCB (farm combination), F/H (for hire), LOG (logging trucks), STA (stage), and ~~((other))~~ TRK (trucks whose empty scale weights exceed six thousand pounds and whose declared gross weight does not exceed twelve thousand pounds) use class. ~~((This also includes vehicles which would normally be considered light duty trucks but weigh more than six thousand pounds empty.~~

~~(13))~~ (14) "Truck type trailing unit" means trailers as ~~((described))~~ defined in RCW ~~((82.44.041(1)))~~ 82.44.010(3). This includes trailers with ~~((CIR (circus), FLX (fixed load), C/G (converter gear))~~ CMB (combination), LOG (logging), and COM (commercial) use classes.

~~((14))~~ (15) "Value code" means the value which is used to calculate the excise tax. In determining the value code, it may be a tax code, purchase price, assessor's appraisal, or MSRP.

(16) "Regional Transit Authority" or "(RTA)" means the Central Puget Sound Regional Transit Authority.

AMENDATORY SECTION (Amending WSR 91-04-026, filed 1/29/91, effective 3/1/91)

**WAC 308-57-010 Premise for assessing excise tax.** Truck type power units and trailing units are taxed according to the most recent purchase price and purchase year and the depreciation rates in excise tax ~~((depreciation))~~ fee schedules two, four or six. All other vehicles are taxed using the value of the vehicle when it was first offered for sale and the ~~((statutory depreciation rates))~~ appropriate excise tax fee schedule. Current physical condition, mileage, or monetary value of a particular vehicle is not used to determine excise tax.

AMENDATORY SECTION (Amending WSR 91-04-026, filed 1/29/91, effective 3/1/91)

**WAC 308-57-020 Modified vehicles.** All new or unused vehicles modified by a licensed ~~((primary or secondary))~~ manufacturer, ~~((such as a))~~ including but not limited to, van conversions ~~((or)), sport utility vehicles, and limousines, ~~((for example;))~~~~ shall be taxed according to the MSRP provided by the ~~((primary or secondary))~~ modifying manufacturer ~~((of the modified vehicle)).~~ If the vehicle is modified by someone other than a licensed manufacturer,

~~((the department shall use))~~ the original MSRP ~~((of))~~ issued for the vehicle prior to the modifications plus the costs of the modifications shall be used.

AMENDATORY SECTION (Amending WSR 91-04-026, filed 1/29/91, effective 3/1/91)

**WAC 308-57-030 Declaration of value.** If there is no tax code for a model year 1985 or older model vehicle~~((s))~~ and there is no MSRP information available for a model year 1986 or newer model vehicle~~((s))~~, ~~((the department may require))~~ the owner may be required to provide a certified declaration of original value and supporting documentation to be used as the basis for assessing the excise tax. ~~((Documentation supporting this valuation may also be required as deemed necessary by the department.))~~

AMENDATORY SECTION (Amending WSR 91-04-026, filed 1/29/91, effective 3/1/91)

**WAC 308-57-110 Excise tax ~~((depreciation))~~ fee schedules one and five.** ~~((The following))~~ Vehicles with the following use classes ~~((shall be))~~ are taxed according to excise tax ~~((depreciation))~~ fee schedule one and when applicable, schedule five:

CAB (taxicab)

COM (commercial) (if powered and the scale weight is six thousand pounds or less)

CYC (motorcycle)

FAR (farm) (if powered and the scale weight is six thousand pounds or less)

F/H (for hire) (if six or fewer seats or if more than six seats and the scale weight is six thousand pounds or less)

~~((H/C (horseless carriage) (if the license fee is not based on gross weight or if the license fee is based on gross weight and the scale weight is six thousand pounds or less)))~~

MH ~~((motorhome))~~ (motor home)

PAS (passenger)

PER (nonpowered personal use trailer)

~~((RES (restored) (if the license fee is not based on gross weight or if the license fee is based on gross weight and the scale weight is six thousand pounds or less)))~~

STA (stage) (if six or fewer seats or if more than six seats and the scale weight is six thousand pounds or less)

TLR (nonpowered trailer)

TRK (if the scale weight is six thousand pounds or less)

AMENDATORY SECTION (Amending WSR 91-04-026, filed 1/29/91, effective 3/1/91)

**WAC 308-57-120 Excise tax ~~((depreciation))~~ fee schedules two and six.** ~~((The following))~~ Vehicles with the following use classes ~~((will be))~~ are taxed according to excise tax ~~((depreciation))~~ fee schedule two and when appropriate, schedule six:

~~((CIR (circus))~~

FIX (fixed load)

~~((C/G (converter gear))~~

COM (commercial) (if powered and the scale weight exceeds six thousand pounds or if nonpowered regardless of the scale weight)

F/H (for hire) (if more than six seats and the scale weight exceeds six thousand pounds)

FAR (farm) (if scale weight exceeds six thousand pounds)

~~((H/C (horseless carriage) (if the license fee is based on gross weight and the scale weight exceeds six thousand pounds)))~~

STA (stage) (if more than six seats and the scale weight exceeds six thousand pounds)

TRK (truck) (if the scale weight exceeds six thousand pounds),

TOW (powered tow truck)

LOG (powered logging truck)

LOG (nonpowered logging trailer/bunker)

AMENDATORY SECTION (Amending WSR 91-04-026, filed 1/29/91, effective 3/1/91)

**WAC 308-57-130 Excise tax ((depreciation)) fee schedule three.** ((A)) Vehicles with ((a)) the following use ((class of CMP (camper) or TVL (nonpowered travel trailer) shall be)) classes are taxed ((from)) according to excise tax ((depreciation)) fee schedule three((-):

CMP (camper)

TVL (travel trailer, including tent trailers)

#### NEW SECTION

**WAC 308-57-135 Excise tax fee schedule four.** Powered vehicles with the following use classes are taxed according to excise tax fee schedule four:

CMB (combination power units, if the declared combined gross weight is greater than forty thousand pounds)

FCB (farm combination power units, if the declared combined gross weight is greater than forty thousand pounds)

AMENDATORY SECTION (Amending WSR 91-04-026, filed 1/29/91, effective 3/1/91)

**WAC 308-57-140 Excise tax exemptions.** The following vehicles are exempt from ((payment of)) excise ((tax)) taxes imposed in chapters 82.44 and 82.50 RCW:

(1) ((Any)) Vehicles with ((a)) tax code ((of)) 95 (vehicles taxed as personal property, such as ((a)) mobile homes);

(2) ((Any)) Vehicles with the following use classes: EX (exempt), FED (federally owned), FEX (farm exempt), H/D (house moving dolly), PED (moped), ORV (off road vehicle), SCH (private school), SNO (snowmobile), or SNX (exempt snowmobile);

(3) ((Any)) Vehicles registered ((in accordance with)) pursuant to WAC 308-96A-050, ((for)) (nonresident members of the armed forces);

(4) ((Any)) Vehicles registered ((in accordance with)) pursuant to WAC 308-96A-400, ((for members of Washington)) (Indian tribes and ((reservations recognized by the United States Department of the Interior)) tribal members);

(5) ((Any)) Vehicles registered ((in accordance with)) pursuant to WAC 308-96A-046, ((for disabled American veterans, former prisoners of war or their spouses)) (veteran's free license);

(6) Vehicles registered pursuant to WAC 308-96A-180, (rental cars);

(7) Passenger motor vehicles registered pursuant to WAC 308-96A-175 and 308-96A-176, ride-sharing and transportation needs ride-sharing vehicles; and

(8) Vehicles registered pursuant to WAC 308-96A-063, Foreign organization special license plate.

AMENDATORY SECTION (Amending WSR 91-04-026, filed 1/29/91, effective 3/1/91)

**WAC 308-57-210 Excise tax in even dollars.** ((The)) Individual vehicle excise ((tax shall be)) taxes are rounded to the nearest whole dollar ((for a twelve month period)).

AMENDATORY SECTION (Amending WSR 92-15-024, filed 7/6/92, effective 8/6/92)

**WAC 308-57-230 Fleet abatement.** A fleet vehicle, which is required to have a December registration expiration date, shall be charged excise tax based on the current depreciation rate for the number of months required to license through December 31 of the current year. If the ((vehicle is registered for the following year at the same time)) number of months to December 31 is fewer than four, an additional twelve months excise tax ((shall)) will be charged at the ((following year's)) current depreciation rate.

AMENDATORY SECTION (Amending WSR 91-04-026, filed 1/29/91, effective 3/1/91)

**WAC 308-57-240 Nonfleet abatement.** With department approval, the owner of a nonfleet vehicle may change the vehicle's registration expiration date. The owner shall be ((charged)) assessed excise tax based on the current depreciation rate for ((twelve months plus)) the number of months ((in excess of twelve to extend the registration period to the desired)) from the current expiration to the requested expiration date. ((These months in excess of twelve shall be charged at the next year's depreciation rate. This option requires that)) The new expiration date must be greater than twelve months but not more than eighteen months from the current registration expiration date. New expiration dates may only be granted when validation tabs for the desired month and year are available ((and the total number of months may not exceed eighteen)).

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 308-57-220	13-month leases.
WAC 308-57-250	Rental car abatement.
WAC 308-57-310	Use class and one hundred ten percent rule.
WAC 308-57-320	Trucks and one hundred ten percent rule.
WAC 308-57-410	Appeal process.
WAC 308-57-420	Taxes to be paid before appeal.
WAC 308-57-430	Effective date for appeals.
WAC 308-57-440	Hearings officer.

PERMANENT

**WSR 97-12-016**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**

[Filed May 28, 1997, 11:40 a.m., effective June 30, 1997]

Date of Adoption: May 28, 1997.

Purpose: Chapter 296-46 WAC, Safety standards—Installing electric wires and equipment—Administrative rules: National Electrical Code (NEC)-initiated amendments to chapter 296-46 WAC, Safety standards—Installing electric wires and equipment—Administrative rules, were made to be at-least-as-effective-as the 1996 NEC code. According to RCW 19.28.060, the department, in conjunction with the Electrical Board, is required to adopt reasonable rules based upon the latest revision of the NEC code. These NEC-initiated amendments do not establish any additional compliance requirements.

State-initiated amendments to chapter 296-46 WAC, Safety standards—Installing electric wires and equipment—Administrative rules, were made to comply with RCW 19.28.060 which requires the department, in conjunction with the Electrical Board, to adopt "reasonable rules in furtherance of safety to life and property." Also, state-initiated amendments to this chapter were made to increase fees by 4.45%. The 4.45% figure was obtained from the Office of Financial Management and is the maximum allowable fiscal growth rate factor for fiscal year 1997. All fee increases have been rounded down to the nearest dollar. The purpose of these fee increases is to help maintain the solvency of the electrical fund. These amendments do establish additional compliance requirements.

Amending WAC 296-46-090 Foreword. Reason for Adopting Rule: National Electrical Code (NEC)-initiated amendments were made to reference the 1996 edition of the NEC codes and standards.

Amending WAC 296-46-130 Classification or definition of occupancies. Reason for Adopting Rule: State-initiated amendments were made to:

- Incorporate the occupancy classifications and definitions used by the agencies that register or license these types of operations.
- Delete definitions for "detoxification" and "mini day care center" which are no longer used.
- Add definitions for "hospital," "nursing home unit," "alcoholism treatment facility," "hospice care center," "medical, dental, and chiropractic clinic," "child day care center," "school-age child care center" and "family child day care home" which are currently used.
- Amend the definitions of "ambulatory surgical facility" and "renal hemodialysis clinic" by adding a reference to the NEC code 517-3 definition of "Ambulatory Health Care Center."
- Retitle the definition of "adult residential treatment facility" to "adult residential rehabilitation center" and to update its statute reference by replacing "chapter 204, Laws of 1982" with "chapter 71.24 RCW."
- Amend the language in the definition of "group care facility" by including the phrase "other than a foster-family home."
- Reorganize the definitions in this section.

Amending WAC 296-46-140 Plan review for educational, institutional or health care facilities and other buildings. Reason for Adopting Rule: NEC-initiated amendments were made to delete language regarding the calculation of loads for existing building which is now included in the 1996 NEC code.

State-initiated amendments were made to delete references to WAC 296-46-150 which is being repealed.

Repealing WAC 296-46-150 Wiring methods for designated building occupancies. Reason for Adopting Rule: State-initiated amendments were made to repeal this section in its entirety.

Amending WAC 296-46-21008 Branch circuits. Reason for Adopting Rule: NEC-initiated amendments were made to delete this section in its entirety because it is now included in the 1996 NEC code. This section number has been reserved for future use.

Amending WAC 296-46-21052 Receptacles and switches. Reason for Adopting Rule: NEC-initiated amendments were made to clarify how floor outlets are installed in "out of traffic areas."

State-initiated amendments were made to retitle this section to "Receptacles in dwelling units" to more accurately reflect its content.

Amending WAC 296-46-225 Outside branch circuits and feeders. Reason for Adopting Rule: NEC-initiated amendments were made to delete language regarding outside branch circuits and feeders which is now included in the 1996 NEC code.

State-initiated amendments were made to clarify and limit the distance, as referenced in NEC code 225-8(b), that feeder or branch circuit conductors may extend into buildings.

Amending WAC 296-46-23028 Service or other masts. Reason for Adopting Rule: State-initiated amendments were made to enlarge the illustrations to improve clarity.

Amending WAC 296-46-23062 Service equipment. Reason for Adopting Rule: State-initiated amendments were made to clarify what information must be given an inspector when a ground fault protection test is performed.

Amending WAC 296-46-30001 Support of raceways and cables. Reason for Adopting Rule: State-initiated amendments were made to:

- Retitle this section to "Support of raceways and cables in suspended ceilings" to more accurately reflect its content.
- Clarify that wires, other than ceiling support wires, may be used to support raceways above suspended ceilings.

Amending WAC 296-46-360 Amusement rides or structures, carnivals, and similar traveling shows. Reason for Adopting Rule: NEC-initiated amendments were made to delete certain requirements regarding feeders, circuits, receptacles, plugs, portable power cables and conductors which are now found in the 1996 NEC code.

Amending WAC 296-46-370 Boat moorages, floating buildings, and similar installations. Reason for Adopting Rule: NEC-initiated amendments were made to move this section to WAC 296-46-553. This section number has been reserved for future use.

Amending WAC 296-46-514 Service stations. Reason for Adopting Rule: NEC-initiated amendments were made

to delete requirements regarding emergency disconnects which are now found in the 1996 NEC code.

State-initiated amendments were made to retitle this section to "Gasoline dispensing and service stations" to more accurately reflect its content.

New section WAC 296-46-553 Boat moorages, floating buildings, and similar installations. Reason for Adopting Rule: NEC-initiated amendments were made to add this new section and incorporate requirements previously found at WAC 296-46-370. This change is being made to align the state WAC section number with the NEC code number as closely as possible.

State-initiated amendments were made to clarify "where flexibility is required" in NEC code 555-6 "Wiring Methods."

Amending WAC 296-46-700 Emergency systems. Reason for Adopting Rule: NEC-initiated amendments were made to delete subsection (2) Fire alarm systems, which is now found in the 1996 NEC code.

State-initiated amendments were made to delete a reference to WAC 296-46-150 which has been repealed.

Amending WAC 296-46-725 Class 2 and Class 3 cables. Reason for Adopting Rule: State-initiated amendments were made to correct NEC code references.

Amending WAC 296-46-910 Inspection fees. Reason for Adopting Rule: State-initiated amendments were made to:

- Delete double fees for installations that are covered or concealed before an inspection. It is more accurate to charge the full fee for both the initial trip and the return trip which is required because the initial inspection could not be conducted.
- Move "failure to obtain a work permit" from this section to WAC 296-46-920 Civil penalty.
- Add a fee for "each outbuilding or detached garage inspected separately."
- Add a clarifying definition of "thermostat."
- Reduce the inspection fees for commercial/industrial low voltage fire and burglar alarms to a reasonable level.
- Reduce the inspection fees for generators to a reasonable level.
- Increase the fees in this section by 4.45% in order to maintain a solvent electrical fund.

Amending WAC 296-46-915 Electrical contractor license, administrator certificate and examination, and copy fees. Reason for Adopting Rule: State-initiated amendments were made to:

- Omit "within 10 days" and "after 10 days." The fee for the transfer of administrator designation now accurately reflects the administrative cost of the transfer, which is the same no matter when the transfer is made.
- Increase the fees in this section by 4.45% in order to maintain a solvent electrical fund.

Amending WAC 296-46-920 Civil penalty. Reason for Adopting Rule: State-initiated amendments were made to:

- Add specific penalties for: Covering or concealing installations prior to inspection; failing to make corrections within fifteen days, or the extended time period where approved; and failure to obtain a work permit prior to beginning work.

- Include a reduced "homeowner's first offense" penalty because homeowners generally lack specific knowledge of and experience with department permitting requirements.

Chapter 296-401 WAC, Certification of competency for journeyman electricians, legislative-initiated amendments to chapter 296-401 WAC, Certification of competency for journeyman electricians, were made to comply with 1996 amendments to RCW 19.28.550. These legislative-initiated amendments do not establish additional compliance requirements.

State-initiated amendments to chapter 296-401 WAC, Certification of competency for journeyman electricians, were made to reflect an appellate court decision (*The Washington State Association of Electrical Workers et al v. State of Washington*, NO. 15290-8-II (Ct. App. Div. II), December 23, 1992), the responsibilities of contracted testing agencies, changing national standards and the need to clarify language.

Also, state-initiated amendments to this chapter were made to increase fees by 4.45%. The 4.45% figure was obtained from the Office of Financial Management and is the maximum allowable fiscal growth rate factor for fiscal year 1997. All fee increases have been rounded down to the nearest dollar. The purpose of these fee increases is to help maintain the solvency of the electrical fund. These amendments do establish additional compliance requirements.

Amending WAC 296-401-080 Eligibility for journeyman examination. Reason for Adopting Rule: State-initiated amendments were made to delete language regarding graduates of electrical trade school programs established in 1946 and their eligibility to take the journeyman's certificate of competency examination. This language has been deleted due the decision in *The Washington State Association of Electrical Workers et al v. State of Washington*, NO. 15290-8-II (Ct. App. Div. II), December 23, 1992.

Amending WAC 296-401-090 Status of person who has failed an examination for an electrician certificate of competency. Reason for Adopting Rule: State-initiated amendments were made to delete language regarding the successful completion of a refresher training course and eligibility to retake a certificate of competency examination. These department requirements proved to be unenforceable and are now better administered by the contracted testing agency.

Amending WAC 296-401-100 Computation of years of employment—Renewal of training certificates. Reason for Adopting Rule: State-initiated amendments were made to increase the number of hours of employment used in the calculation of "one year of employment." The proposed increase brings Washington state requirements in line with national standards and enables the department to maintain reciprocal agreements with other states.

Amending WAC 296-401-120 Electrical training certificates. Reason for Adopting Rule: State-initiated amendments were made to increase required training hours and brings Washington state in line with national standards and enables the department to maintain reciprocal agreements with other states.

Amending WAC 296-401-165 Issuing and renewing an electricians certificate of competency. Reason for Adopting Rule: Legislative-initiated amendments were made to incorporate portions of ESSB 6521, (1996), requiring an



electrician's birthdate to be the renewal date for the certificate of competency.

State-initiated amendments were made to:

- Delete language relating to passing the competency examination and the issuing of certificates resulting from the passage of ESSB 6521.
- Clarify continuing education requirements by adding the sentence "Any portion of a year is equal to one year for continuing education requirements."
- Replace the word "latest" with the word "current" when referring to National Electrical Code changes.

Amending WAC 296-401-175 Journeyman, specialty and trainee certificate, and examination fees. Reason for Adopting Rule: State-initiated amendments were made to increase the fees in this section by 4.45% in order to maintain a solvent electrical fund.

Citation of Existing Rules Affected by this Order: Amending WAC 296-46-090 Foreword, 296-46-130 Classification or definition of occupancies, 296-46-140 Plan review for educational, institutional or health care facilities and other buildings, 296-46-21008 Branch circuits, 296-46-21052 Receptacles and switches, 296-46-225 Outside branch circuits and feeders, 296-46-23028 Service or other masts, 296-46-23062 Service equipment, 296-46-30001 Support of raceways and cables, 296-46-360 Amusement rides or structures, carnivals, circuses, and similar traveling shows, 296-46-370 Boat moorages, floating buildings, and similar installations, 296-46-514 Service stations, 296-46-700 Emergency systems, 296-46-725 Class 2 and Class 3 cables, 296-46-910 Inspection fees, 296-46-915 Electrical contractor license, administrator certificate and examination, and copy fees, 296-46-920 Civil penalty, 296-401-080 Eligibility for journeyman examination, 296-401-090 Status of person who has failed an examination for an electrician certificate of competency, 296-401-100 Computation of years of employment—Renewal of training certificates, 296-401-120 Electrical training certificates, 296-401-165 Issuing and renewing an electrician certificate of competency and 296-401-175 Journeyman, specialty and trainee certificate, and examination fees; and repealing WAC 296-46-150 Wiring methods for designated building occupancies.

Statutory Authority for Adoption: RCW 19.28.060, [19.28.]210(6), [19.28.]350, and [19.28.]600.

Adopted under notice filed as WSR 97-03-083 on January 15, 1997.

Changes Other than Editing from Proposed to Adopted Version: As a result of written and oral comments received, the following sections are being amended: WAC 296-46-140 Plan review for educational, institutional or health care facilities and other buildings. The words "feeders and" have been inserted into WAC 296-46-140(4) so it reads "For existing structures where additions or alterations to feeders and services are proposed . . ." The words "or service" have been inserted into WAC 296-46-140 (4)(c) so it reads "Building demand measured continuously on the highest-loaded phase of the feeder or service over a thirty-day period . . ."

WAC 296-46-23028 Service or other masts. Drawings E101, E102 and E103 have been updated.

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 1, amended 23, 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 1, amended 23, repealed 1.

Effective Date of Rule: June 30, 1997.

May 22, 1997

Gary Moore

Director

**AMENDATORY SECTION** (Amending WSR 93-06-072, filed 3/2/93, effective 4/2/93)

**WAC 296-46-090 Foreword.** The ((1993)) 1996 edition of the National Electrical Code (NFPA 70 - ((1993)) 1996) including ((Appendix B)) Appendices A, B, and C, the ((1990)) 1993 edition of Centrifugal Fire Pumps (NFPA 20 - ((1990)) 1993) and the ((1985)) 1993 edition of Emergency and Standby Power Systems (NFPA 110 - ((1985)) 1993) are hereby adopted by reference as part of this chapter. Other codes, manuals, and reference works referred to in this chapter are available for inspection and review in the Olympia office of the electrical section of the department during business hours. Where there is any conflict between this chapter and the National Electrical Code (NFPA 70), Centrifugal Fire Pumps (NFPA 20) or Emergency and Standby Power Systems (NFPA 110), the requirements of this chapter shall be observed. Where there is any conflict between Centrifugal Fire Pumps (NFPA 20) or Emergency and Standby Power Systems (NFPA 110) and the National Electrical Code (NFPA 70), the National Electrical Code shall be followed.

Electrical inspectors will give information as to the meaning or application of the National Electrical Code, the standard on Centrifugal Fire Pumps and the standard on Emergency and Standby Power Systems and this chapter, but will not lay out work or act as consultants for contractors, owners, or users.

The department is authorized to enforce city electrical ordinances where those governmental agencies do not make electrical inspections under an established program.

**AMENDATORY SECTION** (Amending WSR 90-19-015, filed 9/10/90, effective 10/11/90)

**WAC 296-46-130 Classification or definition of occupancies.** Occupancies shall be classified and defined by the agency that registers or licenses their operation, as follows:

(1) Educational facility refers to a building or portion of a building used primarily for educational purposes and shall include buildings used for the gathering of groups of six or more persons for purposes of instruction. Educational occupancy includes, but is not restricted to: Schools, colleges, academies, and universities.

(2) Institutional facility refers to a building or portion of a building used primarily for detention and correctional occupancies where some degree of restraint or security is required. Such occupancies shall include, but are not restricted to: Penal institutions, reformatories, jails, detention centers, correctional centers, and residential-restrained care.

(3) Health or personal care facility. Health or personal care facility refers to buildings or parts of buildings that contain but are not limited to facilities such as a hospital, nursing home, alcoholism hospital, psychiatric hospital, boarding home, alcoholism treatment facility, maternity home, birth center or childbirth center, residential treatment facility for psychiatrically impaired children and youths, and renal hemodialysis clinics that are licensed by the department of social and health services; and medical, dental or chiropractic offices or clinics, outpatient or ambulatory surgical clinics, and such other health care occupancies where patients who may be unable to provide for their own needs and safety without the assistance of another person are treated.

(a) ~~(Boarding home means any home or other institution, however named, which is advertised, announced, or maintained for the express or implied purpose of providing board and domiciliary care to three or more aged persons not related by blood or marriage to the operator. It shall not include any home, institution, or section thereof which is otherwise licensed and regulated under the provisions of state law providing specifically for the licensing and regulation of such home, institution, or section thereof.~~

~~(b) Private alcoholism hospital means an institution, facility, building, or equivalent designed, organized, maintained, and operated to provide diagnosis, treatment, and care of individuals demonstrating signs or symptoms of alcoholism, including the complications of associated substance use and other medical diseases that can be appropriately treated and cared for in the facility and providing accommodations, medical services, and other necessary services over a continuous period of twenty four hours or more for two or more individuals unrelated to the operator, provided that this chapter shall not apply to any facility, agency, or other entity which shall be both owned and operated by a public or governmental body.~~

~~(c) Detoxification means care or treatment of an intoxicated person during a period where the individual recovers from the effects of intoxication.~~

~~(d) Private psychiatric hospital means an institution, facility, building, or agency specializing in the diagnosis, care, and treatment of individuals demonstrating signs and/or symptoms of mental disorder as defined in RCW 71.05.020(2), and providing accommodations and other necessary services over a continuous period of twenty four hours or more for two or more individuals not related to the operator, provided that this chapter shall not apply to any facility, agency, or other entity which shall be both owned and operated by a public or governmental body.)~~ "Hospital" means any institution, place, building, or agency providing accommodations, facilities and services over a continuous period of twenty-four hours or more, for observation, diagnosis, or care of two or more individuals not related to the operator who are suffering from illness, injury, deformity, or abnormality, or from any other condition for which

obstetrical, medical, or surgical services would be appropriate for care or diagnosis.

(b) "Nursing home unit" or "long-term care unit" means a group of beds for the accommodation of patients who, because of chronic illness or physical infirmities require skilled nursing care and related medical services but are not acutely ill and not in need of the highly technical or specialized services ordinarily a part of hospital care.

(c) "Boarding home" means any home or other institution, however named, which is advertised, announced, or maintained for the express or implied purpose of providing board and domiciliary care to three or more aged persons not related by blood or marriage to the operator. It shall not include any home, institution, or section thereof which is otherwise licensed and regulated under the provisions of state law providing specifically for the licensing and regulation of such home, institution, or section thereof.

(d) "Private alcoholism hospital" means an institution, facility, building, or equivalent designed, organized, maintained, and operated to provide diagnosis, treatment, and care of individuals demonstrating signs or symptoms of alcoholism, including the complications of associated substance use and other medical diseases that can be appropriately treated and cared for in the facility and providing accommodations, medical services, and other necessary services over a continuous period of twenty-four hours or more for two or more individuals unrelated to the operator, provided that this chapter shall not apply to any facility, agency, or other entity which shall be both owned and operated by a public or governmental body.

(e) "Alcoholism treatment facility" means a private place or establishment, other than a licensed hospital, operated primarily for the treatment of alcoholism.

~~(f) (Maternity home means any home, place, hospital, or institution in which facilities are maintained for the care of four or more women, not related by blood or marriage to the operator, during pregnancy or during or within ten days after delivery. Provided, however, that this definition shall not apply to any hospital approved by the American College of Surgeons, American Osteopathic Association or its successor.~~

(g) Birth center or childbirth center means a type of maternity home which is a house, building, or equivalent organized to provide facilities and staff to support a birth service, provided that the birth service is limited to low risk maternal clients during the intrapartum period.

(h) Residential treatment facility for psychiatrically impaired children and youth means a residence, place, or facility designed and organized to provide twenty-four hour residential care and long-term individualized, active treatment for clients who have been diagnosed or evaluated as psychiatrically impaired.

(i) Ambulatory surgical center or ASC means any distinct entity that operates exclusively for the purpose of providing surgical services to patients not requiring hospitalization or that has an agreement with HFCA under Medicare to participate as an ASC.

(j) Renal hemodialysis clinic is a facility in a building or part of a building which is approved to furnish the full spectrum of diagnostic, therapeutic, and rehabilitative services required for the care of renal dialysis patients

(including inpatient dialysis furnished directly or under arrangement).

(k) Adult residential treatment facility means a residence, place, or facility designed and organized primarily to provide twenty-four hour residential care, crisis and short-term care, and/or long-term individualized active treatment and rehabilitation for clients diagnosed or evaluated as psychiatrically impaired or chronically mentally ill as defined herein or in chapter 204, Laws of 1982.

(l) Private adult treatment home means a dwelling which is the residence or home of two adults providing food, shelter, beds, and care for two or fewer psychiatrically impaired clients, provided these clients are detained under chapter 71.05 RCW and the dwelling is certified as an evaluation and treatment facility under chapter 71.05 RCW.

(m) Group care facility means a facility maintained and operated for the care of a group of children on a twenty-four hour basis. "Private psychiatric hospital" means an institution, facility, building, or agency specializing in the diagnosis, care, and treatment of individuals demonstrating signs and/or symptoms of mental disorder as defined in RCW 71.05.020(2), and providing accommodations and other necessary services over a continuous period of twenty-four hours or more for two or more individuals not related to the operator, provided that this chapter shall not apply to any facility, agency, or other entity which shall be both owned and operated by a public or governmental body.

(g) "Maternity home" means any home, place, hospital, or institution in which facilities are maintained for the care of four or more women, not related by blood or marriage to the operator, during pregnancy or during or within ten days after delivery: *Provided, however,* That this definition shall not apply to any hospital approved by the American College of Surgeons, American Osteopathic Association or its successor.

(h) "Birth center" or "childbirth center" means a type of maternity home which is a house, building, or equivalent organized to provide facilities and staff to support a birth service, provided that the birth service is limited to low-risk maternal clients during the intrapartum period.

(i) "Ambulatory surgical facility" means a facility, not a part of a hospital, providing surgical treatment to patients not requiring inpatient care in a hospital. This term does not include a facility in the offices of private physicians or dentists, whether for individual or group practice, if the privilege of using such facility is not extended to physicians or dentists outside the individual or group practice. (NEC; Ambulatory Health Care Center.)

(j) "Hospice care center" means any building, facility, place, or equivalent, organized, maintained, and operated specifically to provide beds, accommodations, facilities, and services over a continuous period of twenty-four hours or more for palliative care of two or more individuals, not related to the operator, who are diagnosed as being in the latter stages of an advanced disease which is expected to lead to death.

(k) "Renal hemodialysis clinic" is a facility in a building or part of a building which is approved to furnish the full spectrum of diagnostic, therapeutic, and rehabilitative services required for the care of renal dialysis patients (including inpatient dialysis furnished directly or under arrangement). (NEC; Ambulatory Health Care Center.)

(l) "Medical, dental, and chiropractic clinic" means any clinic or physicians office where patients are not regularly kept as bed patients for twenty-four hours or more. **Electrical plan review not required.**

(m) "Residential treatment facility for psychiatrically impaired children and youth" means a residence, place, or facility designed and organized to provide twenty-four hour residential care and long-term individualized, active treatment for clients who have been diagnosed or evaluated as psychiatrically impaired.

(n) "Adult residential rehabilitation center" means a residence, place, or facility designed and organized primarily to provide twenty-four hour residential care, crisis and short-term care and/or long-term individualized active treatment and rehabilitation for clients diagnosed or evaluated as psychiatrically impaired or chronically mentally ill as defined herein or in chapter 71.24. RCW.

(o) "Group care facility" means a facility other than a foster-family home maintained and operated for the care of a group of children on a twenty-four-hour basis.

(4) Licensed day care centers.

(a) ("Day care center" means an agency that provides care for thirteen or more children either within the abode of the licensee or within a building or portion of a building used for such purposes for periods of less than twenty-four hours.

(b) "Mini day care center" means:

(i) Day care center for the care of twelve or fewer children in a facility other than the family abode of the person or persons under whose direct care and supervision the child is placed; or

(ii) The care of from seven through twelve children in the family abode of such person or persons.; "Child day care center" means a facility providing regularly scheduled care for a group of children one month of age through twelve years of age for periods less than twenty-four hours; except, a program meeting the definition of a family child care home shall not be licensed as a day care center without meeting the requirements of WAC 388-150-020 (5)(a).

(b) "School-age child care center" means a program operating in a facility other than a private residence accountable for school-age children when school is not in session. It shall meet department licensing requirements, provide adult supervised care, and a variety of developmentally appropriate activities.

(c) "Family child day care home" means the same as "family child care home" and "a child day care facility" licensed by the state, located in the family abode of the person or persons under whose direct care and supervision the child is placed, for the care of twelve or fewer children, including children who reside at the home. **Electrical plan review not required.**

**AMENDATORY SECTION** (Amending WSR 93-06-072, filed 3/2/93, effective 4/2/93)

**WAC 296-46-140 Plan review for educational, institutional or health care facilities and other buildings.**

(1) All electrical plans for new or altered electrical installations in educational, institutional, and health or personal care occupancies classified or defined in WAC 296-46-130 (and as indicated in WAC 296-46-150, Table 1 or 2) shall be

reviewed and approved by the department before the electrical installation or alteration is begun. Plans for these electrical installations within cities that perform electrical inspections within their jurisdiction, and provide an electrical plan review program that equals or exceeds the department's program in plans examiner minimum qualifications, policies and procedures, may be submitted to that city for review rather than to the department. Approved plans shall be available on the job site for use during the electrical installation or alteration and for use by the electrical inspector. Refer plans for department review to the Electrical Inspection Section, Department of Labor and Industries, P.O. Box 44460, Olympia, Washington 98504-4460. Please refer to WAC 296-46-910 for required fees for plan review.

(2) Plans to be reviewed by the department must be legible, identify the name and classification of the facility, clearly indicate the scope and nature of the installation and the person or firm responsible for the electrical plans. The plans shall clearly show the electrical installation or alteration in floor plan view, include switchboard and/or panelboard schedules and when a service or feeder is to be installed or altered, shall include a riser diagram, load calculation, fault current calculation and interrupting rating of equipment. Where existing electrical systems are to supply additional loads, the plans shall include documentation that proves adequate capacity and ratings.

(3) Plan review for new or altered electrical installations of other types of construction may be voluntarily requested by the owner or other interested parties.

(4) For existing structures where additions or ~~((alternations))~~ alterations to feeders and services are proposed, NEC Article 220 shall govern, except that, in addition to the provisions of Paragraph 220-35 (1) Exception, the following ~~((alternative shall be considered acceptable for feeders:~~

~~If maximum demand data for one year period is not available, other means of load measurement may be acceptable to establish demand on existing feeders. In any case, the following data are))~~ is required:

- (a) The date of the measurements.
- (b) A diagram of the electrical system identifying the point(s) of measurement.
- (c) Building demand measured continuously on the highest-loaded phase of the feeder or service over a thirty-day period, with demand peak clearly identified. (Peak demand shall be defined as the maximum average demand over a fifteen-minute interval.)

~~((d) Copies of thirty-day measurements, such as significant segments of chart recordings, or logs of readings from KW demand meters, adjusted for power factor. Copies of twelve month service demand showing the highest demand for each month.~~

~~(e) The adjusted maximum annual demand in KVA, which shall include appropriate adjustments for seasonal loads, as shown by the twelve month service demand. Also any occupancy adjustment that may be required and, any load changes which should be expected from planned changes in building use during the succeeding twelve months.~~

~~Plan submittal shall be accompanied by a written statement, stamped and signed by a registered professional engineer, attesting to the validity of these data.))~~

AMENDATORY SECTION (Amending WSR 93-06-072, filed 3/2/93, effective 4/2/93)

WAC 296-46-21008 Branch circuits. ~~((An individual branch circuit shall be provided for the receptacle outlet(s) for dwelling unit bathrooms as defined in the National Electrical Code. Whether one or more circuits are used, these circuits shall not supply other loads.))~~ (Reserved.)

AMENDATORY SECTION (Amending WSR 93-06-072, filed 3/2/93, effective 4/2/93)

WAC 296-46-21052 Receptacles ((and switches)) in dwelling units. ~~((1) Receptacles and switches shall not be placed face up on counter tops or at other locations where subject to moisture or debris entering the device.~~

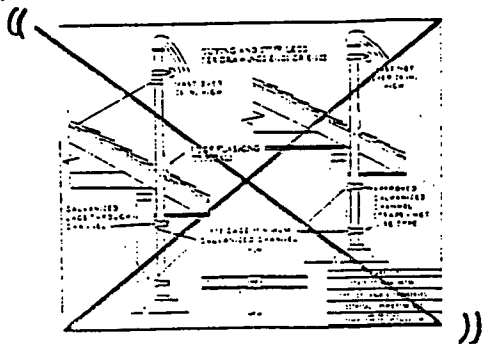
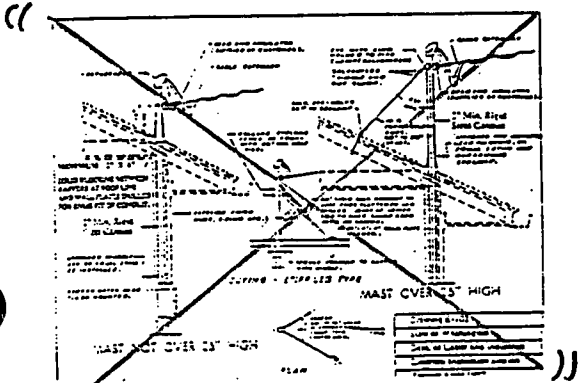
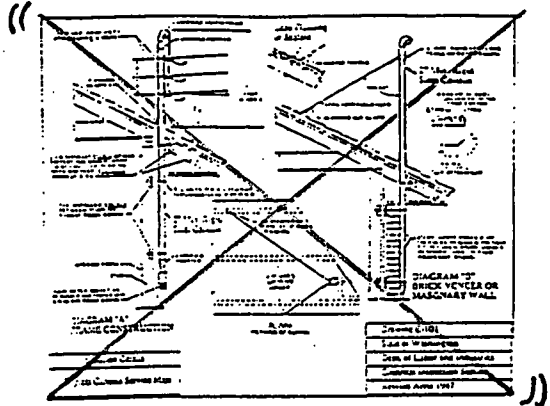
~~((2) Where))~~ For floor receptacle outlets located out of traffic areas ~~((in dwelling units)),~~ formed or welded metal boxes that are mounted in a substantial manner such as directly to a framing member shall be permitted ~~((for floor receptacle outlets)).~~ An approved metal cover plate that provides protection from debris entering the device shall be used.

AMENDATORY SECTION (Amending WSR 93-06-072, filed 3/2/93, effective 4/2/93)

WAC 296-46-225 Outside branch circuits and feeders. For the purpose of Article 225-8 (b) of the National Electrical Code, ~~((additional buildings or structures on the same property and under single management shall be supplied by a single branch circuit or feeder, unless the provisions of the exceptions to NEC Article 230-2 apply. If application of one of these exceptions allow additional supplies, a permanent plaque or directory shall be installed at each supply location denoting all other supplies to the building or structure and the location of each))~~ the branch circuit or feeder raceway or cable shall extend no more than 15 feet inside a building or structure.

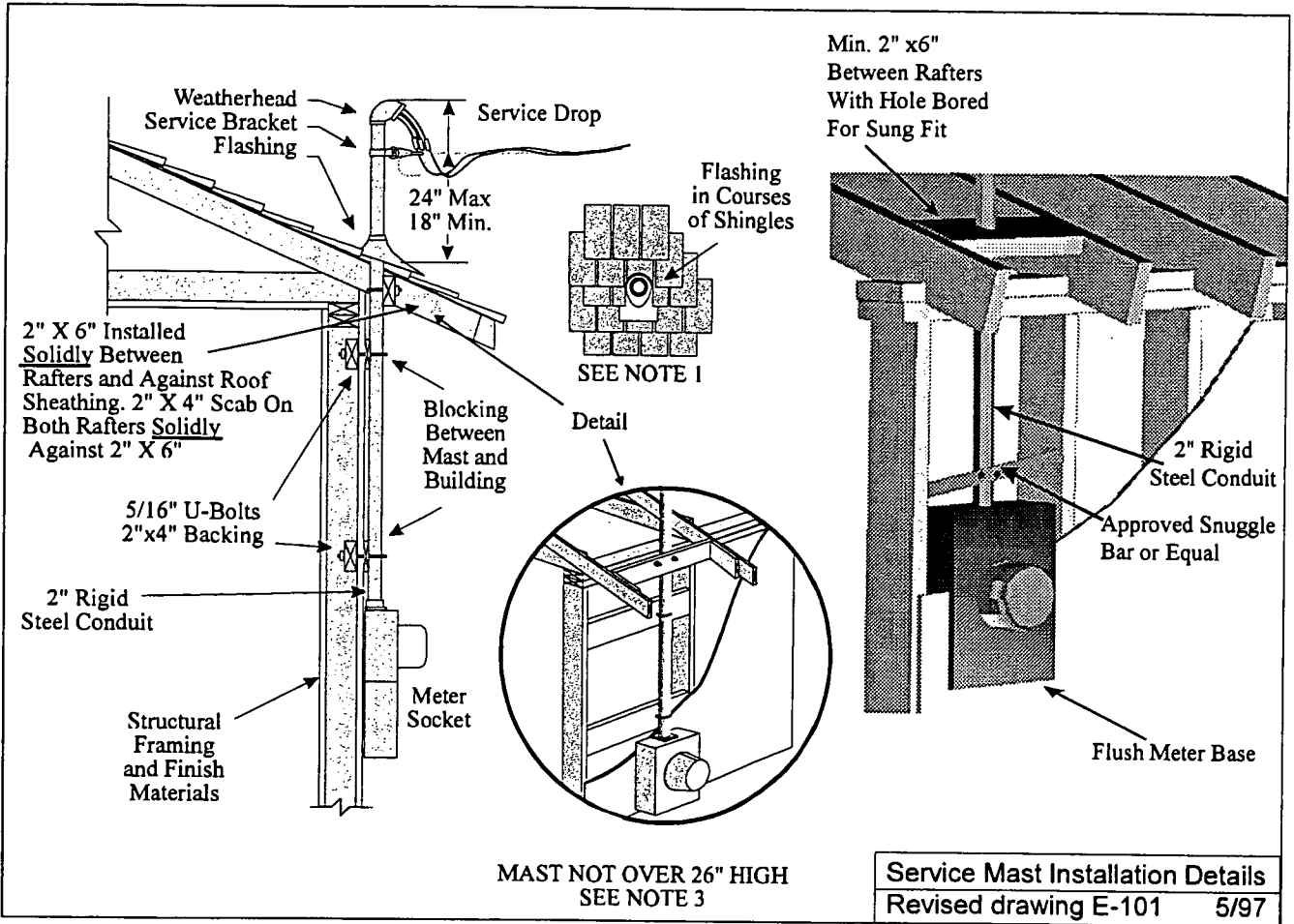
AMENDATORY SECTION (Amending WSR 90-19-015, filed 9/10/90, effective 10/11/90)

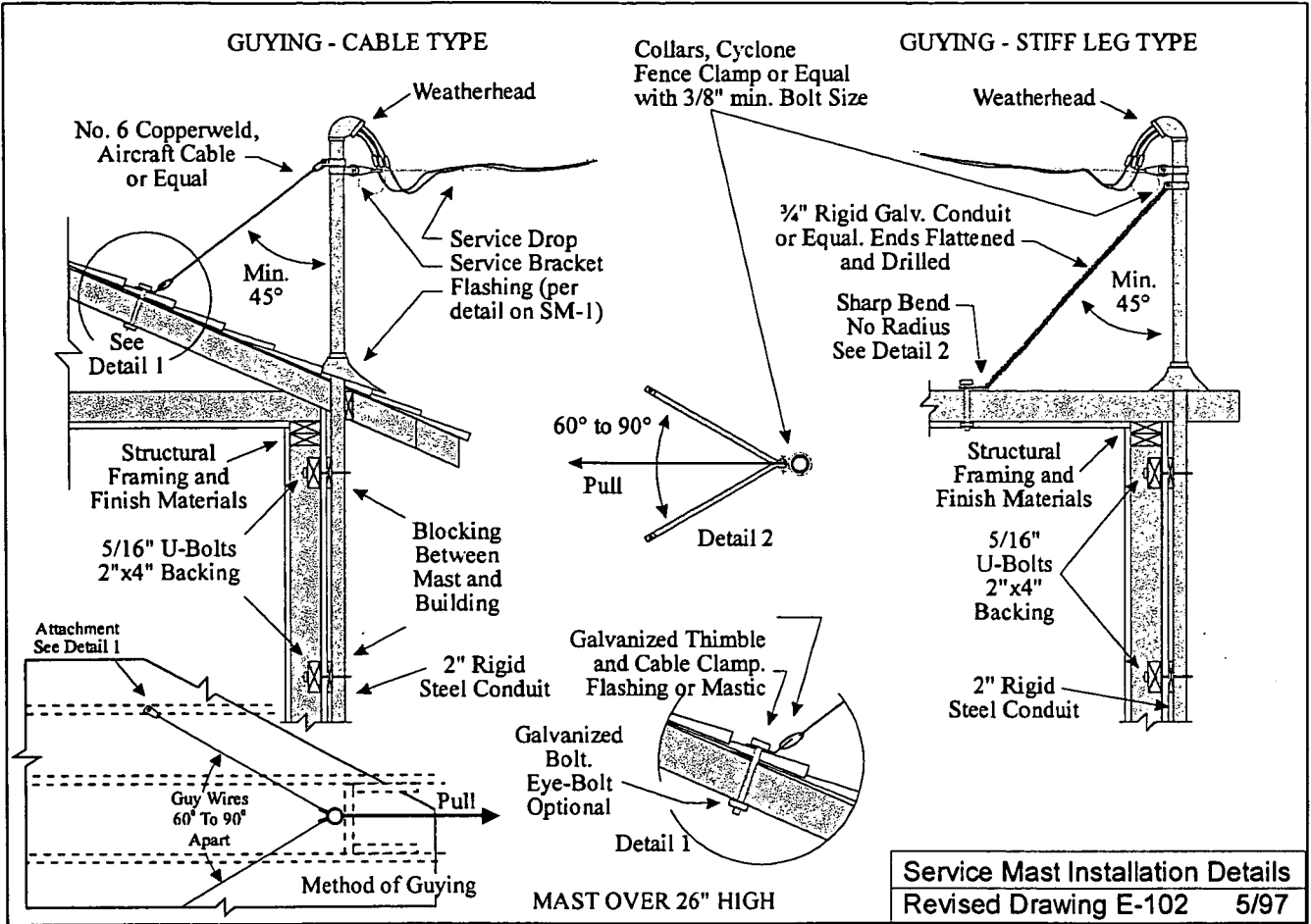
WAC 296-46-23028 Service or other masts. Conduit extended through the roof to provide means of attaching the service drop or other conductors shall be no smaller than 2-inch rigid steel galvanized conduit, shall provide a structurally sound attachment for the conductors and shall be equipped with a properly installed flashing at the roof line. The installation shall comply with drawings E-101 and/or E-102, or shall provide equivalent strength by other approved means. Masts for altered or relocated installations shall be permitted to comply with drawing E-103.



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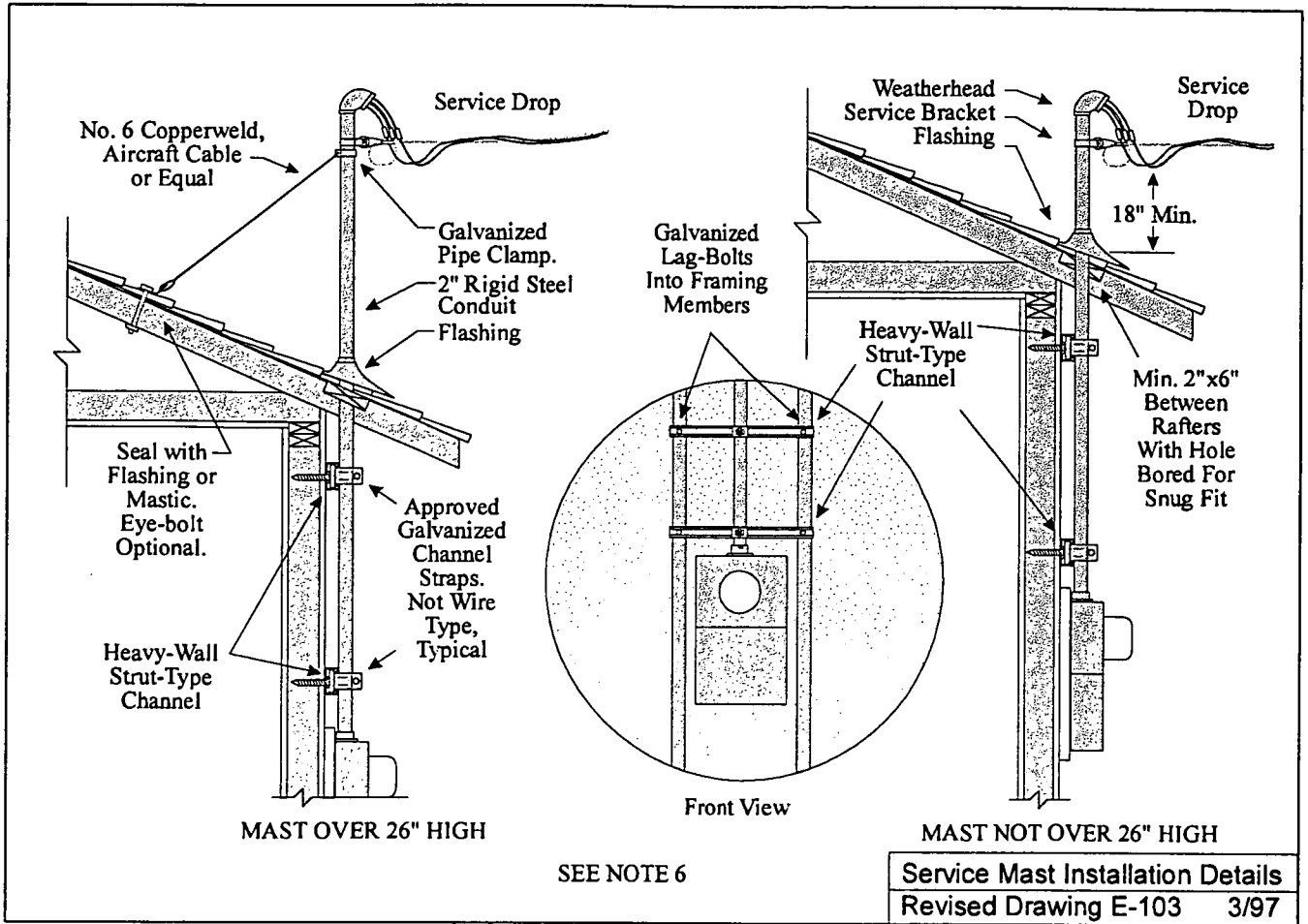
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SEE NOTE 6

Notes to drawings E-101, E-102, and E-103.

1. An approved roof flashing shall be installed on each mast where it passes through a roof. Plastic, nonhardening mastic shall be placed between lead-type flashings and the conduit. Neoprene type flashings shall also be permitted to be used.
2. Masts shall be braced, secured, and supported in such a manner that no pressure from the attached conductors will be exerted on a roof flashing, meter base, or other enclosures.
3. Utilization of couplings for a mast are permitted only below the point the mast is braced, secured, or supported.
4. Except as otherwise required by the serving utility, service mast support guys shall be installed if the service drop attaches to the mast more than 24 inches above the roof line or if the service drop is greater than 100 feet in length from the pole or support. Masts for support of other than service drops shall comply with this requirement as well.
5. Intermediate support masts shall be installed in an approved manner with methods identical or equal to those required for service masts.
6. For altered services, where it is impractical to install U bolt mast supports due to interior walls remaining closed, it shall be permissible to use other alternate mast support methods such as heavy gauge, galvanized, electrical channel material that is secured to two or more wooden studs with 5/16 inch diameter or larger galvanized lag bolts.

**AMENDATORY SECTION** (Amending WSR 93-06-072, filed 3/2/93, effective 4/2/93)

**WAC 296-46-23062 Service equipment.** (1) Service equipment, sub-panels, and similar electrical equipment shall be installed so that they are readily accessible and shall not be installed in bathrooms, clothes closets, shower rooms, cupboards, or attics, or above washers, clothes dryers, or

plumbed-in fixtures. All indoor service equipment and sub-panel equipment shall be adequately illuminated.

(2) Temporary construction service equipment shall not be used for other than construction purposes and shall be disconnected when the permanent service is connected unless an extension for a definite period of time is granted by the department.

(3) Equipment ground fault protection systems required by the National Electrical Code shall be tested prior to being placed into service to verify proper installation and operation of the system as determined by the manufacturer's published instructions. The test shall be performed by a firm that (~~is approved by the department and~~) has qualified personnel and proper equipment to perform the tests required. A copy of the manufacturer's performance testing instructions and a signed, written performance test record must be provided for the inspectors records.

**AMENDATORY SECTION** (Amending WSR 90-19-015, filed 9/10/90, effective 10/11/90)

**WAC 296-46-30001 Support of raceways and cables in suspended ceilings.** Raceways, cables, and boxes shall be permitted to be supported from Number 9 and larger (~~suspended ceiling support~~) wires under the following conditions:

- (1) Raceways and cables are not larger than 3/4 inch trade size.



(2) No more than two raceways or cables are supported by a support wire.

(3) Raceways and cables are secured to the support wires by fittings designed and manufactured for the purpose.

(4) The support wires are securely fastened to the structural ceiling and to the ceiling grid system.

(5) The raceways or cables serve equipment that is located within the ceiling cavity or is mounted on or supported by the ceiling grid system.

(6) Where not prohibited by the building code official.

**AMENDATORY SECTION** (Amending WSR 93-06-072, filed 3/2/93, effective 4/2/93)

**WAC 296-46-360 Amusement rides or structures, carnivals, circuses, and similar traveling shows.** (1) Electrical installations. Service equipment, separately derived systems, feeders and circuits for each amusement ride, structure or concession and the interconnection of each ride, structure or concession, shall comply with Article 525 of the National Electrical Code and this chapter.

(2) ~~((Feeders and circuits for portable rides, structures or concessions shall be listed and labeled, multiconductor cord of a type identified in Table 400-4 of the National Electrical Code for hard usage or extra hard usage or as permitted under the conditions in this chapter, by individual, single conductor power cable. Ampacity shall be determined from the appropriate Table 400-5(A) or 400-5(B) in the National Electrical Code including all notes thereto.~~

(3)) Flexible multiconductor cords shall be connected to equipment by approved connectors designed for the purpose or by listed cord caps. Individual conductors of multiconductor cords in sizes #2 AWG and larger shall be permitted to be connected by listed and labeled connection systems ~~((receptacles and plugs) that ensure by design, first make, last break of the equipment grounding conductor))~~ in accordance with Article 520-53(K) of the National Electrical Code. Where conductors are connected individually by such connection systems, the outer jacket of multiconductor cord shall be secured to the electrical equipment independent from the receptacles and plugs by approved cable grips that are installed in a manner to prevent pressure from being applied to the receptacles and plugs.

~~((4))~~ (3) Individual, single conductor, insulated, portable power cable ~~((of a type identified in Table 400-4 of the National Electrical Code for extra hard usage, in sizes 1/0 AWG and larger, shall be permitted to be used in the electrical distribution system provided that)),~~ in addition to complying with Section 525-13 of the National Electrical Code, shall comply with the following:

(a) All conductors of the feeder or circuit including the equipment grounding conductor originate in the same electrical equipment and terminate in the same equipment.

(b) All conductors of the feeder or circuit including the ungrounded, grounded, and equipment grounding conductors are run together ~~((and)),~~ except for portions installed within approved cable protection systems ~~((, and installed to comply with Article 520-53 of the National Electrical Code)).~~

(c) ~~((All conductors including the grounded circuit conductor (neutral) if used, the equipment grounding conductor and the ungrounded conductors are listed and~~

~~labeled cable of the same size, conductor material and insulation.~~

(d)) The cables are secured to the electrical equipment independent from the cable receptacles and plugs by approved cable grips that prevent pressure from being applied to the connectors.

~~((e))~~ (d) The cables are connected to electrical equipment by approved listed and labeled connection systems ~~((that ensure by design, first make, last break of the equipment grounding conductor))~~ in compliance with Section 520-53(K) of the National Electrical Code.

~~((5))~~ (4) Disconnecting means. A separate, enclosed, externally operable fused switch or circuit breaker, shall be installed on each amusement ride, structure or concession to disconnect all electrical equipment. The disconnecting means shall be readily accessible and identified as the disconnecting means. Where more than one power supply is employed, the disconnecting means shall be grouped.

~~((6))~~ (5) Rotating equipment. Components of amusement rides or structures that rotate more than three hundred sixty degrees and which have electrically operated equipment, shall be supplied by approved collector rings that shall be totally enclosed or located so they are accessible to authorized personnel only. The collector rings shall be factory produced with an equipment grounding segment having a voltage and current rating that equals or exceeds the rating of the current carrying segments. Collector rings shall have an ampacity not less than one hundred twenty-five percent of the full-load current of the largest device served plus the full-load current of all other devices served. Collector rings for control and signal purposes shall have an ampacity not less than one hundred twenty-five percent of the full-load current of the largest device served plus the full-load current of all other devices served.

~~((7))~~ (6) Equipment grounding. All noncurrent carrying metal parts of amusement rides and structures shall be grounded by an equipment grounding conductor routed with the feeder or circuit conductors in accordance with the National Electrical Code and these rules. The metallic structure shall not be used as a current carrying conductor.

Exception: The metallic structure shall be permitted to be used as the return path for low voltage systems that do not exceed thirty volts, provided that the ungrounded conductors are protected by an overcurrent device in accordance with the National Electrical Code and the system is factory built for such use.

~~((8))~~ (7) Existing amusement rides, concessions or games electrical systems shall comply with the National Electrical Code and shall be maintained in full compliance. Where new amusement rides, concessions or games are purchased, manufactured or constructed, or where existing rides, concessions or games have major modification, the electrical system shall comply with this chapter and the edition of the National Electrical Code in effect at that time. All rides, concessions, and games shall be identified in or on the disconnecting means as well as by make, model and serial number in records furnished to the department with the edition of the National Electrical Code the electrical system is intended to comply with.

AMENDATORY SECTION (Amending Order 87-07, filed 5/1/87)

~~WAC 296-46-370 ((Boat moorages, floating buildings, and similar installations. Docks, wharves, boat moorages, floating buildings, and similar facilities in addition to complying with the appropriate sections of Article 553 or Article 555 of the National Electrical Code shall have a service disconnect located on the shoreline.~~

~~Where shore power is provided, each floating building or boat moorage berth shall have a disconnecting means located within sight of and not more than fifty feet from each floating building or berth. The disconnecting means shall be installed adjacent to but not in or on the floating building. Conductors in excess of 600 volts, nominal shall not be installed on floating portions of marinas, docks, or wharves. Refer to the Fire Protection Standard for Marinas and Boatyards, NFPA 303 for additional information.)) (Reserved.)~~

AMENDATORY SECTION (Amending WSR 93-06-072, filed 3/2/93, effective 4/2/93)

~~WAC 296-46-514 Gasoline dispensing and service stations ((and propane equipment)). ((In addition to complying with Article 514 of the National Electrical Code, each circuit leading to or through a gasoline pump shall be provided with an emergency disconnect switch or other approved means which shall simultaneously disconnect all circuit conductors including the grounded circuit conductor if any.))~~

The gasoline pump disconnecting means or operator shall be substantially red in color and identified with a sign as the emergency disconnecting means. The disconnecting means or operator shall be readily accessible and shall be located outdoors and within sight of the gasoline pump or dispenser ~~((the disconnect))~~ it controls. For multicircuit installations an electrically held contactor shall be permitted to be used.

NEW SECTION

**WAC 296-46-553 Boat moorages, floating buildings, and similar installations.** Docks, wharves, boat moorage's, floating buildings, and similar facilities in addition to complying with the appropriate sections of Article 553 or Article 555 of the National Electrical Code shall have a service rated disconnect located on the shoreline. Extra-hard usage portable power cable may only be used when extending a feeder between the structures indicated above where flexibility is required and must be connected to an approved wiring method within the first 15 feet of the end where flexibility is required.

Where shore power is provided, each floating building or boat moorage berth shall have a disconnecting means located within sight of and not more than fifty feet from each floating building or berth. The disconnecting means shall be installed adjacent to but not in or on the floating building. Conductors operating in excess of 600 volts, nominal shall not be installed on floating portions of marinas, docks, or wharves. Refer to the Fire Protection Standard for Marinas and Boatyards, NFPA 303 for additional information.

AMENDATORY SECTION (Amending WSR 93-06-072, filed 3/2/93, effective 4/2/93)

**WAC 296-46-700 Emergency systems.** (1) Exit and emergency lights shall be installed in accordance with the National Electrical Code, Article 700, and currently adopted edition of the Uniform Building Code in all health or personal care facilities defined in WAC 296-46-130, educational facilities, institutional facilities, hotels, motels, and places of assembly for one hundred or more persons. Installation shall be made in strict accordance with the National Electrical Code, Article 700~~((, and WAC 296-46-150))~~.

~~(2) ((Fire alarm systems. Fire alarm systems required by a city, county or state ordinance, statute, or regulation shall be installed in accordance with the National Electrical Code and this chapter. Power limited fire alarm systems shall be permitted to be installed in metallic raceways using conductors shown in Section 760-16(b) of the National Electrical Code for nonpower limited circuits or those 600 volt conductors which are rated for 90 degrees C or greater in Table 310-13 of the National Electrical Code.~~

~~((3))~~ Junction boxes for fire alarm systems other than the surface raceway type, shall be substantially red in color. Power-limited fire protective signalling circuit conductors shall be durably and plainly marked in or on junction boxes or other enclosures to indicate that it is a power-limited fire protective signalling circuit. Conductors for light, heat, or power shall not be installed in any enclosure, raceway, cable, compartment, outlet box, or similar fitting containing fire alarm conductors.

~~((4))~~ (3) All boxes and enclosures, including transfer switches, generators, and power panels for emergency systems and circuits shall be permanently marked with an adhesive label or decal or similar approved means that is suitable for the environment and is substantially red in color.

AMENDATORY SECTION (Amending WSR 90-19-015, filed 9/10/90, effective 10/11/90)

**WAC 296-46-725 Class 2 and Class 3 cables.** Class 2 and Class 3 cables shall be secured in compliance with Section ~~((336-15))~~ 336-18 of the National Electrical Code and shall be secured to boxes in compliance with Section ~~((370-7))~~ 370-17 of the National Electrical Code. Raceways for Class 2 and Class 3 conductors shall be installed in compliance with Chapter 3 of the National Electrical Code.

AMENDATORY SECTION (Amending WSR 92-08-102, filed 4/1/92, effective 5/2/92)

**WAC 296-46-910 Inspection fees.** To calculate the inspection fees, the amperage is based on the conductor ampacity or the overcurrent device rating.

- (1) RESIDENTIAL
  - (a) Single and two family residential (new construction)
    - (i) First 1300 sq. ft. or less . . . . . ~~(((\$60))~~ \$62
    - Each additional 500 sq. ft. or portion of . . . . . \$20
    - (ii) Each outbuilding or detached garage inspected with the service ~~((see note))~~ . ~~(((\$25))~~ \$26

PERMANENT

(iii) Each outbuilding or detached garage inspected separately . . . . . \$41

((Note: When not inspected at same time as service, refer to (b) of this subsection))

(b) Multifamily residential (new construction)

Each service and or feeder

Service Ampacity	Service	Feeder
0 to 200	<del>((65))</del> <u>67</u>	\$ 20
201 to 400	<del>((80))</del> <u>83</u>	<del>((40))</del> <u>41</u>
401 to 600	<del>((110))</del> <u>114</u>	<del>((55))</del> <u>57</u>
601 to 800	<del>((140))</del> <u>146</u>	<del>((75))</del> <u>78</u>
801 and over	<del>((200))</del> <u>208</u>	<del>((150))</del> <u>156</u>

(c) Single family or multifamily altered services including circuits

Service Ampacity	Service or Feeder
0 to 200	\$ <del>((55))</del> <u>57</u>
201 to 600	<del>((80))</del> <u>83</u>
over 600	<del>((120))</del> <u>125</u>

(ii) Maintenance or repair of meter or mast (no alterations to service or feeder) . . . . ~~((30))~~ \$31

(d) Single or multi-family residential circuits only (no service inspection)

(i) 1 to 4 circuits (see note) . . . . . ~~((40))~~ \$41

(ii) Each additional circuit . . . . . 5

Note: Total fee per panel not to exceed (c)(i) of this subsection Service/Feeder

(e) Mobile homes; mobile home parks; and RV parks

(i) Mobile home service or feeder only . . . ~~((40))~~ \$41

(ii) Mobile home service and feeder . . . . . ~~((65))~~ 67

(iii) Mobile home park sites and RV park sites

(A) First service or feeder . . . . . ~~((40))~~ 41

(B) Each additional service; or a feeder inspected at same time as service . . . . . ~~((25))~~ 26

Note: For master service installations, see subsection (2).

(2) COMMERCIAL/INDUSTRIAL

(a) Service/feeder; and feeders inspected at the same time as service (circuits included)

Service/ Feeder Ampacity	Service/ Feeder	Additional Feeder inspected at the same time
0 to 100	\$ <del>((65))</del> <u>67</u>	\$ <del>((40))</del> <u>41</u>
101 to 200	<del>((80))</del> <u>83</u>	<del>((50))</del> <u>52</u>
201 to 400	<del>((150))</del> <u>156</u>	<del>((60))</del> <u>62</u>
401 to 600	<del>((175))</del> <u>182</u>	<del>((70))</del> <u>73</u>
601 to 800	<del>((225))</del> <u>235</u>	<del>((95))</del> <u>99</u>
801 to 1000	<del>((275))</del> <u>287</u>	<del>((115))</del> <u>120</u>
Over 1000	<del>((300))</del> <u>313</u>	<del>((160))</del> <u>167</u>

(ii) Over 600 volts surcharge . . . . . ~~((50))~~ \$52

(b) Altered services or feeders (no circuits)

Service Ampacity	Service/ Feeder
0 to 200	\$ <del>((65))</del> <u>67</u>
201 to 600	<del>((150))</del> <u>156</u>
601 to 1000	<del>((225))</del> <u>235</u>
Over 1000	<del>((250))</del> <u>261</u>

(ii) Over 600 volts surcharge . . . . . ~~((50))~~ \$52

(iii) Maintenance or repair of meter or mast (no alteration of service equipment) . . . . ~~((55))~~ 57

(c) Circuits only

(i) First five circuits per branch circuit panel . . . . . ~~((50))~~ \$52

(ii) Each additional circuit per branch circuit panel . . . . . 5

Note: Total fee per panel not to exceed (a)(i) of this subsection service/feeder

(3) TEMPORARY SERVICES

(a) Residential . . . . . ~~((35))~~ \$36

(b) Commercial/Industrial

Service or Feeder Ampacity	
0 to 100	<del>((40))</del> <u>\$41</u>
101 to 200	<del>((50))</del> <u>52</u>
201 to 400	<del>((60))</del> <u>62</u>
401 to 600	<del>((80))</del> <u>83</u>
Over 600	<del>((90))</del> <u>94</u>

Each additional feeder inspected at the same time as service or first feeder add 50% of the fee above.

(4) IRRIGATION MACHINES, PUMPS AND EQUIPMENT  
Irrigation machines

PERMANENT

- (a) Each tower when inspected at same time as service and feeder . . . . . \$5
- (b) When not inspected at same time as service and feeders - first 6 . . . . . ~~((60))~~  
62

Each additional tower per (a) of this subsection . . . . . 5

(5) MISCELLANEOUS - commercial/industrial and residential

- (a) Thermostats
  - (i) First thermostat . . . . . ~~((30))~~  
31
  - (ii) Each additional thermostat inspected at the same time as first thermostat . . . . . 10

Note: Thermostat is defined as:

- (A) A device that interrupts electrical current while performing its function of controlling building, zonal, or room environmental air temperature; or
- (B) In the case of environmental air temperature control by the use of sensors which do not interrupt current but rather transmit data to a zonal or central processing unit, "Thermostat" shall be considered to be the circuit extending from the central processing unit to the local controller. At times this local unit could control several zones or rooms individually or in concert.

- (b) Low voltage fire alarm and burglar alarm
  - (i) First 2500 sq. ft. or less. Includes nurse call intercom, security systems and similar low energy circuits and equipment . . . . . ~~((35))~~  
36
  - (ii) Each additional 500 sq. ft. or portion thereof . . . . . 10

Exception: Low voltage fire alarm and burglar alarm for commercial and industrial

Each control panel and up to four circuits or zones . . . . . \$29  
Each additional circuit or zone . . . . . 7

- (c) Signs and outline lighting
    - (i) First sign (no service) . . . . . ~~((30))~~  
31
    - (ii) Each additional sign inspected at the same time on the same bldg. or structure . . . . . 15
  - (d) Berth at a marina or dock . . . . . ~~((40))~~  
41
- Each additional berth inspected at the same time . . . . . ~~((25))~~  
26
- (e) Yard pole meter loops only . . . . . ~~((40))~~  
41

Meters installed remote from service equipment: Inspected at same time as service, temporary service or other installations . . . . . 10

- (f) Emergency inspections requested outside normal work hours. Regular fee plus surcharge of . . . . . ~~((75))~~  
78

- (g) Generators, refer to appropriate service/feeder section
  - ~~((i)) 50 KVA or less . . . . . \$50~~
  - ~~((ii)) Each additional 50 KVA or portion thereof . . . . . 10))~~

(h) Annual permit fee for plant location employing regular electrical maintenance staff - Each inspection two hour maximum.

	Fee	Inspections
1 to 3 plant electricians	<del>((1,430))</del> \$1,493	12
4 to 6 plant electricians	<del>((2,860))</del> 2,987	24
7 to 12 plant electricians	<del>((4,290))</del> 4,480	36
13 to 25 plant electricians	<del>((5,720))</del> 5,974	52
more than 25 plant electricians	<del>((7,150))</del> 7,468	52

- (i) Carnival inspections
  - (i) First field inspection each year
    - (A) Each ride and generator truck . . . . . \$15
    - (B) Each remote distribution equipment, concession or gaming show . . . . . 5
    - (C) Minimum fee . . . . . ~~((75))~~  
78

- (ii) Subsequent inspections
  - (A) First 10 rides, concessions, generators, remote distribution equipment or gaming show . . . . . ~~((75))~~  
78
  - (B) Each additional ride, concession, generator, remote distribution equipment or gaming show . . . . . 5

- (j) Trip fees
  - (i) Requests to inspect existing installations . . . . . ~~((60))~~  
62

- (ii) Submitter notifies the department that work is ready for inspection when it is not . . . . . ~~((30))~~  
31

- (iii) Additional inspection required because submitter has provided wrong address . . . . . ~~((30))~~  
31

- (iv) More than one additional inspection required to inspect corrections; or for repeated neglect, carelessness, or improperly installed electrical work . . . . . ~~((30))~~  
31

- (v) Each trip necessary to remove a noncompliance notice . . . . . ~~((30))~~  
31

- (vi) Corrections have not been made in the prescribed time, unless an exception has been requested and granted . . . . . ~~((30))~~  
31

- ~~((k)) Double fees will be charged for:~~
- ~~((i))~~ (vii) Installations that are covered or concealed before inspection. . . . . 31

PERMANENT

~~((ii)) Failure to obtain an electrical work permit prior to beginning the installation or alteration.~~

~~Exception: Electrical work permits for emergency repairs to existing electrical systems shall be obtained the next business day.~~

~~(+)) (k) Progress inspections~~  
On partial or progress inspections, each one-half hour . . . . . ~~((30))~~  
\$31

~~((m)) (l) Plan review fee~~  
(i) Fee is thirty-five percent of the electrical work permit fee as determined by WAC 296-46-495, plus a plan submission fee of . . . . . ~~((50))~~  
\$52

(ii) Supplemental submissions of plans per hour or fraction of an hour . . . . . ~~((60))~~  
\$62

~~((n)) (m) Other inspections~~  
Inspections not covered by above inspection fees shall be charged portal to portal per hour . . . ~~((60))~~  
\$62

**AMENDATORY SECTION** (Amending WSR 92-08-102, filed 4/1/92, effective 5/2/92)

**WAC 296-46-915 Electrical contractor license, administrator certificate and examination, and copy fees.**

- (1) General or specialty contractor license (per twenty-four month period) ~~((200))~~ \$208
- (2) Administrator certificate examination application (nonrefundable) ~~((25))~~ \$ 26
- (3) Administrator original certificate (submitted with application) ~~((60))~~ \$ 62
- (4) Administrator certificate renewal (per twenty-four month period) ~~((75))~~ \$ 78
- (5) Late renewal of administrator certificate (per twenty-four month period) ~~((150))~~ \$156
- (6) Transfer of administrator designation (~~within 10 days~~) ~~((30))~~ \$ 31  
~~((after 10 days) \$ 60))~~
- (7) Certified copy of each document (maximum \$44 per file) \$20 first document  
\$2 each additional document

**AMENDATORY SECTION** (Amending Order 87-07, filed 5/1/87)

**WAC 296-46-920 Civil penalty.** A person, firm, partnership, corporation or other entity that violates a provision of chapter 19.28 RCW, chapter 296-46 or 296-401 WAC is liable for a civil penalty based upon the following schedule.

- (1) Offering to perform, submitting a bid for, installing or maintaining conductors or equipment that convey or utilize electrical current without having an unexpired, unrevoked and unsuspended electrical contractor license.
  - First offense: \$ 500
  - Second offense: \$ 1,000
  - Third offense: \$ 3,000
  - Each offense thereafter: \$ 5,000
- (2) Employing an individual for the purposes of RCW 19.28.510 through
  - First offense: \$ 50
  - Second offense: \$ 100

- 19.28.620 who does not possess a valid certificate of competency or training certificate.
  - Each offense thereafter: \$ 250
- (3) Working as an electrician or electrical trainee in the electrical construction trade without having a valid certificate of competency or electrical training certificate.
  - First offense: \$ 50
  - Second offense: \$ 100
  - Each offense thereafter: \$ 250
- (4) Employing electricians and trainees in an improper ratio.
  - First offense: \$ 50
  - Second offense: \$ 100
  - Each additional offense: \$ 250
- (5) Failing to provide supervision to an electrical trainee as required by RCW 19.28.510.
  - First offense: \$ 50
  - Second offense: \$ 100
  - Each additional offense: \$ 250
- (6) Working as an electrical trainee without proper supervision as required by RCW 19.28.510.
  - First offense: \$ 50
  - Second offense: \$ 100
  - Each additional offense: \$ 250
- (7) Performing electrical installations, alterations or maintenance outside the scope of the firm's specialty electrical contractors license.
  - First offense: \$ 250
  - Second offense: \$ 500
  - Each additional offense: \$ 1,000
- (8) Selling or exchanging electrical equipment associated with spas, hot tubs, swimming pools or hydromassage bathtubs which is not listed and labeled by an approved electrical testing laboratory.
  - First offense: \$ 500
  - Second offense: \$ 1,000
  - Each additional offense: \$ 2,000

Definition: The sale or exchange of electrical components associated with hot tubs, spas, swimming pools or hydromassage bathtubs means: "Sell, offer for sale, advertise, display for sale, dispose of by way of gift, loan, rental, lease, premium, barter or exchange."

- (9) Covering or concealing installations prior to inspection.
  - First offense: \$ 500
  - Second offense: \$ 1,000
  - Each additional offense: \$ 2,000
- (10) Failing to make corrections within fifteen days of notification by the department. Exception: Where an extension has been requested and granted, this penalty applies to corrections not completed within the extended time period.
  - First offense: \$ 250
  - Second offense: \$ 500
  - Each additional offense: \$ 1,000
- (11) Failing to obtain an electrical work permit prior to beginning the installation or alteration. Exception: In cases of emergency repairs to existing electrical systems, this penalty will not be charged if the permit is obtained no later than the business day following completion of the emergency repair.
  - First offense: \$ 250
  - Homeowner: \$ 50
  - Second offense: \$ 500
  - Each additional offense: \$ 1,000

~~((9)) (12) Violating any of the provisions of chapter 19.28 RCW or chapters 296-46 or 296-401 WAC which are not identified in subsections (1) through ~~((8))~~ (11) of this section.~~

~~((+)) (13) Each day that a violation occurs will be a separate offense. A violation will be a "second" or "additional" offense only if it occurs within one year from the first violation.~~

~~((+)) (14) In case of continued, repeated or gross violation of the provisions of chapter 19.28 RCW, chapter~~

PERMANENT

296-46 or 296-401 WAC or if property damage or bodily injury occurs as a result of the failure of a person, firm, partnership, corporation, or other entity to comply with chapter 19.28 RCW, the department may double the penalty amounts shown in subsections (1) through ~~((9))~~ (12) of this section.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 296-46-150 Wiring methods for designated building occupancies.

#### AMENDATORY SECTION (Amending Order 88-15, filed 7/21/88)

**WAC 296-401-080 Eligibility for journeyman examination.** A person holding an electrical training certificate who has: (1) Been employed under the direct supervision of a journeyman electrician for four years, or (2) has completed a four year apprenticeship program in the electrical construction trade that is registered with the state apprenticeship council or the Federal Bureau of Apprenticeship and Training, or (3) ~~((is a graduate of a trade school program in the electrical construction trade that was established during 1946, shall be eligible to take the examination for a journeyman certificate of competency.))~~ a person who has had two years of schooling under the conditions provided in RCW 19.28.530 in addition to two years of employment under the direct supervision of a journeyman electrician shall be eligible to take the examination for a journeyman certificate of competency.

#### AMENDATORY SECTION (Amending Order 88-15, filed 7/21/88)

**WAC 296-401-090 Status of person who has failed an examination for an electrician certificate of competency.** (1) A person who fails an examination for an electrician certificate of competency may take a training or refresher course that has been approved by the electrical board and may work in the electrical construction trade only if the person has a valid electrician training certificate or temporary permit. ~~((A person is eligible to retake an examination upon application and payment of applicable fees only upon satisfactory completion of an approved electrician training or refresher course.))~~

(2) A person who has a training certificate and ~~((or))~~ who is taking a refresher course shall work only under the supervision of a certificated electrician.

~~((3) Upon application, the department may issue an electrician training certificate to a person who has failed an examination for a certificate of competency, only if the person furnishes evidence of enrollment in an electrician training or refresher course which is approved by the electrical board. To be eligible to renew the training certificate, the person must furnish evidence of, (a) successfully completing the electrician training or refresher course, and (b) failing the certificate of competency again.))~~

#### AMENDATORY SECTION (Amending Order 88-15, filed 7/21/88)

**WAC 296-401-100 Computation of years of employment—Renewal of training certificates.** (1) For the purposes of RCW 19.28.530, ~~((+800))~~ 2000 hours of employment shall be considered one year of employment.

(2) At the time of renewal of an electrical training certificate, the holder shall provide the department with an accurate list of the holder's employers in the electrical industry for the previous year, the specialty the holder worked in and the number of hours worked for each employer in each specialty.

(3) The employer or apprenticeship program director shall upon request by the holder of the training certificate furnish an accurate list of the hours worked by the holder within twenty days of the request.

(4) A person who has completed a four year apprenticeship program in the electrical construction trade that is registered with the state apprenticeship council or the Federal Bureau of Apprenticeship and Training shall be considered to have completed ~~((7200))~~ 8000 hours (four years) of employment.

#### AMENDATORY SECTION (Amending Order 88-15, filed 7/21/88)

##### **WAC 296-401-120 Electrical training certificates.**

(1) The department upon proper application and verification shall issue separate electrical training certificates for the first, second, third, and fourth years of training. If a person has ~~((+800))~~ 2000 hours of employment or less in the electrical construction trade, the department shall issue the individual a first year certificate; if more than ~~((+800))~~ 2000 through ~~((3600))~~ 4000 hours, a second year certificate; if more than ~~((3600))~~ 4000 through ~~((5400))~~ 6000 hours, a third year certificate; and if more than ~~((5400))~~ 6000 hours a fourth year certificate.

(2) A holder of an electrical training certificate may apply for the next year's certificate whenever he or she has sufficient hours of employment.

(3) A holder of an electrical training certificate may apply for authorization to work without supervision if he or she has over ~~((6299))~~ 7000 hours of employment, and has successfully completed or is currently enrolled in an approved apprenticeship program or in a technical school program in the electrical construction trade in a school approved by the superintendent of public instruction.

(4) The department shall not issue an electrical training certificate to a person who is eligible for a temporary or reciprocal electrician certificate of competency.

#### AMENDATORY SECTION (Amending WSR 94-01-005, filed 12/1/93, effective 1/1/94)

**WAC 296-401-165 Issuing and renewing an electrician certificate of competency.** (1) The department shall issue an electrician certificate of competency to journeyman or specialty electricians who meet the qualifications in RCW 19.28.530 and who have successfully passed a certification examination in accordance with RCW 19.28.540.

(2) The electrician certificate of competency shall expire on the ~~((dates identified in subsection (4) of this section))~~

holder's birthdate at least one year and not more than three years from the date of original issue. All subsequent certificates shall be issued for a three-year period. The department shall prorate the original electrician certification fee according to the number of months or major part of a month in a certificate period.

~~(3) (An individual who successfully passes an examination for a certificate of competency, shall apply for a certificate of competency within thirty days of the date the person is notified about the results of the examination. A person who does not apply for a certificate of competency within thirty days of the date the person is notified about the results of the examination, shall be required to apply for, take and pass the examination again.~~

~~(4)(a) The certificate of electricians whose last name begins with the letters A through K will expire on April 30.~~

~~(b) The certificate of electricians whose last name begins with the letters L through Z will expire on October 31.~~

~~(c) The expiration of the certificate identified in (a) and (b) of this subsection shall be not less than six months nor more than three years from the original date of issuance.~~

~~(5)) Certificate renewal requirements.~~

(a) Beginning April 30, 1997, to renew an electrician certificate of competency the holder must, prior to the expiration date of the certificate, remit the appropriate fee identified in WAC 296-401-175 and provide to the department evidence of the completion of approved continuing education course(s) of at least eight classroom hours duration per year of the prior certification period. Any portion of a year is equal to one year for continuing education requirements.

(b) An electrician certificate will be renewed within ninety days after the expiration date without reexamination, if the applicant furnishes to the department evidence of completion of approved continuing education course(s) of at least eight classroom hours duration per year of the prior certification, by payment of double the fee identified in WAC 296-401-175. All applications for renewal received more than ninety days after the expiration date of the certificate will require passage of the examination provided by RCW 19.28.540 for recertification.

(c) An electrician certificate will be renewed but will be placed in an inactive status if the renewal process concerning the remittance of application and proper fees complies with (a) or (b) of this subsection but the applicant has not completed the required hours of continuing education course(s). Persons holding a certificate placed in an inactive status will not be permitted to engage in the electrical construction trade. Certificates placed in an inactive status will be returned to active status upon presentation to the department of evidence that all classroom hours of continuing education that were required for renewal have been completed.

(d) Each application for renewal of a prior certification that covered a period of two years or more must include evidence of attendance at an approved continuing education class, of at least eight classroom hours duration, on the ~~(latest)~~ current National Electrical Code changes.

AMENDATORY SECTION (Amending WSR 95-15-034, filed 7/12/95, effective 8/14/95)

**WAC 296-401-175 Journeyman, specialty and trainee certificate, and examination fees.**

- (1) Journeyman or specialty electrician certificate renewal (per 36-month period) - ((~~\$ 60~~)  
\$ 62)
- (2) Late renewal of journeyman or specialty electrician certificate (per 36-month period) - ((~~\$120~~)  
\$125)
- (3) Journeyman or specialty electrician examination application (nonrefundable) - ((~~\$ 25~~)  
\$ 26)
- (4) Journeyman or specialty electrician original certificate ~~((submitted with application))~~ (submitted with application) - ((~~\$ 40~~)  
\$ 41)
- (5) Trainee certificate (expires one year after purchase) - \$ 20
- (6) Trainee certificate renewal or update of hours - \$ 20
- (7) Journeyman or specialty electrician test or retest fee - ((~~\$ 45~~)  
\$ 47)

**WSR 97-12-017  
PERMANENT RULES  
BOARD OF**

**PILOTAGE COMMISSIONERS**

[Filed May 28, 1997, 12:50 p.m., effective July 1, 1997]

Date of Adoption: May 8, 1997.

Purpose: To establish a Puget Sound pilotage district annual tariff for pilotage services.

Citation of Existing Rules Affected by this Order: Amending WAC 363-116-300.

Statutory Authority for Adoption: RCW 88.16.035.

Adopted under notice filed as WSR 97-08-041 on March 28, 1997.

Changes Other than Editing from Proposed to Adopted Version: The adopted tariff is .64% less than was proposed, resulting in an increase of 1.94% in all tariff categories except transportation.

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 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:

PERMANENT

New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 1, repealed 0.

Effective Date of Rule: July 1, 1997.

May 23, 1997  
Peggy Larson  
Administrator

**AMENDATORY SECTION** (Amending WSR 97-08-042, filed 3/28/97, effective 3/28/97)

**WAC 363-116-300 Pilotage rates for the Puget Sound pilotage district.** Effective 0001 hours July 1, ((1996)) 1997, through 2400 hours June 30, ((1997)) 1998.

**CLASSIFICATION RATE**

Ship length overall (LOA)  
Charges: per LOA rate schedule in this section

Boarding fee: ((~~\$ 35.00~~)) \$ 36.00  
Per each boarding/deboarding at the Port Angeles pilot station.

Harbor shift - Live ship (Seattle Port) LOA Zone I  
Harbor shift - Live ship (other than Seattle Port) LOA Zone I

Harbor shift - Dead ship Double LOA Zone I

Dead ship towing charge: Double LOA Zone I  
LOA of tug + LOA of tow + beam of tow

Any tow exceeding seven hours, two pilots are mandatory. Harbor shifts shall constitute and be limited to those services in moving vessels from dock to dock, from anchorage to dock, from dock to anchorage, or from anchorage to anchorage in the same port after all other applicable tariff charges for pilotage services have been recognized as payable.

Waterway and bridge charges:

Ships up to 90' beam:  
A charge of ((~~\$187.00~~)) \$191.00 shall be in addition to bridge fees for any vessel movements both inbound and outbound required to transit south of Spokane Street Bridge in Seattle, south of Eleventh Street Bridge in any of the Tacoma waterways, in Port Gamble, or in the Snohomish River. Any vessel movements required to transit through bridges shall have an additional charge of ((~~\$89.00~~)) \$91.00 per bridge.

Ships 90' beam and/or over:

A charge of ((~~\$251.00~~)) \$256.00 shall be in addition to bridge fees for any vessel movements both inbound and outbound required to transit south of Spokane Street Bridge in Seattle and south of Eleventh Street Bridge in any of the Tacoma waterways. Any vessel movements required to transit through bridges shall have an additional charge of ((~~\$176.00~~)) \$179.00 per bridge.  
(The above charges shall not apply to transit of vessels from Shilshole Bay to the limits of Lake Washington.)

Two or three pilots required:

In a case where two or three pilots are employed for a single vessel waterway or bridge transit, the second and/or third pilot charge shall include the bridge and waterway charge in addition to the harbor shift rate.

Compass adjustment ((~~\$250.00~~)) \$255.00  
Radio direction finder calibration ((~~\$250.00~~)) \$255.00  
Launching vessels ((~~377.00~~)) \$384.00  
Trial trips, 6 hours or less ((~~\$118.00~~)) \$120.00 per hr.  
(Minimum ((~~\$708.00~~)) \$720.00)

Trial trips, over 6 hours (two pilots) ((~~\$236.00~~)) \$240.00 per hr.

Shilshole Bay — Salmon Bay ((~~\$147.00~~)) \$150.00  
Salmon Bay — Lake Union ((~~\$115.00~~)) \$117.00

Lake Union — Lake Washington (plus LOA zone from Webster Point) ((~~\$147.00~~)) \$150.00  
Cancellation charge LOA Zone I

Cancellation charge — Port Angeles (when a pilot is ordered and vessel proceeds to a port outside the Puget Sound pilotage district without stopping for pilot or when a pilot order is cancelled less than twelve hours prior to the original ETA.) LOA Zone II

Docking delay after anchoring: ((~~\$118.00~~)) \$120.00 per hr.

Applicable harbor shift rate to apply, plus ((~~\$118.00~~)) \$120.00 per hour standby. No charge if delay is 60 minutes or less. If the delay is more than 60 minutes, charge is ((~~\$118.00~~)) \$120.00 for every hour or fraction thereof.

Sailing delay: ((~~\$118.00~~)) \$120.00 per hour

No charge if delay is 60 minutes or less. If the delay is more than 60 minutes, charge is ((~~\$118.00~~)) \$120.00 for every hour or fraction thereof.

Slowdown: ((~~\$118.00~~)) \$120.00 per hour

When a vessel chooses not to maintain its normal speed capabilities for reasons determined by the vessel and not the pilot, and when the difference in arrival time is one hour, or greater, from the predicted arrival time had the vessel maintained its normal speed capabilities, a charge of ((~~\$118.00~~)) \$120.00 per hour, and each fraction thereof, will be assessed for the resultant difference in arrival time.

Tonnage charges:

0 to 20,000 gross tons:  
Additional charge to LOA zone mileage of ((~~\$0.0060~~)) \$0.0061 a gross ton for all gross tonnage up to 20,000 gross tons.

20,000 to 50,000 gross tons:  
Additional charge to LOA zone mileage of ((~~\$0.0608~~)) \$0.0620 a gross ton for all gross tonnage in excess of 20,000 gross tons up to 50,000 gross tons.

50,000 gross tons and up:  
In excess of 50,000 gross tons, the charge shall be ((~~\$0.0727~~)) \$0.0741 per gross ton.

For vessels where a certificate of international gross tonnage is required, the appropriate international gross tonnage shall apply.

Delayed arrival-Port Angeles: ((~~\$118.00~~)) \$120.00 per hour

When a pilot is ordered for an arriving inbound vessel at Port Angeles and the vessel does not arrive within two hours of its ETA, or its ETA is amended less than six hours prior to the original ETA, a charge of ((~~\$118.00~~)) \$120.00 for each hour delay, or fraction thereof, shall be assessed in addition to all other appropriate charges.

When a pilot is ordered for an arriving inbound vessel at Port Angeles and the ETA is delayed to six hours or more beyond the original ETA, a cancellation charge shall be assessed, in addition to all other appropriate charges, if the ETA was not amended at least twelve hours prior to the original ETA.

Transportation to vessels on Puget Sound:

March Point or Anacortes	\$144.00
Bangor	84.00
Bellingham	158.00
Bremerton	44.00
Cherry Point	175.00
Dupont	85.00
Edmonds	27.00
Everett	52.00
Ferndale	173.00
Manchester	66.00
Mukilteo	52.00
Olympia	108.00
Point Wells	27.00
Port Gamble	77.00
Port Townsend (Indian Island)	109.00





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 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.

May 23, 1997  
Peggy Larson  
Administrator

**AMENDATORY SECTION** (Amending WSR 97-08-042, filed 3/28/97, effective 3/28/97)

**WAC 363-116-360 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) Seek))~~ (a) 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) Submit the))~~ (b) 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.~~

~~The board, when granting such an))~~ (c) Pay the appropriate initial application or renewal fee with the submittal of the petition, which is listed in subsection (5) of this section.

(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. Any grant of an interim exemption~~((s))~~ 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~~((s))~~ and ~~((protecting))~~ to protect the marine environment of the state of Washington.

~~((One))~~ 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~~((s))~~ at all times~~((s))~~ 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 Renewal</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>

**WSR 97-12-024**  
**PERMANENT RULES**  
**DEPARTMENT OF AGRICULTURE**

[Filed May 29, 1997, 11:10 a.m.]

Date of Adoption: May 29, 1997.

Purpose: To establish a fee schedule for calibration services that will provide increased revenues to more fully support the statutory mandate of RCW 19.94.216 which stipulates that fees shall recover at least seventy-five percent of the costs incurred in performing the service by June 30, 1998.

Citation of Existing Rules Affected by this Order: Amending WAC 16-675-010, 16-675-020, 16-675-030, and 16-675-040.

Statutory Authority for Adoption: RCW 19.94.216 and 19.94.325.

Adopted under notice filed as WSR 97-09-103 on April 23, 1997.

PERMANENT

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 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 4, 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 4, repealed 0.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: Section 10, chapter 355, Laws of 1995.

Effective Date of Rule: Thirty-one days after filing.

May 29, 1997  
Jim Jesernig  
Director

**AMENDATORY SECTION** (Amending Order 5084, filed 10/18/95, effective 11/18/95)

**WAC 16-675-010 Purpose.** The department of agriculture promulgates this chapter to implement the provisions of RCW 19.94.216(1) and 19.94.325(2) which allows the director of the state department of agriculture to establish reasonable fees for inspection, tolerance testing and calibration services performed by the metrology laboratory on weights and measures standards.

**AMENDATORY SECTION** (Amending Order 2063, filed 11/26/90, effective 12/27/90)

**WAC 16-675-020 Definitions.** Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Department" means the department of agriculture of the state of Washington.

(2) "Director" means the director of the department or the director's duly appointed representative.

(3) "Laboratory" means ~~((weights and measures))~~ the metrology laboratory operated by the department.

(4) "Tolerance testing" means ~~((the allowable amount of variation from a standard))~~ a measurement operation performed to determine whether the actual value of a standard, artifact, or instrument is within a permitted tolerance of its nominal value.

(5) "Calibration" means the ~~((process of comparing weights and measures to known standards and determining if the weights and measures compare to the known standards within a tolerance allowed under chapter 19.94 RCW. This term shall also apply to the repairing of any weights or measures submitted to the laboratory.~~

(6) "~~Avoirdupois~~" means ~~a system of weights and measures based on a pound containing 16 ounces, 7,000 grains or 453.59 grams.~~

(7) "~~Metric~~" means ~~a decimal system of weights and measures based on the meter as a unit length and the~~

~~kilogram as a unit mass))~~ comparison of a measurement standard or instrument with another standard or instrument to detect, correlate, report, or eliminate by adjustment any inaccuracy of the compared standard or instrument.

**AMENDATORY SECTION** (Amending Order 5084, filed 10/18/95, effective 11/18/95)

**WAC 16-675-030 Condition of submitted weights and measures.** Weights and measures standards submitted to the laboratory for tolerance testing or calibration must be in a physical condition that makes them acceptable for the service to be performed. Unacceptable weights and measures standards may be returned to the sender at the sender's expense or, if repairs can be made, these repairs shall be charged at the rate of ~~((\$50.00))~~ \$65.00 an hour. Repair fees shall be charged in addition to any testing or other calibration fees. Repairs will only be done by written agreement between the department and the owner of the weights or measures to be repaired.

**AMENDATORY SECTION** (Amending Order 5084, filed 10/18/95, effective 11/18/95)

**WAC 16-675-040 Schedule of laboratory fees.** The following fees will be charged for services performed by the metrology laboratory of the department:

(1) An hourly fee of ~~((fifty))~~ sixty-five dollars per hour will be charged for inspection, tolerance testing and calibration services performed at the metrology laboratory.

(2) Inspection, tolerance testing and calibration services performed at other than the metrology laboratory will be charged an hourly rate of ~~((fifty))~~ sixty-five dollars per hour plus the current mileage and per diem rates established by the office of financial management.

(3) There will be a minimum one-half hour charge for any services provided by the laboratory.

**WSR 97-12-025**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**

(Economic Services)  
(Public Assistance)

[Filed May 29, 1997, 4:45 p.m.]

Date of Adoption: May 28, 1997.

Purpose: Ensures all noncitizen food stamp program recipients meet the alien status requirements in Public Law 104-193 (1996).

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-310.

Statutory Authority for Adoption: RCW 74.04.510.

Other Authority: Section 510 of Public Law 104-208 (1996).

Adopted under notice filed as WSR 97-09-107 on April 23, 1997.

Changes Other than Editing From Proposed to Adopted Version: Added United States nationals to the list of persons eligible for participation in the food stamp program.

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.

May 28, 1997

Merry A. Kogut, Manager  
Rules and Policies Assistance Unit

**AMENDATORY SECTION** (Amending WSR 97-06-074, filed 2/28/97, effective 3/31/97)

**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 as of January 1, 1997 and current recipients (~~as of~~) after April 1, 1997, but no later than August 22, 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 United States national;

(b) An alien lawfully admitted for permanent residence 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 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) 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) On active duty, other than active duty for training, in the Armed Forces of the United States.

(d) An alien 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 granted asylum under section 208 of the Immigration and Nationality Act until five years after the date of granting such status; or

(f) An alien living in the United States whose deportation is withheld under section 243(h) of the Immigration and Nationality Act 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;
  - (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.

**WSR 97-12-028**  
**PERMANENT RULES**  
**DEPARTMENT OF AGRICULTURE**

[Filed May 30, 1997, 11:20 a.m.]

Date of Adoption: May 30, 1997.

Purpose: Amend the minimum basic allocation to community fairs from the fair fund.

Citation of Existing Rules Affected by this Order: Amending chapter 16-700 WAC.

Statutory Authority for Adoption: RCW 15.76.180.

Adopted under notice filed as WSR 97-04-077 on February 5, 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.

May 30, 1997

Jim Jesernig

Director

**AMENDATORY SECTION** (Amending WSR 97-04-078, filed 2/5/97, effective 3/8/97)

**WAC 16-700-021 Qualifications.** (1) Any community fair applying for an allocation from the state fair fund shall have on display or exhibit at one place, open to the public, for at least a seven-hour period:

(a) Three or more of the following animal categories: Beef, sheep, swine, horses, dairy, goats, llamas, dogs, and poultry and rabbits (poultry and rabbits being in one category) with at least five exhibits in each category, except poultry and rabbits and dogs which shall have ten; and

(b) At least three of the following categories: Foods, clothing, horticulture, crops, floriculture, arts and crafts, with at least five exhibits in each category.

(c) Each category, to qualify as per above, shall have at least three exhibitors.

(d) Each fair shall have at least twenty-five exhibitors in total.

(2) Such community fair, whose application is accepted by the director, shall be entitled to ~~((a basic))~~ an annual allocation of up to fifty percent of the premiums and prizes paid to the participants. An allocation of up to one hundred percent reimbursement of premiums and prizes paid may be made on a merit basis to such fairs as reporting one thousand dollars or more of the value of such premiums and prizes: *Provided*, That any community fair that has for its purpose the education and training of youth in the matters of rural living and production agriculture and serving the 4-H and FFA members and all interested youth in its community, may qualify for an allocation with:

(a) Three or more of the following categories: Beef, sheep, swine, dairy, horses, llamas or goats; or

(b) At least two of the following categories: Beef, sheep, swine, dairy, llamas and/or goats, and at least two of the following categories: Foods, clothing, horticulture, crops, floriculture, arts and crafts, dogs, poultry and/or rabbits (poultry and/or rabbits being one category).

(c) Each category, to qualify as per above, shall have at least three exhibitors.

(d) Each fair shall have at least twenty-five exhibitors in total.

(e) All such exhibits are to be exhibited by youth exhibitors, at one place, open to the public, for at least a seven-hour period. Such fair shall be entitled to ~~((an))~~ a maximum annual allocation of ~~((only))~~ up to fifty percent reimbursement of premiums and prizes.

(3) Any area fair may not receive an allocation in excess of the total reimbursement of premiums and prizes.

**WSR 97-12-031**  
**PERMANENT RULES**  
**DEPARTMENT OF HEALTH**

[Filed May 30, 1997, 2:25 p.m.]

Date of Adoption: May 15, 1997.

Purpose: Amends WAC 246-282-990, increases annual shellfish certificate fees to offset increases in program costs. All increases at or below the FY 97 fiscal growth factor of 4.45%.

Citation of Existing Rules Affected by this Order:  
Amending WAC 246-282-990.

Statutory Authority for Adoption: RCW 43.203.020.

Adopted under notice filed as WSR 97-08-025 on  
March 26, 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 Nongov-  
ernmental 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 1, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

May 22, 1997

Bruce Miyahara  
Secretary

AMENDATORY SECTION (Amending WSR 96-16-073,  
filed 8/6/96, effective 10/1/96)

**WAC 246-282-990 Shellfish program certification  
fees.** (1) Annual certificate fees shall be:

Type of Operation	Annual Fee
Shellstock Shipper	
0 - 49 Acres	<del>(\$250-)</del> \$260.
50 or greater Acres	<del>(\$400-)</del> \$415.
Shucker-Packer	
Plants with floor space < 2000 sq. ft.	<del>(\$450-)</del> \$470.
Plants with floor space > 2000 sq. ft. and < 5000 sq. ft.	<del>(\$550-)</del> \$570.
Plants with floor space > 5000 sq. ft.	<del>(\$1,000-)</del> \$1,040.

(2) Type of operations are defined as follows:

(a) "Shellstock shipper" shall mean shippers growing,  
harvesting, buying, or selling shellstock. Shellstock shippers  
are not authorized to shuck shellfish or to repack shucked  
shellfish.

(b) "Shucker-packer" shall mean shippers shucking and  
packing shellfish. A shucker-packer may act as a shellstock  
dealer.

(3) "Export certificate" means a certificate issued by the  
department to a licensed shucker-packer or shellstock shipper  
for use in the foreign export of a lot or shipment of shellfish.  
The fee for each export certificate shall be \$10.

**WSR 97-12-032**  
**PERMANENT RULES**  
**DEPARTMENT OF HEALTH**

[Filed May 30, 1997, 2:30 p.m.]

Date of Adoption: May 30, 1997.

Purpose: The purpose of this rule is to amend WAC  
246-290-990 Water system evaluation and project review and  
approval fees. The rule increases the fees by 4.45%.

Citation of Existing Rules Affected by this Order:  
Amending WAC 246-290-990.

Statutory Authority for Adoption: RCW 43.20B.020.

Adopted under notice filed as WSR 97-07-073 on  
March 19, 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 Nongov-  
ernmental 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.

May 30, 1997

Bruce Miyahara  
Secretary

AMENDATORY SECTION (Amending WSR 95-20-079,  
filed 10/4/95, effective 11/4/95)

**WAC 246-290-990 Water system evaluation and  
project review and approval fees.** (1) The fees for the  
review and approval of water system plans, project reports,  
construction documents, existing systems, and related  
evaluations required under chapters 246-290, 246-291, 246-  
293, and 246-295 WAC shall be as follows:

(a) Water system plans required under WAC 246-290-  
100, 246-293-220, and 246-293-230.

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Project Type	Group B	Group A				
		<100 Services	100 to 500 Services	501 to 999 Services	1,000 to 9,999 Services	10,000 or more Services
Water system plan (New and Updated)	<del>((105.00</del> <u>109.00</u>	<del>365.00</del> <u>381.00</u>	<del>890.00</del> <u>929.00</u>	<del>1,680.00</del> <u>1,754.00</u>	<del>2,730.00</del> <u>2,851.00</u>	<del>4,040.00</del> <u>4,219.00</u>
Minor water system plan alteration	<del>((26.00</del> <u>27.00</u>	<del>89.00</del> <u>92.00</u>	<del>220.00</del> <u>229.00</u>	<del>420.00</del> <u>438.00</u>	<del>680.00</del> <u>710.00</u>	<del>995.00</del> <u>1,039.00</u>

(b) Satellite management agency (SMA) plans required under WAC 246-295-040.

Project Type	Group B	Group A				
		<100 Services	100 to 500 Services	501 to 999 Services	1,000 to 9,999 Services	10,000 or more Services
SMA plan for ownership (New and Updated)	No plan required	<del>((365.00</del> <u>381.00</u>	<del>890.00</del> <u>929.00</u>	<del>1,680.00</del> <u>1,754.00</u>	<del>2,730.00</del> <u>2,851.00</u>	<del>4,040.00</del> <u>4,219.00</u>
SMA approval amendment	No amendment required	<del>((78.00)</del> <u>81.00</u> per hour or appropriate fee from category above, whichever is less				
SMA plan for operation only (New and Updated)	No plan required	<del>((890.00</del> <u>929.00</u>	<del>890.00</del> <u>929.00</u>	<del>890.00</del> <u>929.00</u>	<del>890.00</del> <u>929.00</u>	<del>890.00</del> <u>929.00</u>

Note: SMAs owning water systems and submitting planning documents to the department for review shall be charged only the SMA fee.

(c) New plan elements required under WAC 246-290-100, 246-290-135, and 246-291-140 including:

- (i) Conservation; and
- (ii) Wellhead protection,

shall be reviewed separately by the department and the fee assessed shall reflect the time spent for this review and shall be calculated based on ~~((seventy-eight))~~ eighty-one dollars per hour. After the initial submittal, updated information shall be reviewed as part of the updated water system plan and the review fee shall be included in the applicable updated plan review fee listed under (a) or (b) of this subsection.

(d) Project reports required under WAC 246-290-110.

Project Type	Group B	Group A				
		<100 Services	100 to 500 Services	501 to 999 Services	1,000 to 9,999 Services	10,000 or more Services
All types of filtration or other complex treatment processes	<del>((260.00</del> <u>271.00</u>	<del>525.00</del> <u>548.00</u>	<del>815.00</del> <u>851.00</u>	<del>1,180.00</del> <u>1,232.00</u>	<del>1,625.00</del> <u>1,697.00</u>	<del>2,155.00</del> <u>2,250.00</u>
Chemical addition only, such as ion exchange, hypochlorination, or fluoridation	<del>((78.00</del> <u>81.00</u>	<del>155.00</del> <u>161.00</u>	<del>260.00</del> <u>271.00</u>	<del>390.00</del> <u>407.00</u>	<del>550.00</del> <u>574.00</u>	<del>735.00</del> <u>767.00</u>
Complete water system (an additional fee shall be assessed for review of treatment facility, if any)	<del>((155.00</del> <u>161.00</u>	<del>365.00</del> <u>381.00</u>	<del>575.00</del> <u>600.00</u>	<del>840.00</del> <u>877.00</u>	<del>1,155.00</del> <u>1,206.00</u>	<del>1,520.00</del> <u>1,587.00</u>

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System modifications requiring a detailed evaluation to determine whether the system, as modified, will comply with regulations (an additional fee shall be assessed for review of treatment facility, if any)

<del>((105.00</del>	<del>260.00</del>	<del>420.00</del>	<del>630.00</del>	<del>890.00</del>	<del>1,200.00))</del>
<u>109.00</u>	<u>271.00</u>	<u>438.00</u>	<u>658.00</u>	<u>929.00</u>	<u>1,253.00</u>

(e) Special reports or plans required under WAC 246-290-115, 246-290-230, 246-291-230, 246-290-250, 246-290-470, 246-290-636, 246-290-654, and 246-290-676 including:

- (i) Corrosion control recommendation report;
- (ii) Corrosion control study;
- (iii) Plan to cover uncovered reservoirs;
- (iv) Predesign study;
- (v) Uncovered reservoir plan of operation;
- (vi) Tracer study plan;
- (vii) Surface water or GWI treatment facility operations plan; or
- (viii) Filtration pilot study,

shall be reviewed by the department and the fee assessed shall reflect the time spent for this review and shall be calculated based on ~~((seventy-eight))~~ eighty-one dollars per hour.

(f) Construction documents required under WAC 246-290-120.

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Project Type	Group B	Group A				
		<100 Services	100 to 500 Services	501 to 999 Services	1,000 to 9,999 Services	10,000 or more Services
All types of filtration or other complex treatment processes	<del>((260.00</del> <u>271.00</u>	<del>525.00</del> <u>548.00</u>	<del>815.00</del> <u>851.00</u>	<del>1,180.00</del> <u>1,232.00</u>	<del>1,625.00</del> <u>1,697.00</u>	<del>2,155.00))</del> <u>2,250.00</u>
Chemical addition only, such as ion exchange, hypochlorination, or fluoridation	<del>((78.00</del> <u>81.00</u>	<del>155.00</del> <u>161.00</u>	<del>260.00</del> <u>271.00</u>	<del>390.00</del> <u>407.00</u>	<del>550.00</del> <u>574.00</u>	<del>735.00))</del> <u>767.00</u>
Complete new water system except treatment (an additional fee shall be assessed for review of treatment facility, if any)	<del>((210.00</del> <u>219.00</u>	<del>470.00</del> <u>490.00</u>	<del>680.00</del> <u>710.00</u>	<del>945.00</del> <u>987.00</u>	<del>1,260.00</del> <u>1,316.00</u>	<del>1,625.00))</del> <u>1,697.00</u>
New source only (an additional fee shall be assessed for review of treatment facility, if any)	<del>((155.00</del> <u>161.00</u>	<del>285.00</del> <u>297.00</u>	<del>390.00</del> <u>407.00</u>	<del>525.00</del> <u>548.00</u>	<del>680.00</del> <u>710.00</u>	<del>865.00))</del> <u>903.00</u>
One or more of the following submitted as a package and not requiring a detailed evaluation as determined by the department: Water line installation, booster pump station, modifications to source pumping, piping-valving, controls or storage reservoir (an additional fee shall be assessed for review of treatment facility, if any)	<del>((105.00</del> <u>109.00</u>	<del>180.00</del> <u>188.00</u>	<del>285.00</del> <u>297.00</u>	<del>420.00</del> <u>438.00</u>	<del>575.00</del> <u>600.00</u>	<del>760.00))</del> <u>793.00</u>



Documents submitted for projects such as water line installation, booster pump stations, modifications to source pumping, piping/valving, controls or storage reservoirs as determined by the department where such projects:

Comply with design standards established by the department;

Are prepared by a professional engineer in accordance with WAC 246-290-040; and

Do not require a detailed evaluation by the department.

<del>((50.00</del>	<del>90.00</del>	<del>150.00</del>	<del>210.00</del>	<del>290.00</del>	<del>380.00))</del>
<u>52.00</u>	<u>94.00</u>	<u>156.00</u>	<u>219.00</u>	<u>302.00</u>	<u>396.00</u>

(g) Existing system approval required under WAC 246-290-140. For the purpose of this subsection the department shall determine whether a system is expanding or nonexpanding.

Project Type	Group B	Group A				
		<100 Services	100 to 500 Services	501 to 999 Services	1,000 to 9,999 Services	10,000 or more Services
NONEXPANDING system not requiring a detailed evaluation by the department	<del>((200.00</del> <u>208.00</u>	<del>400.00</del> <u>417.00</u>	<del>600.00</del> <u>626.00</u>	<del>800.00</del> <u>835.00</u>	<del>1,000.00</del> <u>1,044.00</u>	<del>1,200.00))</del> <u>1,253.00</u>
NONEXPANDING system requiring a detailed evaluation as determined by the department	<del>((300.00</del> <u>313.00</u>	<del>600.00</del> <u>626.00</u>	<del>900.00</del> <u>940.00</u>	<del>1,200.00</del> <u>1,253.00</u>	<del>1,500.00</del> <u>1,566.00</u>	<del>1,800.00))</del> <u>1,880.00</u>
EXPANDING system not requiring a detailed evaluation by the department	<del>((400.00</del> <u>417.00</u>	<del>800.00</del> <u>835.00</u>	<del>1,200.00</del> <u>1,253.00</u>	<del>1,600.00</del> <u>1,671.00</u>	<del>2,000.00</del> <u>2,089.00</u>	<del>2,400.00))</del> <u>2,506.00</u>
EXPANDING system requiring a detailed evaluation as determined by the department	<del>((500.00</del> <u>522.00</u>	<del>1,000.00</del> <u>1,044.00</u>	<del>1,500.00</del> <u>1,566.00</u>	<del>2,000.00</del> <u>2,089.00</u>	<del>2,500.00</del> <u>2,611.00</u>	<del>3,000.00))</del> <u>3,133.00</u>

(h) Monitoring waivers requested under WAC 246-290-300.

Project Type	Group B	Group A				
		<100 Services	100 to 500 Services	501 to 999 Services	1,000 to 9,999 Services	10,000 or more Services
Inorganic chemical monitoring waiver	Not applicable	<del>((70.00 per</del> <u>73.00 per</u> source	<del>95.00 per</del> <u>99.00 per</u> source	<del>120.00 per</del> <u>125.00 per</u> source	<del>145.00 per</del> <u>151.00 per</u> source	<del>170.00 per))</del> <u>177.00 per</u> source
Organic chemical monitoring waiver	Not applicable	<del>((125.00 per</del> <u>130.00 per</u> source	<del>175.00 per</del> <u>182.00 per</u> source	<del>225.00 per</del> <u>235.00 per</u> source	<del>275.00 per</del> <u>287.00 per</u> source	<del>325.00 per))</del> <u>339.00 per</u> source
Use waiver	Not applicable	<del>((150.00 per</del> <u>156.00 per</u> source	<del>200.00 per</del> <u>208.00 per</u> source	<del>255.00 per</del> <u>266.00 per</u> source	<del>300.00 per</del> <u>313.00 per</u> source	<del>350.00 per))</del> <u>365.00 per</u> source

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Area wide waiver renewal	Not applicable	<del>((200.00 per source</del> <u>208.00 per source</u>	<del>275.00 per source</del> <u>287.00 per source</u>	<del>350.00 per source</del> <u>365.00 per source</u>	<del>425.00 per source</del> <u>443.00 per source</u>	<del>500.00 per source</del> <u>522.00 per source</u>
Inorganic chemical monitoring waiver renewal	Not applicable	<del>((40.00 per source</del> <u>41.00 per source</u>	<del>50.00 per source</del> <u>52.00 per source</u>	<del>60.00 per source</del> <u>62.00 per source</u>	<del>70.00 per source</del> <u>73.00 per source</u>	<del>80.00 per source</del> <u>83.00 per source</u>
Organic chemical monitoring waiver renewal	Not applicable	<del>((75.00 per source</del> <u>78.00 per source</u>	<del>105.00 per source</del> <u>109.00 per source</u>	<del>135.00 per source</del> <u>141.00 per source</u>	<del>165.00 per source</del> <u>172.00 per source</u>	<del>195.00 per source</del> <u>203.00 per source</u>
Use waiver renewal	Not applicable	<del>((105.00 per source</del> <u>109.00 per source</u>	<del>140.00 per source</del> <u>146.00 per source</u>	<del>175.00 per source</del> <u>182.00 per source</u>	<del>210.00 per source</del> <u>219.00 per source</u>	<del>245.00 per source</del> <u>255.00 per source</u>
Coliform monitoring waiver including departmental inspection requested by purveyor	Not applicable	<del>((315.00</del> <u>329.00</u>	<del>390.00</del> <u>407.00</u>	<del>495.00</del> <u>517.00</u>	<del>630.00))</del> <u>658.00</u>	Not applicable
Coliform monitoring waiver with third-party inspection report	Not applicable	<del>((100.00</del> <u>104.00</u>	<del>100.00</del> <u>104.00</u>	<del>100.00</del> <u>104.00</u>	<del>100.00))</del> <u>104.00</u>	Not applicable

(i) Other evaluations and approvals. As applicable, these fees will be charged in addition to the basic fees assessed under (a) through (h) of this subsection.

Project Type	Group B	Group A				
		<100 Services	100 to 500 Services	501 to 999 Services	1,000 to 9,999 Services	10,000 or more Services
Well-site evaluation and approval including the site inspection and hydrogeologic information review.	<del>((155.00</del> <u>161.00</u>	<del>230.00</del> <u>240.00</u>	<del>270.00</del> <u>282.00</u>	<del>335.00</del> <u>349.00</u>	<del>420.00</del> <u>438.00</u>	<del>525.00))</del> <u>548.00</u>
Regulatory monitoring plan <sup>1</sup>	No plan required	<del>((150.00</del> <u>156.00</u>	<del>200.00</del> <u>208.00</u>	<del>250.00</del> <u>261.00</u>	<del>300.00</del> <u>313.00</u>	<del>350.00))</del> <u>365.00</u>
Unfiltered system annual comprehensive report	Not applicable	<del>((300.00</del> <u>313.00</u>	<del>500.00</del> <u>522.00</u>	<del>700.00</del> <u>731.00</u>	<del>900.00</del> <u>940.00</u>	<del>1,100.00))</del> <u>1,148.00</u>
Water system compliance report		<del>((52.00</del> <u>54.00</u>	<del>89.00</del> <u>92.00</u>	<del>89.00</del> <u>92.00</u>	<del>89.00</del> <u>92.00</u>	<del>89.00))</del> <u>92.00</u>

<sup>1</sup> A comprehensive document containing coliform, inorganic chemical and organic chemical monitoring plans in accordance with WAC 246-290-300 (2)(b), (3)(f), and (7)(e).

(2) To determine the appropriate fee for a noncommunity system, calculate the service equivalent by taking the average population served each day of operation and dividing by twenty-five for a transient noncommunity (TNC) system and two and one-half for nontransient noncommunity (NTNC) system. Use the number of service equivalents to find out what Group A size category to look under and submit the appropriate fee. (All noncommunity systems are Group A systems as described in WAC 246-290-020.)

(3) Additional review and approval fees may be assessed as follows:

(a) The basic fee covers an evaluation, or the review of an initial submittal and one resubmittal if required. If additional resubmittals are required, an additional twenty-five percent of the original fee will be assessed for each additional resubmittal. For water system plan and SMA plan preparation the basic fee also covers a preplanning confer-

ence. When the department is asked to participate in other meetings involving the plan such as community meetings, public hearings, or meetings with elected officials, the department is authorized to charge additional fees at the rate of ~~((seventy-eight))~~ eighty-one dollars per hour;

(b) Fees for department project approval based on local technical review will be determined on a case-by-case basis as outlined in the applicable memorandum of understanding between the department and the respective local agency;

(c) Fees for services which the department determines are not described under subsection (1) of this section, will be calculated based on a rate of ~~((seventy-eight))~~ eighty-one dollars per hour.

Examples of these services include, but are not limited to:

- (i) Review and inspection of water reuse projects;

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- (ii) Collection of water quality samples requested by purveyor; or
- (iii) Review of alternate technologies requested by purveyor, manufacturer or authorized representative;
- (d) Additional fees assessed by the department shall be billed to the purveyor using an itemized invoice.

(4) If the legislature revises the water system operating permit fee under RCW 70.119A.110 to incorporate into it one or more fees for service currently assessed separately under this section, and the purveyor has paid that consolidated fee, the department shall not assess or collect a separate fee under this section for any such service.

(5) All fees required under this section except as noted in subsection (3) of this section, shall be submitted prior to the department's approval. Payment of fees shall be in the form of a check or money order made payable to: The Department of Health. Payment of a fee shall not guarantee approval of the submitted document or evaluation request.

~~((5))~~ (6) Purveyors unable to determine the appropriate fee payment to submit should contact the department.

**WSR 97-12-033  
PERMANENT RULES  
DEPARTMENT OF  
NATURAL RESOURCES**

[Order 640—Filed May 30, 1997, 2:34 p.m., effective July 1, 1997]

Date of Adoption: May 30, 1997.

Purpose: Set fees for burning permits and specify other conditions for written burning permits.

Citation of Existing Rules Affected by this Order: Amending WAC 332-24-221.

Statutory Authority for Adoption: RCW 70.94.660 and 76.04.205.

Adopted under notice filed as WSR 97-09-065 on April 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 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: July 1, 1997.

May 30, 1997  
Kaleen Cottingham  
Supervisor

AMENDATORY SECTION (Amending WSR 96-12-020, filed 5/29/96, effective 7/1/96)

**WAC 332-24-221 Specific rules for burning that requires a written burning permit.**

Persons not able to meet the requirements of WAC 332-24-205 and 332-24-211 must apply for a written burning permit through the department. In addition to the rules outlined in WAC 332-24-205, the following are additional requirements for written permits:

(1) Written burning permits will be in effect for one year from the validation date, unless suspended or revoked.

(2) Fees for written burning permits will be charged and collected pursuant to chapter 70.94 RCW and shall be twenty-three dollars seventy-five cents for under one hundred tons of consumable debris; and for burns one hundred tons of consumable debris and greater as follows:

Consumable Debris	Fee schedule
100 - 500 tons	( <del>(\$115)</del> ) <u>\$119</u>
501 - 1,000 tons	( <del>(350)</del> ) <u>364</u>
1,001 - 1,500 tons	( <del>(583)</del> ) <u>606</u>
1,501 - 2,000 tons	( <del>(817)</del> ) <u>850</u>
2,001 - 2,500 tons	( <del>(1,051)</del> ) <u>1,093</u>
2,501 - 3,000 tons	( <del>(1,285)</del> ) <u>1,337</u>
3,001 - 3,500 tons	( <del>(1,519)</del> ) <u>1,578</u>
3,501 - 4,000 tons	( <del>(1,753)</del> ) <u>1,821</u>
4,001 - 4,500 tons	( <del>(1,987)</del> ) <u>2,065</u>
4,501 - 5,000 tons	( <del>(2,221)</del> ) <u>2,308</u>
5,001 - 5,500 tons	( <del>(2,455)</del> ) <u>2,552</u>
5,501 - 6,000 tons	( <del>(2,689)</del> ) <u>2,795</u>
6,001 - 6,500 tons	( <del>(2,923)</del> ) <u>3,039</u>
6,501 - 7,000 tons	( <del>(3,157)</del> ) <u>3,282</u>
7,001 - 7,500 tons	( <del>(3,391)</del> ) <u>3,526</u>
7,501 - 8,000 tons	( <del>(3,625)</del> ) <u>3,769</u>
8,001 - 8,500 tons	( <del>(3,859)</del> ) <u>4,013</u>
8,501 - 9,000 tons	( <del>(4,093)</del> ) <u>4,256</u>
9,001 - 9,500 tons	( <del>(4,327)</del> ) <u>4,500</u>
9,501 - 10,000 tons	( <del>(4,561)</del> ) <u>4,741</u>
10,001 + tons	( <del>(4,795)</del> ) <u>4,985</u>

For purposes of this section, consumable debris is the amount of debris that the department determines will be consumed by the proposed burning.

(3) Written burning permits are not considered valid unless all of the following conditions apply:

(a) The written permit has been signed by the applicant agreeing to follow all requirements of chapter 332-24 WAC, the smoke management plan in effect at the time of the burning, and any additional terms and conditions specified by the department in writing; and

(b) The required permit fee has been secured or paid according to approved department procedures; and

(c) The person doing the burning has the permit in possession while burning and is complying with all terms and conditions of such permit, the smoke management plan in effect at the time of the burning, and all applicable portions of chapter 332-24 WAC.

(4) Permits are written only for the burn site and fuel quantity that is presented at the time of the inspection. Addition of fuel, or changing the burn site after the site inspection has been made, is prohibited unless a new

PERMANENT

inspection is made and an added permit fee is paid, if required.

**WSR 97-12-038**  
**PERMANENT RULES**  
**BATES TECHNICAL COLLEGE**

[Filed May 30, 1997, 4:50 p.m.]

Date of Adoption: May 21, 1997.

Purpose: To protect and control pedestrian and vehicular traffic for the safety of students, staff, and public.

Statutory Authority for Adoption: RCW 28B.50.140(10).

Adopted under notice filed as WSR 97-07-002 on March 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 26, 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.

May 28, 1997

Jon G. Thorpe

Senior Vice-President

**Chapter 495A-141 WAC**  
**PARKING AND TRAFFIC REGULATIONS**

NEW SECTION

**WAC 495A-141-010 Purpose for adopting parking and traffic regulations.** Pursuant to the authority granted RCW 28B.50.140(10), the board of trustees of Bates Technical College, or their designee, is granted authority to adopt rules and regulations for pedestrian and vehicular traffic upon public lands devoted to, operated by, or maintained by the college. The objectives of these regulations are:

- (1) To protect and control pedestrian and vehicular traffic.
- (2) To assure ingress and egress at all times for emergency traffic.
- (3) To minimize traffic disturbances during class hours.
- (4) To facilitate the work of the college by assuring access to its vehicles and by assigning limited parking space for the most efficient use by all.
- (5) To regulate the use of parking spaces.
- (6) To protect students, staff, and state owned property.

NEW SECTION

**WAC 495A-141-011 Applicable parking & traffic regulations.** (1) All regulations in this chapter and all motor vehicle and other traffic laws of the state of Washington shall apply on all Bates Technical College campuses.

(2) The traffic code of the city of Tacoma shall apply upon all college lands located within the city of Tacoma.

NEW SECTION

**WAC 495A-141-012 Enforcement.** The President or designee shall be responsible for the enforcement of the regulations. Parking and traffic regulations will be enforced at all times.

NEW SECTION

**WAC 495A-141-013 Liability of college.** The college assumes no liability under any circumstances for theft or damage occurring to vehicles, bicycles, or their contents. No bailment of any sort is created by the purchase of a parking permit.

NEW SECTION

**WAC 495A-141-014 Definitions.** As used in this document, the following words and phrases shall mean:

- (1) "Board" - the Board of Trustees of Bates Technical College
- (2) "Campus" - all lands and buildings devoted to, operated by, or maintained by Bates Technical College
- (3) "Campus security officer" - employee of the college who is responsible to the Vice President of Business & Finance, or designee, for campus traffic control, parking, security, and safety.
- (4) "College" - Bates Technical College
- (5) "Safety & security supervisor" - the college's Vice President of business and finance, or designee
- (6) "Employee" - an individual appointed to the faculty, staff, or administration of the college
- (7) "Guests/visitors" - person or persons who come upon the campus as guests and person or persons who lawfully visit the campus
- (8) "Continuing permits" - permits issued to employees for an indefinite period of time
- (9) "President" - President of Bates Technical College
- (10) "President's designee" - Vice President of Business and Finance
- (11) "Student permits" - permits issued to students which are valid from the date of issue and for as long as the student is enrolled
- (12) "Temporary permits" - permits which are valid for a specific period designated on the permit
- (13) "Vehicle" - automobile, truck, motor-driven cycle, scooter, or any vehicle otherwise powered

NEW SECTION

**WAC 495A-141-030 Authorization for issuance of permits.** The Vice President of Business & Finance, or designee, is authorized to issue parking permits to students, staff, and guests when the following is provided:

(1) When the vehicle information is properly registered with the college.

(2) When a temporary parking permit is necessary to enhance the business or operation of the college.

Permits are available to individuals who may wish to register additional vehicles. Only one vehicle registered to an individual shall be permitted to park on campus at any one time.

#### NEW SECTION

**WAC 495A-141-035 Responsibility of person to whom permit is issued.** The individual to whom a parking permit is issued shall be responsible for any violations of state, college or city traffic rules and regulations involving the vehicle. In the event that a vehicle in violation is not registered with the college, the current registered owner will be responsible for the violations of the above stated rules and regulations.

#### NEW SECTION

**WAC 495A-141-040 Vehicle parking permits.** (1) All employees and students of the college shall obtain and display a currently valid parking permit on all vehicles parked or left standing unattended upon the college campus for day classes.

(2) All persons parking on the campus shall secure and display a currently valid parking permit within five days from the student's date of registration or from the first day of employment.

#### NEW SECTION

**WAC 495A-141-045 Visitor permits.** All guests/visitors (including salespersons, vendors, etc.) may park in appropriate staff parking areas after obtaining a temporary permit from the business office.

Visitors from other state or governmental agencies or institutions may display their business card on the dashboard (or other clearly visible location) in lieu of obtaining a temporary permit for short-term business at the college.

#### NEW SECTION

**WAC 495A-141-050 Display of permits.** The parking permit issued by the college shall be visibly affixed on the inside of the rear window of the vehicle for which the permit was issued, on the lower left hand corner of the window as viewed from the rear of the vehicle. If this is not feasible then the permit shall be affixed to the driver's side windshield lower corner. Motorcycle permits must be affixed in a conspicuous place.

#### [NEW SECTION]

**WAC 495A-140-055 Transfer of permits.** Parking permits are not transferable. Each new vehicle must be registered with the business office and be issued a separate parking permit.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**Reviser's note:** The above new section was filed by the agency as WAC 495A-140-055. This section is placed among sections forming new chapter 495A-141 WAC, and therefore should be numbered WAC 495A-141-055. Pursuant to the requirements of RCW 34.08.040, the section is published in the same form as filed by the agency.

#### NEW SECTION

**WAC 495A-141-060 Permit revocation.** Permits are licenses and the property of the college, and may be revoked for any of the following reasons:

(1) When the purpose for which the permit was issued changes or no longer exists.

(2) When a permit is used on an unregistered vehicle or by an unauthorized person.

(3) Falsification on the application for parking permits.

(4) Continued violations of parking and traffic regulations.

(5) Counterfeiting or altering of permits.

#### NEW SECTION

**WAC 495A-141-065 Right to refuse permit.** The Vice President of Business & Finance, or designee, reserves the right to refuse the issuance of a parking permit to anyone who has had a previous permit revoked, or whose driving or parking conduct indicates a disregard for the rights or safety of others.

#### NEW SECTION

**WAC 495A-141-070 Right to appeal permit revocation/refusal.** When a parking permit has been revoked or has been refused or when a fine or penalty has been levied against a violator of the rules and regulations, such action by the Vice President of Business & Finance, or designee, may be appealed.

#### NEW SECTION

**WAC 495A-141-080 Designation of parking.** The parking spaces available on campus may be allocated and designated by the Vice President of Business & Finance, or designee, in such a manner as will best achieve the objectives of these rules and regulations.

(1) Special provisions shall be made for physically disabled employees, students, and visitors. Physically disabled individuals utilizing disabled parking spaces must display in that vehicle a valid state-issued disabled parking permit or license plate. Temporary disabled permits will be issued by the business office. In addition to the disabled permit, valid college parking permits must be displayed on the vehicle.

(2) Guests who visit the campus for college related business for a maximum time of thirty (30) minutes, a temporary permit is not required. Visitors requiring parking for longer than thirty (30) minutes may obtain a temporary permit through the business office when verified by host department.

(3) Parking spaces may be designated for special purposes as deemed necessary.

(4) No vehicle shall be parked on the campus except in those areas set aside and designated for parking.

(5) No vehicle shall be parked so as to occupy any portion of more than one parking space or stall.

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.

#### NEW SECTION

**WAC 495A-141-090 Regulatory signs, markings, barricades.** The Vice President of Business & Finance, or designee, is authorized to make and erect signs, barricades, and other structures, and to paint marks and other directions upon the streets, entry/exits, and roadways for the regulation of traffic and parking upon the various public lands devoted to, operated by, or maintained by the college. Drivers or vehicles shall observe and obey all the signs, barricades, structures, markings and directions given them by the campus security officer in the control and regulation of traffic and parking.

#### NEW SECTION

**WAC 495A-141-100 Speed limit.** No vehicles shall be operated on the campus at a speed in excess of posted speed limits, or such slower speed as is reasonable and prudent to the circumstances.

#### NEW SECTION

**WAC 495A-141-110 Pedestrian right of way.** (1) The operator of a vehicle shall yield right of way to any pedestrian. Pedestrians shall not leave a curb or other place of safety and walk or run into the path of an oncoming vehicle.

(2) When a sidewalk or crosswalk is provided, pedestrians shall utilize the sidewalk or crosswalk.

#### NEW SECTION

**WAC 495A-141-120 Motorcycles or bicycles.** Bicycles are to be parked in bicycle racks where provided. No person shall park a motorcycle or bicycle inside a building, by a doorway, on a path, sidewalk, walkway, or in such a manner as to block or obstruct the normal flow of pedestrian or vehicle traffic.

#### NEW SECTION

**WAC 495A-141-130 Report of accidents.** (1) The operator of any vehicle involved in an accident on campus resulting in injury or death of any person or claimed damage to either or both vehicles exceeding five hundred dollars shall immediately report such accident to the security officer on duty or Operations Office. Accidents occurring after the close of business shall be reported the next working day. The operator shall file a state of Washington motor vehicle report within twenty-four hours after such accident.

(2) Other minor accidents may be reported to the security officer on duty or Operations Office for insurance record purposes.

#### NEW SECTION

**WAC 495A-141-140 Impounding disabled & inoperative vehicles.** (1) Disabled or inoperative vehicles shall not be parked on the campus for a period exceeding twenty-four (24) hours, without authorization from the Vice President of Business & Finance, or designee.

(2) Vehicles parked over twenty-four hours without authorization may be impounded and stored at the expense of either, or both, the owner and operator thereof.

#### NEW SECTION

**WAC 495A-141-150 Violation of parking & traffic regulations.** (1) Operators of illegally operated or parked vehicles shall be warned or cited through appropriate means that they are in violation of these regulations. All fines are payable at the business office.

(2) In instances where violations are repeated, and in the judgment of the Vice President of Business & Finance, or designee, with appropriate documented evidence, said vehicles may be impounded.

#### NEW SECTION

**WAC 495A-141-160 Fees.** The Board of Trustees of Bates Technical College shall set and review, as necessary, parking permit fees. (1) Fees shall be levied in accordance with the current published fee schedule.

#### NEW SECTION

**WAC 495A-141-165 Fines & penalties.** The Vice President of Business & Finance, or designee, is authorized to impose the following fines and penalties for violation of the regulations:

(1) A schedule of fines shall be set by the board of trustees. The schedule shall be published by the college and included on the traffic parking citation form.

(2) Fines will be assessed in accordance with the schedules as established by the board of trustees for the following violations:

- (a) No valid permit displayed
- (b) Occupying more than one parking space
- (c) Occupying space/area not designated for parking
- (d) Parking in area not authorized by permit
- (e) Parking in reserved staff space without authorization
- (f) Disabled parking violation
- (g) Blocking or obstructing traffic (may be towed if creating a safety hazard)
- (h) Parking adjacent to fire hydrant (may be towed if creating a safety hazard)
- (i) Parking in fire lane (may be towed if creating a safety hazard)
- (j) Parking in zone or area marked "no parking"
- (k) Speeding
- (l) Reckless/negligent driving (1) 1st offense - warning, (2) 2nd offense - posted rate (if paid within twenty-four hours fine will be reduced by one-half), (3) 3rd offense - fine triples, (4) Any subsequent offense could result in loss of parking privileges on campus.

(3) At the discretion of the Vice President of Business & Finance, or designee, an accumulation of citations by a staff member may be turned over to a private collection

agency for the collection of past due fines. Other appropriate collection procedures may be initiated as deemed necessary.

(4) Vehicles parking in a manner so as to obstruct traffic, including access to and from parking spaces and areas may be subject to a fine and may be impounded. The expenses of such impounding and storage shall be the responsibility of the registered owner or driver of the vehicle.

(5) Vehicles impounded by means of an immobilizing device shall be charged a service fee according to the current fee schedule.

(6) The college shall not be liable for loss or damage of any kind resulting from impounding and storage of vehicles.

(7) Vehicles involved in violations of these regulations may be impounded as provided for in these regulations.

(8) Persons may appeal the issuance of a citation.

(9) In the event a student fails or refuses to pay an uncontested fine which has been outstanding in excess of five days, the Vice President of Business & Finance, or designee, may initiate the following actions:

(a) Student may not be able to obtain transcript of credits until all fines are paid.

(b) Student may not receive a degree/diploma/certificate of completion until all fines are paid.

#### NEW SECTION

**WAC 495A-141-170 Appeal proceedings/appeal of fines & penalties.** (1) Appeals must be presented in writing, giving full particulars, listing witnesses, evidence, etc.

(2) Appeals must be submitted to the Vice President of Business & Finance within five business days from date of citation.

(3) If an appeal is not resolved to the satisfaction of the alleged violator, he/she shall have five additional business days from receipt of decision by the Vice President of Business & Finance to appeal to the parking advisory committee.

#### NEW SECTION

**WAC 495A-141-180 Parking advisory committee.** The parking advisory committee shall be structured and responsible for the following purposes:

(1) To review and recommend necessary changes to the college parking and traffic regulations annually.

(2) To receive and hear appeals related to parking and traffic violations. All decisions made by the parking advisory committee relative to parking/traffic appeals shall be final.

(3) Membership shall consist of at least:

(a) Three student representatives

(b) One faculty representative

(c) One classified representative

(d) One administrator

(e) One security officer

(f) Vice President of Business & Finance - ex officio

**WSR 97-12-042**  
**PERMANENT RULES**  
**PARKS AND RECREATION**  
**COMMISSION**

[Filed June 2, 1997, 2:53 p.m.]

Date of Adoption: May 30, 1997.

**Purpose:** To amend the existing rule governing the use of metal detectors in state parks to remove language restricting use to developed day use areas, specify areas approved by the director for use, are in accordance with the commission's land management direction and provide that use may include campsites occupied by registered detectorist and unoccupied campsites where approved.

**Citation of Existing Rules Affected by this Order:** Amending WAC 352-32-235 Use of metal detectors in state parks.

**Statutory Authority for Adoption:** RCW 43.51.040 and 43.51.180(7).

**Adopted under notice filed as WSR 97-09-114 on April 23, 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 1, 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 1, repealed 0.

**Effective Date of Rule:** Thirty-one days after filing.

May 30, 1997

Jim French

Senior Policy Analyst

**AMENDATORY SECTION** (Amending WSR 92-19-098, filed 9/17/92, effective 10/18/92)

**WAC 352-32-235 Use of metal detectors in state parks.** The use and operation of metal detectors, as well as the removal of small contemporary materials, is permitted within selected state parks as designated by the director, in accordance with all commission direction on land management, and subject to the conditions and limitations specified.

(1) The use of metal detectors is permitted only within specified portions of ~~((the developed day use areas of these))~~ approved state parks as posted for public reference. Metal detecting may be allowed in an approved campsite occupied by the registered detectorist and in unoccupied campsites within approved campgrounds.

(2) The use of metal detectors within a state park shall be limited to daylight hours that the park has posted as "open." No use shall be allowed during periods of seasonal or emergency park closure, except where otherwise posted.

(3) Any person wishing to use a metal detector shall so indicate to park personnel at the park where the use is to

occur, by complying with the registration process provided for such purpose.

(4) Exceptional uses of metal detectors in state parks may be allowed through the issuance of a special recreation event application, available from the agency.

(5) This section does not apply to commission employees while engaged in the performance of their duties.

(6) Persons operating metal detectors in state parks and state park areas shall:

(a) Observe all laws and regulations.

(b) Never destroy or disturb park facilities, natural features, or historical or archeological resources. No item which appears to be of historical or archeological significance, remaining from either early pioneer activity or from a native American presence, may be removed from the site at which it was found. Any such find shall be immediately reported to park personnel, and the area in which the find occurred shall not be disturbed further.

(c) Limit digging implements to ice picks, screwdrivers and probes not to exceed two inches in width and sand scoops not to exceed six inches in width and eight inches in length, containing perforations no less than one-half inch in width, to be used only on sand surfaces. Any holes dug shall be limited to six inches maximum depth and shall be immediately refilled and the surface restored to its earlier condition.

(d) Properly dispose of all found or recovered trash and litter.

(e) Conduct themselves with thoughtfulness, courtesy and consideration for others, and not interfere with other recreational activities. An operator shall not allow any emitted metal detector sound audible to other park users from the Friday before Memorial Day through Labor Day.

(7) Except as provided in WAC 352-32-310, any violation of this section is an infraction under chapter 7.84 RCW.

**WSR 97-12-048  
PERMANENT RULES  
FISH AND WILDLIFE  
COMMISSION**

(Wildlife)

[Filed June 2, 1997, 4:59 p.m.]

Date of Adoption: April 19, 1997.

Purpose: To amend WAC 232-12-011 Wildlife classified as protected shall not be hunted or fished.

Statutory Authority for Adoption: RCW 77.12.040.

Other Authority: RCW 77.12.020, 77.12.030, 77.32.220.

Adopted under notice filed as WSR 97-06-115 on March 5, 1997.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-12-011 differs from the version filed with the code reviser in the following specifics:

Add wording, "except when found in or immediately adjacent to a dwelling or other occupied building," referring to bats.

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.

May 2, 1997

Lisa Pelly

Chair

AMENDATORY SECTION (Amending Order 615, filed 10/14/93, effective 11/14/93)

**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~~) 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>Tamius minimus</i>
yellow-pine chipmunk	<i>Tamius amoenus</i>

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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>
<u>Washington ground squirrel</u>	<u><i>Spermophilus washingtoni</i></u>
golden-mantled ground squirrel	<i>Spermophilus lateralis</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>	<u><i>Lampropeltis zonata</i></u>

All birds not classified as game birds, predatory birds or endangered species, or designated as threatened species or sensitive species; all bats, except when found in or immediately adjacent to a dwelling or other occupied building; 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.

**WSR 97-12-049**  
**PERMANENT RULES**  
**FISH AND WILDLIFE**  
**COMMISSION**  
 (Wildlife)

[Filed June 2, 1997, 4:59 p.m.]

Date of Adoption: April 19, 1997.

Purpose: To amend WAC 232-28-240 1997-98, 1998-99, 1999-2000 Deer and bear hunting seasons and regulations.

Statutory Authority for Adoption: RCW 77.12.040.

Other Authority: RCW 77.12.020, 77.12.030, 77.32.220.

Adopted under notice filed as WSR 97-06-116 on March 5, 1997.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-28-240 differs from the version filed with the code reviser in the following specifics:

1. On page 2 under General Modern Firearm Deer Seasons, all of eastern Washington except closed in GMUs 157, 242, 290, 329, 330, 342 and 371 the Legal Deer description was changed as follows: Mule Deer and

Blacktail Deer 3 pt. min. in all open units in GMUs 100, 200, 300; except 3 pt. min or Antlerless in GMU 281(-); Whitetail - any buck except GMUs 127-154, 162-186, 203 and 231 3 pt. min.

2. On page 3 under Archery Deer Seasons, Early Archery, the legal deer under the Sept. 6-15, Sept. 8-15 and Sept. 7-15 dates has been changed as follows: Mule Deer and Blacktail Deer - 3 pt. min (~~or antlerless~~) in all open 100, 200, and 300 units except 3 pt. min or antlerless in GMUs 130, 133, 136, 139, 142, 145, 149, 163, 178, 248, 254, 266, 269, 272, 284, 306, and 308; Whitetail Deer - either sex except 3 pt. min. or antlerless in GMUs 127-186, and 231.

3. On page 4 under Late Archery for GMUs 209, 215, 233, 272, 300, 316, 346, 352, 364 the Legal Deer was amended as follows: Mule Deer and Blacktail Deer 3 pt. min (~~or antlerless~~) except 3 pt. min or antlerless in GMU 272; Whitetail Deer either sex.

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.

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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.

May 2, 1997

Lisa Pelly  
Chair

AMENDATORY SECTION (Amending Order 97-30, filed 2/27/97, effective 3/30/97)

**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; <u>except</u> 3 pt. min. or Antlerless in GMU 281; <u>Whitetail - any buck except GMUs 127-154, 162-186, 203 and 231</u> 3 pt. min.
GMUs 101-142	Oct. 11- <del>((28))</del> <u>24</u>	Oct. 17- <del>((28))</del> <u>30</u>	Oct.16- <del>((28))</del> <u>29</u>	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.

PERMANENT

GMUs	1997 Dates	1998 Dates	1999 Dates	Legal Deer
105-124	Nov. ((7)) <u>3</u> -23	Nov. ((7)) <u>9</u> -22	Nov. ((7)) <u>8</u> -21	Whitetail buck only
127-142	Nov. ((7)) <u>3</u> -23	Nov. ((7)) <u>9</u> -22	Nov. ((7)) <u>8</u> -21	Whitetail buck only, 3 pt. min.
All 400, 500, & 600 Except closed in: GMUs 418, 426, 437, 448, 450, 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 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
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. ( <del>or</del> <del>antlerless</del> ) in all open 100, 200, and 300 units, <u>except 3 pt. min.</u> <u>or antlerless in</u> <u>GMUs 130, 133, 136,</u> <u>139, 142, 145, 149,</u> <u>163, 178, 248, 254,</u> <u>266, 269, 272, 284,</u> <u>306 and 308;</u> 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,	Sept. 1-30	Sept. 1-30	Sept. 1-30	Either sex, except 2 pt. min. or antlerless in

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and 522

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. 15-30	Sept. 1-30 Sept. 15-30	Sept. 1-30 Sept. 15-30	Either sex 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, 181	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. ( <del>or antlerless</del> ) <u>except 3 pt. min. or antlerless in GMU 272;</u> 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. 23-Dec. 15	Nov. 22-Dec. 15	Nov. 27-Dec. 15	Either sex
450	Nov. 26-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	3 pt. min
Bow Areas	1997 Dates	1998 Dates	1999 Dates	Legal Deer
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

Extended Late Archery

GMUs	1997 Dates	1998 Dates	1999 Dates	Legal Deer
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

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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.

High Buck Hunt

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.

Early Muzzleloader

GMUs	1997 Dates	1998 Dates	1999 Dates	Legal Deer
109, 117, 209, 300, 304, 316, 336, 352, 360( <del>407, 410, 520, 530, 564, 568, 603, 612, 624, 672</del> )	Oct. 4-10	Oct. 10-16	Oct. 9-15	Mule Deer and Blacktail Deer- 3 pt. min.; Whitetail Deer- any buck
<u>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>Buck only</u>
454, 484, and 666	Oct. 4-10	Oct. 10-16	Oct. 9-15	Either sex

Late Muzzleloader

GMUs	1997 Dates	1998 Dates	1999 Dates	Legal Deer
113	Nov. 26-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Whitetail, buck only
<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.

Muzzleloader Area

GMUs	1997 Dates	1998 Dates	1999 Dates	Legal Deer
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.

PERMANENT

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. -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
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\*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
	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

PERMANENT

**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.

**WSR 97-12-050**  
**PERMANENT RULES**  
**FISH AND WILDLIFE**  
**COMMISSION**  
 (Wildlife)

[Filed June 2, 1997, 4:59 p.m.]

**Date of Adoption:** April 19, 1997.

**Purpose:** To amend WAC 232-28-242 1997-98, 1998-99, 1999-2000 Elk hunting seasons and regulations.

**Statutory Authority for Adoption:** RCW 77.12.040.

**Other Authority:** RCW 77.12.020, 77.12.030, 77.32.220.

Adopted under notice filed as WSR 97-06-117 on March 5, 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 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.

May 2, 1997

Lisa Pelly

Chair

**AMENDATORY SECTION** (Amending Order 97-31, filed 2/27/97, effective 3/30/97)

**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

**Modern Firearm Elk Seasons**

GMUs	Elk Tag			1997 Dates	1998 Dates	1999 Dates	Legal Elk
	97	98	99				
101-142	BG	NG	NG	Oct. 25-Nov. 2	Oct. 31-Nov. 8	Oct. 30-Nov. 7	Any Bull
	BP	NP	NP	Oct. 27-Nov. 2	Nov. 2-8	Nov. 1-7	Any Bull
145-154, 162-186	BG	BG	BG	Oct. 25-Nov. 2	Oct. 31-Nov.8	Oct. 30-Nov. 7	Spike Bull Only
	BP	BP	BP	Oct. 27-Nov. 2	Nov. 2-8	Nov. 1-7	Spike Bull Only
300, 301, 304, 306, 308	CG	CG	CG	Oct. 25-Nov. 2	Oct. 31-Nov. 8	Oct. 30-Nov. 7	Any Bull
	CP	CP	CP	Oct. 27-Nov. 2	Nov. 2-8	Nov. 1-7	Any Bull
314-329 and Chelan County portion of GMU 302	CG	CG	CG	Oct. 25-Nov. 2	Oct. 31-Nov. 8	Oct. 30-Nov. 7	Spike Bull Only
	CP	CP	CP	Oct. 27-Nov. 2	Nov. 2-8	Nov. 1-7	Spike Bull Only
335-371 and Kittitas	YG	YG	YG	Oct. 25-Nov. 2	Oct. 31-Nov. 8	Oct. 30-Nov. 7	Spike Bull Only

- 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.

PERMANENT



County	97	98	99	1997 Dates	1998 Dates	1999 Dates	Legal Elk
portion of GMU 302	YP	YP	YP	Oct. 27-Nov. 2	Nov. 2-8	Nov. 1-7	Spike Bull Only
372	YG	YG	YG	Oct. 25-Nov. 2	Oct. 31-Nov. 8	Oct. 30-Nov. 7	Any Bull
	YP	YP	YP	Oct. 27-Nov. 2	Nov. 2-8	Nov. 1-7	Any Bull
407, 410, 426-454, 484	WG	WG	WG	Nov. 8-16	Nov. 7-15	Nov. 6-14	Spike Bull Only
	WP	WP	WP	Nov. 10-16	Nov. 9-15	Nov. 8-14	Spike Bull Only
460, 466, 478, 490	WG	WG	WG	Nov. 8-16	Nov. 7-15	Nov. 6-14	3-Pt. Min.
	WP	WP	WP	Nov. 10-16	Nov. 9-15	Nov. 8-14	3-Pt. Min.
504, 505, 510, 516, 520, 550, 560	WG	WG	WG	Nov. 8-16	Nov. 7-15	Nov. 6-14	Spike Bull Only
	WP	WP	WP	Nov. 10-16	Nov. 9-15	Nov. 8-14	Spike Bull Only
501, 564, 568, 574, 578, 582, 588	WG	WG	WG	Nov. 8-16	Nov. 7-15	Nov. 6-14	Either Sex
	WP	WP	WP	Nov. 10-16	Nov. 9-15	Nov. 8-14	Either Sex
506, 513, 530, 558, 572	WG	WG	WG	Nov. 8-16	Nov. 7-15	Nov. 6-14	3-Pt. Min.
	WP	WP	WP	Nov. 10-16	Nov. 9-15	Nov. 8-14	3-Pt. Min.
658, 660, 663, 666, 667, 672, 673, 684	WG	WG	WG	Nov. 8-16	Nov. 7-15	Nov. 6-14	Spike Bull Only
	WP	WP	WP	Nov. 10-16	Nov. 9-15	Nov. 8-14	Spike Bull Only
601, 603, 607, 612, 615, 618, 624, 627, 633, 638, 642, 648, 651, 681	WG	WG	WG	Nov. 8-16	Nov. 7-15	Nov. 6-14	3-Pt. Min. except AHE hunters only in Elk Area 064 in GMU 638
	WP	WP	WP	Nov. 10-16	Nov. 9-15	Nov. 8-14	3-Pt. Min. except AHE hunters only in Elk Area 064 in GMU 638

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).

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, 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,	WA WA WA	Sept. 1-14	Sept. 1-14	Sept. 1-14	Spike bull or antlerless

505, 510, 516,  
520, 550, 554,  
560, 658, 660,  
663, 667, 672,  
673, 684

437, 454, 484, 501,  
564, 568, 574, 578,  
582, 588

460, 466, 478,  
490, 506, 513,  
530, 558, 572,  
681

601, 603, 612, 615,  
618, 624, 627, 633,  
638, 642, 648, 651

Bow Area 802

WA WA WA

Sept. 1-14

Sept. 1-14

Sept. 1-14

Either sex

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

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

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, 638, 681*	WA WA WA	Nov. 26-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	3 pt. min. or antlerless and permit only in Cathlamet Firearm Restriction Area in Wahkiakum County

PERMANENT

**Bow Areas**

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 Wallacut 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	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

437, 504, 550	WM WM WM	Nov. 26-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	antlerless 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
<b>Muzzleloader Areas</b>					
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
101, 105, 121, 124, west of SR 395, 133, 136, 139	97 BG, BP	98 NG, NP	99 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, NB	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

PERMANENT

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 brackets and enclosed material in the text of 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 97-12-051  
PERMANENT RULES  
FISH AND WILDLIFE  
COMMISSION  
(Wildlife)**

[Filed June 2, 1997, 4:59 p.m.]

Date of Adoption: April 19, 1997.

Purpose: To amend WAC 232-28-252 1997 Moose permit quotas.

Statutory Authority for Adoption: RCW 77.12.040.

Other Authority: RCW 77.12.020, 77.12.030, 77.32.220.

Adopted under notice filed as WSR 97-06-118 on March 5, 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 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.

May 2, 1997  
Lisa Pelly  
Chair

**AMENDATORY SECTION** (Amending WSR 96-12-049, filed 5/31/96, effective 7/1/96)

**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
8001	Selkirk Mtns.	Oct. 1-Nov. 30	GMU 113	Any Legal Weapon	((12)) <u>10</u>
8002	Mt. Spokane	Oct. 1-Nov. 30	GMU 124	Any Legal Weapon	((8)) <u>10</u>
8003	((Chewelah)) 49 Degrees North	Oct. 1-Nov. 30	GMU ((118)) <u>117</u>	Any Legal Weapon	((5)) <u>8</u>
((8004))	Boyer)				
8005	Three Forks	Oct. 1-Nov. 30	GMU ((119)) <u>109</u>	Any Legal Weapon	((4)) <u>3</u>
((8005))	Aladdin)				
8006	Hangman	Oct. 1-Nov. 30	GMU ((114)) <u>127, 130</u>	Any Legal Weapon	((2)) <u>1</u>

**WSR 97-12-052  
PERMANENT RULES  
FISH AND WILDLIFE  
COMMISSION  
(Wildlife)**

[Filed June 2, 1997, 4:59 p.m.]

Date of Adoption: April 19, 1997.

Purpose: To amend WAC 232-28-253 1997 Mountain sheep (bighorn) permit quotas.

Statutory Authority for Adoption: RCW 77.12.040.

Other Authority: RCW 77.12.020, 77.12.030, 77.32.220.

Adopted under notice filed as WSR 97-06-119 on March 5, 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 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.

May 2, 1997  
Lisa Pelly  
Chair

AMENDATORY SECTION (Amending WSR 96-12-050, filed 5/31/96, effective 7/1/96)

**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
5002	Vulcan Mountain	Sept. 15-Oct. ((+)) 10	Sheep Unit 2	Any Legal Weapon	((2)) 1
5003	Tucannon River	Sept. 15-Oct. ((+)) 10	Sheep Unit 3	Any Legal Weapon	1
5004	Selah Butte	Sept. 15-Oct. 10	Sheep Unit 4	Any Legal Weapon	1
5005	Umtanum	Sept. 15-Oct. ((+)) 10	Sheep Unit 5	Any Legal Weapon	((3)) 1
5007	Clemon Mountain	Sept. 15-Oct. ((+)) 10	Sheep Unit 7	Any Legal Weapon	1
<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>
5010	Mt. Hull	Sept. 15-Oct. ((+)) 10	Sheep Unit 10	Any Legal Weapon	1
<del>((5011</del>	<del>Wenaha Wilderness))</del>				
5012	Lincoln Cliffs	Sept. 15-Oct. ((+)) 10	Sheep Unit ((+)) 12	Any Legal Weapon	1

**WSR 97-12-053  
PERMANENT RULES  
FISH AND WILDLIFE  
COMMISSION  
(Wildlife)**  
[Filed June 2, 1997, 4:59 p.m.]

Date of Adoption: April 19, 1997.

Purpose: To amend WAC 232-28-254 1997 Mountain goat permit quotas.

Statutory Authority for Adoption: RCW 77.12.040.

Other Authority: RCW 77.12.020, 77.12.030, 77.32.220.

Adopted under notice filed as WSR 97-06-120 on March 5, 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 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.  
May 2, 1997  
Lisa Pelly  
Chair

AMENDATORY SECTION (Amending WSR 96-12-051, filed 5/31/96, effective 7/1/96)

**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
6201	Mount Chopaka	Sept. ((+)) 13-Oct. 31	Goat Unit 2-1	Any Legal Weapon	1
6202	Methow	Sept. ((+)) 13-Oct. 31	Goat Unit 2-2	Any Legal Weapon	((8)) 5
6306	Naches Pass	Sept. ((+)) 13-Oct. 31	Goat Unit 3-6	Any Legal Weapon	((10)) 1
6307	Bumping River	Sept. ((+)) 13-Oct. 31	Goat Unit 3-7	Any Legal Weapon	((3)) 1
<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>
6309	Tieton River	Sept. ((+)) 13-Oct. 31	Goat Unit 3-9	Any Legal Weapon	((5)) 1
6310	Blazed Ridge	Sept. ((+)) 13-Oct. 31	Goat Unit 3-10	Any Legal Weapon	((3)) 1
6311	Kachess Ridge	Sept. ((+)) 13-Oct. 31	Goat Unit 3-11	Any Legal Weapon	1
6408	East Ross Lake	Sept. ((+)) 13-Oct. 31	Goat Unit 4-8	Any Legal Weapon	((10)) 4
6409	Jack Mountain	Sept. ((+)) 13-Oct. 31	Goat Unit 4-9	Any Legal Weapon	2
6432	Foss River	Sept. ((+)) 13-Oct. 31	Goat Unit 4-32	Any Legal Weapon	((10)) 5
6434	Pratt River	Sept. ((+)) 13-Oct. 31	Goat Unit 4-34	Any Legal Weapon	((10)) 5
6438	Corral Pass	Sept. ((+)) 13-Oct. 31	Goat Unit 4-38	((Archery Only)) Any Legal Weapon	4
6502	Tatoosh	Sept. ((+)) 13-Oct. 31	Goat Unit 5-2	Any Legal Weapon	5
6503	Smith Creek	Sept. ((+)) 13-Oct. 31	Goat Unit 5-3	((Archery Only	5))
6504	Goat Rocks	Sept. ((+)) 13-Oct. 31	Goat Unit 5-4	Any Legal Weapon	3
				Any Legal Weapon	10

PERMANENT

<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>((Archery Only</del>	<del>5))</del>
<u>6603</u>	Hamma Hamma River	Sept. <del>((44))</del> <u>13</u> -Oct. 31	Goat Unit 6-3	<u>Any Legal Weapon</u>	<u>2</u>

**WSR 97-12-054  
PERMANENT RULES  
FISH AND WILDLIFE  
COMMISSION  
(Wildlife)**

[Filed June 2, 1997, 4:59 p.m.]

Date of Adoption: April 19, 1997.

Purpose: To amend WAC 232-28-260 Special hunting seasons.

Statutory Authority for Adoption: RCW 77.12.040.

Other Authority: RCW 77.12.020, 77.12.030, 77.32.220.

Adopted under notice filed as WSR 97-06-121 on March 5, 1997.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-28-260 differs from the version filed with the code reviser in the following specifics:

1. On page 1 under subsection (2) a (f) was added "Raffle and auction permit hunts."

2. On page 3 under subsection (7)(c) the word "tickets" was inserted as follows: Any person may purchase PLWMA raffle tickets in addition to WDFW raffle tickets and participate in general permit hunt application drawing.

3. On page 3 under subsection (8) the phrase was amended as follows: The commission established auction and raffle hunts.

4. Auction was added in several places in subsection (8) and amended as follows:

(a) The commission may establish big game and wild turkey auction and raffle permit hunts. The director may conduct the auction or raffle . . . to cover expenses incurred or a percentage of the auction permit receipts.

(b) Delete sentence: "All raffle permits are void on January 1 following the date of issuance."

(c) The organization interested in conducting an auction or raffle for an authorized permit hunt shall submit a proposal outlining experience and plans to conduct an auction or raffle.

(ii) The date, time, and place of the proposed auction and raffle drawing.

(iv) Past experience in conducting auctions or raffles and special functions.

(d) The director will select an organization to conduct an auction or raffle.

(d)(ii) The department shall enter into a contract with the auctioning or raffling organization identifying specific terms of the contract.

(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 auction or raffle permit hunt.

(i) The department will issue the permit to the person whose name appears on the winning raffle ticket. Raffle ~~((tickets))~~ permits may not be resold or reassigned.

(j) All revenue to the department from a species permit auction or raffle shall be used for management and benefit of that species.

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.

May 2, 1997

Lisa Pelly

Chair

AMENDATORY SECTION (Amending Order 97-25, filed 2/27/97, effective 3/30/97)

**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;
- (f) Raffle and auction 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:

PERMANENT

(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 hunt(~~s~~).

(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 PLWMA's.

(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 tickets 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) 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 auction and raffle hunts:

(a) The commission may establish big game and wild turkey auction and raffle permit hunts. The director may conduct the auction or 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 or a percentage of the auction permit receipt.

(b) There is no limit on the number of raffle 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))~~ an auction or 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 auction and raffle drawing.
- (iii) The approximate number of people expected to attend the function.
- (iv) Past experience in conducting auctions or 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 an auction or 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 auctioning or 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 auction or 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 auction or 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 raffle ticket. Raffle ~~((tickets))~~ permits may not be resold or reassigned.

(j) All revenue to the department from a species permit auction or 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 97-12-055**  
**PERMANENT RULES**  
**FISH AND WILDLIFE**  
**COMMISSION**  
(Wildlife)

[Filed June 2, 1997, 4:59 p.m.]

Date of Adoption: April 19, 1997.

Purpose: To amend WAC 232-28-265 1997-98 Deer and elk permit hunt seasons.

Statutory Authority for Adoption: RCW 77.12.040.

Other Authority: RCW 77.12.020, 77.12.030, 77.32.220.

Adopted under notice filed as WSR 97-06-122 on March 5, 1997.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-28-265 differs from the version filed with the code reviser in the following specifics:

1. On page 5 under Wilson Creek Area, the 5th line in the first paragraph was changed to: . . . hunts C, D, E, ~~((and))~~ F, G, and H but the manager or his representative will accompany all deer hunters on these . . .

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.  
 May 2, 1997  
 Lisa Pelly  
 Chair

**AMENDATORY SECTION** (Amending Order 97-29, filed 2/27/97, effective 3/30/97)

**WAC 232-28-265 1997-98 Deer and elk 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	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

**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

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	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	Pearrygin 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.)**

<b>Hunt No.</b>	<b>Hunt Name</b>	<b>Permit Season</b>	<b>Special Restrictions</b>	<b>Boundary Description</b>
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.)**

<b>Hunt No.</b>	<b>Hunt Name</b>	<b>Permit Season</b>	<b>Special Restrictions</b>	<b>Boundary Description</b>
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	Teaway 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.

<b>Hunt No.</b>	<b>Hunt Name</b>	<b>Permit Season</b>	<b>Special Restrictions</b>	<b>Boundary Description</b>
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.

<b>Hunt No.</b>	<b>Hunt Name</b>	<b>Permit Season</b>	<b>Special Restrictions</b>	<b>Boundary Description</b>
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

PERMANENT

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

\*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, G, and H, 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	PLWMA 201

1168	Wilson C	((3)) <u>1</u>	Oct. 1-Dec. 31	(Access fee) 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	((14)) <u>8</u> **	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)) <u>14</u> **	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).

**MODERN FIREARM PERMIT HUNTS**

Use the FOUR DIGIT HUNT NUMBER on your application.

PERMANENT

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> )), CM, YP or YM	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
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

PERMANENT



**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.

PERMANENT

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*
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.

PERMANENT

**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 97-12-056  
PERMANENT RULES  
FISH AND WILDLIFE  
COMMISSION  
(Wildlife)**

[Filed June 2, 1997, 4:59 p.m.]

Date of Adoption: April 19, 1997.

Purpose: To adopt WAC 232-28-267 1997 Deer permit quotas.

Statutory Authority for Adoption: RCW 77.12.040.

Other Authority: RCW 77.12.020, 77.12.030, 77.32.220.

Adopted under notice filed as WSR 97-06-123 on March 5, 1997.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-28-267 differs from the version filed with the code reviser in the following specifics:

1. The permit quota for hunt choice 1007 Alta A was changed from 37 to 66.
2. The permit quota for hunt choice 1018 Umtanum A was changed from 263 to 100.
3. The permit quota for hunt choice 1050 East Okanogan was changed from 100 to 150.
4. The permit quota for hunt choice 1051 West Okanogan was changed from 150 to 200.

5. The permit quota for hunt choice 1069 Green River B was changed from 25 to 20.

6. The permit quota for hunt choice 1119 Umtanum B was changed from 28 to 11.

7. The permit quota for hunt choice 1141 Umtanum C was changed from 76 to 29.

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.

May 2, 1997  
Lisa Pelly  
Chair

PERMANENT

NEW SECTION

**WAC 232-28-267 1997 Deer permit quotas**

**Modern Firearm Buck Permit Hunts (Only modern firearm deer tag holders may apply.)**

Hunt Choice No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description	1997 Permits
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	66
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	100
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) Hunt**

Choice No.	Hunt Name	Permit Season	Special Restrictions	Boundary Description	1997 Permits
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
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	150
1051	West Okanogan	Nov. 10-25	Any Whitetail	GMUs 209, 218-242	200
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

PERMANENT

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	20
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
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	Teaway 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	11
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

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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	29
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,	

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1159	Blue Mtns. Foothills E	Oct. 11-19	3-Pt. Min. or Antlerless	162-166	125
1160	Big Bend C	Oct. 11-19	3-Pt. Min. or Antlerless	GMUs 145, 172-181	125
1161	Toutle	Oct. 11-31	Any Deer	GMU 248	25
1162	Wind River	Oct. 11-31	2-Pt. Min. or Antlerless	GMU 556	100
1163	Satsop	Oct. 11-31	Any Deer	GMU 574	75
1164	Skookumchuck C	Oct. 11-31	Any Deer	GMU 651	10
				GMU 667	60

**WSR 97-12-057**  
**PERMANENT RULES**  
**FISH AND WILDLIFE**  
**COMMISSION**  
 (Wildlife)

[Filed June 2, 1997, 4:59 p.m.]

Date of Adoption: April 19, 1997.

Purpose: To adopt WAC 232-28-268 1997-1998 Elk permit quotas.

Statutory Authority for Adoption: RCW 77.12.040.

Other Authority: RCW 77.12.020, 77.12.030, 77.32.220.

Adopted under notice filed as WSR 97-06-124 on March 5, 1997.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-28-268 differs from the proposed version filed with the code reviser in the following specifics:

1. The permit quota for hunt 2002 Watershed A was changed from 52 to 75.
2. The permit quota for hunt 2003 Dayton A was changed from 12 to 10.
3. The permit quota for hunt 2006 Mountain View A was changed from 7 to 8.
4. The permit quota for hunt 2007 Peola A was changed from 2 to 6.
5. The permit quota for hunt 2008 Grande Ronde A was changed from 1 to 2.
6. The permit quota for hunt 2009 Naneum A was changed from 26 to 25.
7. The permit quota for hunt 2010 Quilomene A was changed from 20 to 13.
8. The permit quota for hunt 2011 Peaches Ridge A was changed from 47 to 69.
9. The permit quota for hunt 2012 Observatory A was changed from 47 to 39.
10. The permit quota for hunt 2013 Goose Prairie A was changed from 29 to 32.
11. The permit quota for hunt 2014 Bethel A was changed from 20 to 17.
12. The permit quota for hunt 2015 Rimrock A was changed from 24 to 50.
13. The permit quota for hunt 2016 Cowiche A was changed from 8 to 9.
14. The permit quota for hunt 2017 White River A was changed from 537 to 820.
15. The permit quota for hunt 2018 White River B was changed from 35 to 25.
16. The permit quota for hunt 2019 Green River A was changed from 1 to 0.
17. The permit quota for hunt 2029 Wenaha B was changed from 7 to 8.

18. The permit quota for hunt 2033 Shushuskin A was changed from 125 to 150.

19. The permit quota for hunt 2045 Umtanum was changed from 100 to 150.

20. The permit quota for hunt 2051 Rimrock B was changed from 175 to 100.

21. The permit quota for hunt 2052 Cowiche B was changed from 75 to 200.

22. The permit quota for hunt 2053 White River C was changed from 20 to 5.

23. The permit quota for hunt 2054 Green River B was changed from 1 to 0.

24. The permit quota for hunt 2078 Blue Creek B was changed from 3 to 2.

25. The permit quota for hunt 2079 Watershed B was changed from 10 to 0.

26. The permit quota for hunt 2081 Tucannon B was changed from 3 to 1.

27. The permit quota for hunt 2082 Wenaha C was changed from 6 to 4.

28. The permit quota for hunt 2083 Mountain View B was changed from 3 to 2.

29. The permit quota for hunt 2084 Peola C was changed from 3 to 1.

30. The permit quota for hunt 2086 Naneum C was changed from 5 to 21.

31. The permit quota for hunt 2087 Quilomene C was changed from 4 to 22.

32. The permit quota for hunt 2088 Peaches Ridge B was changed from 10 to 13.

33. The permit quota for hunt 2089 Observatory B was changed from 10 to 17.

34. The permit quota for hunt 2090 Goose Prairie B was changed from 6 to 12.

35. The permit quota for hunt 2091 Bethel C was changed from 4 to 8.

36. The permit quota for hunt 2092 Rimrock C was changed from 5 to 10.

37. The permit quota for hunt 2093 Cowiche C was changed from 2 to 6.

38. The permit quota for hunt 2094 White River D was changed from 102 to 360.

39. The permit quota for hunt 2095 White River E was changed from 7 to 11.

40. The permit quota for hunt 2096 Green River C was changed from 1 to 0.

41. The permit quota for hunt 2097 Winston C was changed from 2 to 3.

42. The permit quota for hunt 2098 Margaret C was changed from 4 to 6.

43. The permit quota for hunt 2099 Coweeman C was changed from 2 to 3.

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- 44. The permit quota for hunt 2100 Toutle C was changed from 23 to 40.
- 45. The permit quota for hunt 2101 Lewis River C was changed from 3 to 5.
- 46. The permit quota for hunt 2102 Dickey B was changed from 11 to 18.
- 47. The permit quota for hunt 2103 Olympic B was changed from 2 to 8.
- 48. The permit quota for hunt 2111 Blue Creek D was changed from 4 to 3.
- 49. The permit quota for hunt 2112 Watershed C was changed from 12 to 0.
- 50. The permit quota for hunt 2113 Dayton C was changed from 8 to 5.
- 51. The permit quota for hunt 2114 Tucannon C was changed from 4 to 3.
- 52. The permit quota for hunt 2115 Wenaha D was changed from 8 to 7.
- 53. The permit quota for hunt 2116 Mountain View C was changed from 11 to 13.
- 54. The permit quota for hunt 2117 Peola D was changed from 11 to 6.
- 55. The permit quota for hunt 2119 Naneum D was changed from 14 to 85.
- 56. The permit quota for hunt 2120 Quilomene D was changed from 11 to 68.
- 57. The permit quota for hunt 2121 Peaches Ridge C was changed from 25 to 77.
- 58. The permit quota for hunt 2122 Observatory C was changed from 25 to 77.
- 59. The permit quota for hunt 2123 Goose Prairie C was changed from 16 to 15.
- 60. The permit quota for hunt 2124 Bethel D was changed from 11 to 31.
- 61. The permit quota for hunt 2125 Rimrock D was changed from 13 to 26.
- 62. The permit quota for hunt 2126 Cowiche D was changed from 5 to 9.
- 63. The permit quota for hunt 2127 White River F was changed from 287 to 880.
- 64. The permit quota for hunt 2128 White River G was changed from 19 to 26.
- 65. The permit quota for hunt 2129 Green River D was changed from 1 to 0.

- 66. The permit quota for hunt 2130 Winston D was changed from 5 to 9.
  - 67. The permit quota for hunt 2131 Margaret D was changed from 9 to 19.
  - 68. The permit quota for hunt 2132 Coweeman D was changed from 5 to 9.
  - 69. The permit quota for hunt 2133 Toutle D was changed from 61 to 123.
  - 70. The permit quota for hunt 2134 Lewis River D was changed from 8 to 15.
  - 71. The permit quota for hunt 2135 Dickey C was changed from 28 to 57.
  - 72. The permit quota for hunt 2136 Olympic C was changed from 6 to 11.
  - 73. The permit quota for hunt 2137 Shushuskin B was changed from 20 to 75.
  - 74. The "Special Restrictions" for hunts 2144 Quilomene E, 2145 Manastash B, and 2146 Little Naches C was changed from Antlerless Only to 3 pt. min. or Antlerless Only.
  - 75. The permit quota for hunt 2147 Green River E was changed from 1 to 0.
- 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.

May 2, 1997  
Lisa Pelly  
Chair

**NEW SECTION**

**WAC 232-28-268 1997-1998 Elk permit quotas**

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. Min. or Antlerless	BP	GMU 157	75
2003	Dayton A	Oct. 20-Nov. 2	3 Pt. Min.	BP	GMU 162	10
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	8
2007	Peola A	Oct. 20-Nov. 2	3 Pt. Min.	BP	GMU 178	6
2008	Grande Ronde A	Oct. 20-Nov. 2	3 Pt. Min.	BP	GMU 186	2
2009	Naneum A	Oct. 20-Nov. 2	3 Pt. Min.	CP	GMU 328	25



2010	Quilomene A	Oct. 20-Nov. 2	3 Pt. Min.	CP	GMU 329	13
2011	Peaches Ridge A	Oct. 20-Nov. 2	3 Pt. Min.	YP	GMUs 336, 346	69
2012	Observatory A	Oct. 20-Nov. 2	3 Pt. Min.	YP	GMUs 340, 342	39
2013	Goose Prairie A	Oct. 20-Nov. 2	3 Pt. Min.	YP	GMUs 352, 356	32
2014	Bethel A	Oct. 20-Nov. 2	3 Pt. Min.	YP	GMU 360	17
2015	Rimrock A	Oct. 20-Nov. 2	3 Pt. Min.	YP	GMU 364	50
2016	Cowiche A	Oct. 20-Nov. 2	3 Pt. Min.	YP	GMU 368	9
2017	White River A	Nov. 3-16	Spike Only	WP	GMU 472	820
2018	White River B	Nov. 3-16	3 Pt. Min.	WP	GMU 472	25
2019	Green River A	Nov. 8-12	3 Pt. Min. or Antlerless	WP	GMU 485	0
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	Coweeman 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
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**Modern Firearm Elk Permit Hunts (Only modern firearm and muzzleloader elk tag holders may apply.)**

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	8
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	150
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	150
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	100
2052	Cowiche B	Oct. 29-Nov. 2	Antlerless Only	YP or YM	GMU 368	200
2053	White River C	Nov. 12-16	Antlerless Only	WP or WM	GMU 472	5
2054	Green River B	Nov. 8-12	Antlerless Only	WP or WM	GMU 485	0
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

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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	2
2079	Watershed B*	Nov. 1-9	3 Pt. Min. or Antlerless	BM	GMU 157	0
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	1
2082	Wenaha C	Oct. 1-10	3 Pt. Min.	BM	GMU 169	4
2083	Mountain View B	Oct. 1-10	3 Pt. Min.	BM	GMU 172	2
2084	Peola C	Oct. 1-10	3 Pt. Min.	BM	GMU 178	1
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	21
2087	Quilomene C	Oct. 1-10	3 Pt. Min.	CM	GMU 329	22
2088	Peaches Ridge B	Oct. 1-10	3 Pt. Min.	YM	GMUs 336, 346	13
2089	Observatory B	Oct. 1-10	3 Pt. Min.	YM	GMUs 340, 342	17
2090	Goose Prairie B	Oct. 1-10	3 Pt. Min.	YM	GMUs 352, 356	12
2091	Bethel C	Oct. 1-10	3 Pt. Min.	YM	GMU 360	8
2092	Rimrock C	Oct. 1-10	3 Pt. Min.	YM	GMU 364	10
2093	Cowiche C	Oct. 1-10	3 Pt. Min.	YM	GMU 368	6
2094	White River D	Oct. 1-10	Spike Only	WM	GMU 472	360
2095	White River E	Oct. 1-10	3 Pt. Min.	WM	GMU 472	11
2096	Green River C*	Nov. 8-12	3 Pt. Min. or Antlerless	WM	GMU 485	0
2097	Winston C	Oct. 1-10	3 Pt. Min.	WM	GMU 520	3
2098	Margaret C	Oct. 1-10	3 Pt. Min.	WM	GMU 524	6
2099	Coweeman C	Oct. 1-10	3 Pt. Min.	WM	GMU 550	3
2100	Toutle C	Oct. 1-10	3 Pt. Min.	WM	GMU 556	40
2101	Lewis River C	Oct. 1-10	3 Pt. Min.	WM	GMU 560	5
2102	Dickey B	Oct. 1-10	3 Pt. Min.	WM	GMU 602	18
2103	Olympic B	Oct. 1-10	3 Pt. Min.	WM	GMU 621	8

\* 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
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**Muzzleloader Permit Hunts (Only muzzleloader elk tag holders may apply.)**

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

PERMANENT

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
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**Archery Bull Permit Hunts (Only archery elk tag holders may apply.)**

2111	Blue Creek D	Sept. 1-14	3 Pt. Min.	BA	GMU 154	3
2112	Watershed C*	Nov. 1-9	3 Pt. Min. or Antlerless	BA	GMU 157	0
2113	Dayton C	Sept. 1-14	3 Pt. Min.	BA	GMU 162	5
2114	Tucannon C	Sept. 1-14	3 Pt. Min.	BA	GMU 166	3
2115	Wenaha D	Sept. 1-14	3 Pt. Min.	BA	GMU 169	7
2116	Mountain View C	Sept. 1-14	3 Pt. Min.	BA	GMU 172	13
2117	Peola D	Sept. 1-14	3 Pt. Min.	BA	GMU 178	6
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	85
2120	Quilomene D	Sept. 1-14	3 Pt. Min.	CA	GMU 329	68
2121	Peaches Ridge C	Sept. 1-14	3 Pt. Min.	YA	GMUs 336, 346	77
2122	Observatory C	Sept. 1-14	3 Pt. Min.	YA	GMUs 340, 342	77
2123	Goose Prairie C	Sept. 1-14	3 Pt. Min.	YA	GMUs 352, 356	41
2124	Bethel D	Sept. 1-14	3 Pt. Min.	YA	GMU 360	31
2125	Rimrock D	Sept. 1-14	3 Pt. Min.	YA	GMU 364	26
2126	Cowiche D	Sept. 1-14	3 Pt. Min.	YA	GMU 368	9
2127	White River F	Sept. 1-14	Spike Only	WA	GMU 472	880
2128	White River G	Sept. 1-14	3 Pt. Min.	WA	GMU 472	26
2129	Green River D*	Nov. 8-12	3 Pt. Min. or Antlerless	WA	GMU 485	0
2130	Winston D	Sept. 1-14	3 Pt. Min.	WA	GMU 520	9
2131	Margaret D	Sept. 1-14	3 Pt. Min.	WA	GMU 524	19
2132	Coweeman D	Sept. 1-14	3 Pt. Min.	WA	GMU 550	9
2133	Toutle D	Sept. 1-14	3 Pt. Min.	WA	GMU 556	123
2134	Lewis River D	Sept. 1-14	3 Pt. Min.	WA	GMU 560	15
2135	Dickey C	Sept. 1-14	3 Pt. Min.	WA	GMU 602	57
2136	Olympic C	Sept. 1-14	3 Pt. Min.	WA	GMU 621	11

\* 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
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**Advanced Hunter Education (AHE) Graduate Special Elk Permit Hunts (Only AHE graduates may apply.)**

2137	Shushuskin B	12/16/97-1/15/98	Antlerless Only	Any Elk Tag	Elk Area 031	75
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
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**Persons of Disability Only - Special Elk Permit Hunts (Only for persons issued a "DHP" - see pg. 13)**

2144	Quilomene E	Nov. 1-7	3-Pt. Min or Antlerless Only	CP or CM	GMU 329	5
2145	Manastash B	Nov. 1-7	3-Pt. Min or Antlerless Only	YP or YM	GMU 340	5
2146	Little Naches C	Oct. 1-10	3-Pt. Min or Antlerless Only	YP or YM	GMU 346	5
2147	Green River E	Nov. 8-12	Antlerless Only	WP or WM	GMU 485	0

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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 unnecessary underscoring 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 97-12-058  
PERMANENT RULES  
FISH AND WILDLIFE  
COMMISSION**

(Wildlife)

[Filed June 2, 1997, 4:59 p.m.]

Date of Adoption: April 19, 1997.

Purpose: To adopt WAC 232-28-269 1998 Elk, bighorn sheep, and other big game auction permits.

Statutory Authority for Adoption: RCW 77.12.040.

Other Authority: RCW 77.12.020, 77.12.030, 77.32.220.

Adopted under notice filed as WSR 97-06-125 on March 5, 1997.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-28-269 differs from the version filed with the code reviser in the following specifics:

1. GMU 485 (Green River) was dropped from the elk auction permit hunt area.

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.

May 2, 1997

Lisa Pelly  
Chair

**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 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.

PERMANENT

**WSR 97-12-059**  
**PERMANENT RULES**  
**FISH AND WILDLIFE**  
**COMMISSION**  
**(Wildlife)**

[Filed June 2, 1997, 4:59 p.m.]

Date of Adoption: April 19, 1997.

Purpose: To adopt WAC 232-28-270 1998 Raffle permits.

Statutory Authority for Adoption: RCW 77.12.040.

Other Authority: RCW 77.12.020, 77.12.030, 77.32.220.

Adopted under notice filed as WSR 97-06-126 on March 5, 1997.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-28-270 differs from the version filed with the code reviser in the following specifics:

1. The word and was inserted under subsection (1)(b) between . . . (PLWMAs), and GMUs 157 . . . . The sentence is statewide in any open area, except Private Lands Wildlife Management Areas (PLWMAs), and GMUs 157 and 485 are closed.

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.

May 2, 1997

Lisa Pelly  
Chair

## 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), and 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 97-12-060**  
**PERMANENT RULES**  
**FISH AND WILDLIFE**  
**COMMISSION**

(Wildlife)

[Filed June 2, 1997, 4:59 p.m.]

Date of Adoption: April 19, 1997.

Purpose: To amend WAC 232-28-02290 Game management units (GMUs)—Special game areas—Boundary descriptions—Private lands wildlife management areas.

Statutory Authority for Adoption: RCW 77.12.040.

Other Authority: RCW 77.12.020, 77.12.030, 77.32.220.

Adopted under notice filed as WSR 97-06-127 on March 5, 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 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.

May 2, 1997

Lisa Pelly  
Chair

AMENDATORY SECTION (Amending Order 97-47, filed 2/27/97, effective 3/30/97)

**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.

**WSR 97-12-061**  
**PERMANENT RULES**  
**WASHINGTON STATE PATROL**

[Filed June 3, 1997, 12:38 p.m.]

Date of Adoption: June 3, 1997.

Purpose: To bring WAC 204-72-040(4) into compliance with state law, RCW 46.37.180(2).

Citation of Existing Rules Affected by this Order: Amending WAC 204-72-040.

Statutory Authority for Adoption: RCW 46.37.005 and 46.37.180.

Adopted under notice filed as WSR 97-09-069 on April 22, 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 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.

June 3, 1997

Annette M. Sandberg  
Chief

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 identification 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 97-12-070**  
**PERMANENT RULES**  
**PIERCE COLLEGE**  
 [Filed June 3, 1997, 4:40 p.m.]

Date of Adoption: May 9, 1997.

Purpose: To repeal chapter 132K-08 WAC, a code of ethics for boards of trustees.

Citation of Existing Rules Affected by this Order: Repealing chapter 132K-08 WAC, a code of ethics for boards of trustees.

Statutory Authority for Adoption: RCW 28B.50.140.

Adopted under notice filed as WSR 97-07-017 on March 11, 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 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: Thirty-one days after filing.

May 28, 1997

John Boesenberg, Director  
 Personnel Services

**REPEALER**

The following chapter of the Washington Administrative Code is repealed:

WAC 132K-08-010 Code of ethics.

**WSR 97-12-071**  
**PERMANENT RULES**  
**PIERCE COLLEGE**  
 [Filed June 3, 1997, 4:41 p.m.]

Date of Adoption: May 9, 1997.

Purpose: To update chapter 132K-04 WAC, Board of trustees—Bylaws.

Citation of Existing Rules Affected by this Order: Amending chapter 132K-04 WAC, Board of trustees—Bylaws.

Statutory Authority for Adoption: RCW 28B.50.140.

Adopted under notice filed as WSR 97-07-018 on March 11, 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 8, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 8, repealed 1.

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.

May 28, 1997

John Boesenberg, Director  
 Personnel Services

**Chapter 132K-04 WAC**  
**BOARD OF TRUSTEES(~~—BYLAWS~~)**

**AMENDATORY SECTION** (Amending Order 86-1, Resolution No. 86-1, filed 7/11/86)

**WAC 132K-04-001 Introduction.** The Pierce College board of trustees, under law, is charged with the responsibility of Community College District #11. ~~((The authority is vested in the board, not in its individual board members. To assist the board in carrying out its responsibilities, it employs a president of the college district and delegates to him the responsibility for administering the district under policies approved by the board.~~

~~Policies of the board of trustees are found in the records of board action and in the policies and procedures manual of which this document is a part. The bylaws which follow contain rules adopted by the board which are in force and which relate to the organization and powers of the board and its method of conducting business.))~~ It shall be the responsibility of the board of trustees to establish policy and to evaluate the total college program. The board of trustees shall appoint a district president to administer the college and shall delegate to him/her the authority and responsibility for implementation of board policy.

**AMENDATORY SECTION** (Amending D-1, filed 9/20/67)

**WAC 132K-04-010 Office of board.** The board of trustees shall maintain an office at ~~((Lakewood Center, Tacoma, Washington, 98499, where all regular meetings shall be held, unless otherwise announced, and))~~ 9401 Farwest Dr. S.W., Lakewood, Washington 98499-1999, where all records, minutes, and the official college seal shall be kept. This office shall be open during ((~~the~~) normal business hours ((to any resident taxpayer of the state of Washington)).

Correspondence or other business for the board shall be sent to the secretary of the board, who is located in this office.

**AMENDATORY SECTION** (Amending D-1, filed 9/20/67)

**WAC 132K-04-020 Board meetings.** The board of trustees ~~((shall hold at least one regular meeting each month and such other regular or))~~ customarily holds a regular meeting on the second Wednesday of each month at such

time and place as it may designate. ~~Special meetings ((as)) may be requested by the ((chairman)) chair of the board or by a majority of the members of the board. ((Regular meetings shall be held on the second Monday of each month except that the board of trustees may by resolution change the time of any meeting.))~~

All regular and special meetings of the board of trustees shall be publicly announced prior to the meeting and shall be open to the general public.

No official business shall be conducted by the board of trustees except during a regular or special meeting held at a preannounced time and place.

#### AMENDATORY SECTION (Amending D-1, filed 9/20/67)

**WAC 132K-04-030 Board meetings—Information for board members.** Information and materials pertinent to the agenda of all regular meetings of the board shall be sent to the trustees prior to each meeting. Any matters of business or correspondence must be received by the secretary of the board by 12:00 noon three work days before the meeting in order to be included on the agenda. The ((chairman)) chair or secretary may, however, present a matter of urgent business received too late for inclusion on the agenda if in his/her judgment the matter is of an emergency nature.

#### AMENDATORY SECTION (Amending Order 86-1, Resolution No. 86-1, filed 7/11/86)

**WAC 132K-04-050 Board meetings—((Agenda)) Participation.** ~~((The order of the agenda governing all regular meetings of the board of trustees of Pierce College shall be as follows:~~

- ~~(1) Roll call~~
- ~~(2) Establishment of quorum~~
- ~~(3) Approval of minutes of the previous meeting~~
- ~~(4) Recommendations for action of the board~~
- ~~(5) New business~~
- ~~(6) Correspondence~~
- ~~(7) Reports to the board~~
- ~~(8) Chairman calls for agenda items for the next meeting~~
- ~~(9) Adjournment~~

~~The order of the agenda may be changed by the chairman with the consent of the board members present.))~~

The ((chairman)) chair shall announce at the beginning of each meeting that members of the audience may speak to any item on the agenda at the time of its presentation to the board. The ((chairman)) chair shall have the right to limit the length of time used by a speaker for the discussion of a subject.

#### AMENDATORY SECTION (Amending Order 86-1, Resolution No. 86-1, filed 7/11/86)

**WAC 132K-04-080 Officers of board.** ~~((At the first regular meeting of the board each year))~~ Annually, normally during its September meeting, the board shall elect, from its membership, a ((chairman and vice chairman)) chair and vice-chair to serve for the ensuing year. ~~((In addition,))~~ The district president ~~((of the Pierce College district))~~ shall serve as secretary to the board of trustees as specified by state law. The secretary may, at his/her discretion, appoint ((his

~~executive secretary or other))~~ an appropriate college staff member to act as recording secretary for all regular and special meetings of the board.

The ((chairman)) chair, in addition to any duties imposed by rules and regulations of the state board, shall preside at each regular or special meeting of the board, sign all legal and official documents recording actions of the board, and review the agenda prepared for each meeting of the board. The ((chairman)) chair shall, while presiding at official meetings, have full right of discussion and vote.

The ((vice chairman)) vice-chair, in addition to any duties imposed by rules and regulations of the state board shall act as ((chairman)) chair of the board in the absence of the ((chairman)) chair.

~~((The secretary of the board shall be the president of the college district. In addition to any duties imposed by rules and regulations of the state board, he shall keep the official seal of the board, maintain all records of meetings and other official actions of the board. He shall give notice of all meetings in the manner required by the bylaws and state statutes.~~

~~The secretary shall also be responsible for board correspondence, compiling the agenda of meetings, and distributing the minutes of the meetings and related reports.~~

~~The secretary, or his designate, must attend all regular and special meetings of the board, and official minutes must be kept of all such meetings.))~~

#### AMENDATORY SECTION (Amending Order 86-1, Resolution No. 86-1, filed 7/11/86)

**WAC 132K-04-110 Official seal.** The board of trustees shall maintain an official seal for use upon any or all official documents of the board. The seal shall have inscribed upon it the name of the college which shall be:

((Pierce College

District No. 11

State of Washington))

COMMUNITY COLLEGE DISTRICT NO. 11

PIERCE COLLEGE

STATE OF WASHINGTON

#### AMENDATORY SECTION (Amending Order 86-1, Resolution No. 86-1, filed 7/11/86)

**WAC 132K-04-130 Delegation of responsibility.** It shall be the responsibility of the Pierce College board of trustees to establish policy and to evaluate the success of the college operation. To administer the college, the board of trustees shall employ a ((college)) district president and hold him/her responsible for the interpretation of board policy into administrative action and for the administration of the college in general.

Specific policies and their administrative interpretation shall be described in detail in the several sections of the official policies and procedures manual of the ((college)) district.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 132K-04-070 Board meetings—Parliamentary procedure.

**WSR 97-12-075**  
**PERMANENT RULES**  
**DEPARTMENT OF AGRICULTURE**

[Filed June 4, 1997, 8:59 a.m.]

Date of Adoption: May 29, 1997.

Purpose: To establish requirements for the state of Washington that are reasonably consistent with uniform state rules that have been adopted by the National Conference on Weights and Measures and that are in effect in other states. Subject matter encompasses: (1) Uniform specifications, tolerances and other technical requirements for weighing and measuring devices; (2) uniform procedures for checking the net contents of packaged goods; (3) uniform packaging and labeling requirements; (4) uniform method of sale of commodities; and (5) examination procedures for price verification.

Statutory Authority for Adoption: Chapter 19.94 RCW.

Adopted under notice filed as WSR 97-09-080 on April 22, 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 4, amended 0, repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 4, amended 0, repealed 2.

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 4, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

May 29, 1997

Jim Jesernig

Director

**Chapter 16-662 WAC**  
**WEIGHTS AND MEASURES—NATIONAL ((BU-  
 REAU OF STANDARDS)) HANDBOOKS**

**NEW SECTION**

**WAC 16-662-100 Purpose.** The purpose of this rule is to establish requirements for the state of Washington that are reasonably consistent with uniform state rules that have been adopted by the National Conference on Weights and Measures and that are in effect in other states. This chapter applies specifically to subject areas for:

(1) Uniform specifications, tolerances and other technical requirements for weighing and measuring devices addressed in the *National Institute of Standards and Technology Handbook 44*;

(2) Uniform procedures for checking the net contents of packaged goods addressed in the *National Bureau of Standards Handbook 133* with supplements;

(3) Uniform packaging and labeling requirements;

(4) Uniform method of sale of commodities requirements; and

(5) Uniform examination procedures for price verification addressed in the *National Institute of Standards and Technology Handbook 130*. The publications cited in this chapter, Handbook 44, Handbook 130 and Handbook 133, may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. For information regarding the contents of these publications, contact weights and measures in the Department of Agriculture, P.O. Box 42560, Olympia, Washington 98504-2560.

**NEW SECTION**

**WAC 16-662-105 Adoption—Weighing and measuring equipment requirements—Package checking—Packaging and labeling—Method of sale—Price verification.** (1) The specifications, tolerances, and other technical requirements for the design, manufacture, installation, performance test, and use of weighing and measuring equipment shall be those contained in the 1997 Edition of the National Institute of Standards and Technology (NIST) Handbook 44, published by the U.S. Department of Commerce, entitled the *National Institute of Standards and Technology Handbook 44 - Specifications, Tolerances, and Other Technical Requirements for Commercial Weighing and Measuring Devices*.

(2) The procedures for checking the accuracy of the net contents of packaged goods shall be those contained in the Third Edition of National Bureau of Standards (NBS) Handbook 133 published by the United States Department of Commerce, entitled the *National Bureau of Standards Handbook 133 - Third Edition - Checking the Net Contents of Packaged Goods* as modified by NIST Handbook 133 Supplements 1, 2, 3, and 4, issued in 1990, 1991, 1992, and 1994 respectively.

(3) The requirements for packaging and labeling, method of sale of commodities, and the examination procedures for price verification shall be those contained in the 1997 Edition of National Institute of Standards and Technology Handbook 130, entitled the *NIST Handbook 130 - Uniform Laws And Regulations in the areas of legal metrology and motor fuel quality*, specifically:

(a) Weights and measures requirements for all food and nonfood commodities in package form shall be the *Uniform Packaging and Labeling Regulation* requirements as adopted by the National Conference on Weights and Measures and published in NIST (National Institute of Standards and Technology) Handbook 130, 1997 Edition.

(b) Weights and measures requirements for the method of sale of food and nonfood commodities shall be those found in the *Uniform Regulation for the Method of Sale of Commodities* as adopted by the National Conference on Weights and Measures and published in NIST (National

Institute of Standards and Technology) Handbook 130, 1997 Edition.

(c) Weights and measures requirements for price verification shall be the *Examination Procedures for Price Verification* as adopted by the National Conference on Weights and Measures and published in NIST (National Institute of Standards and Technology) Handbook 130, 1997 Edition.

#### NEW SECTION

**WAC 16-662-110 Modifications to NIST Handbook 44.** The following modifications are made to Handbook 44, identified in WAC 16-662-105:

(1) General Code:

(a) Section G-T. Tolerances. In paragraphs (b), (c), and (d) of subsection G-T.1. "Acceptance Tolerances", change "30 days" to "90 days".

(b) Section G-UR. User Requirements. In the last sentence of subsection G-UR.4.1. "Maintenance of Equipment", change "device user" to "device owner or operator".

(2) Scale Code: Section UR.3. Use Requirements. At the end of subsection UR.3.7.(a) add "and homeowner refuse".

(3) Appendix D Definitions, Direct Sale. Replace with the following: "A sale in which both parties in the transaction are present when the quantity is being determined."

#### NEW SECTION

**WAC 16-662-115 Modifications to NIST Handbook 130.** The following modifications are made to the *Uniform Regulation for the Method of Sale of Commodities* requirements published in NIST Handbook 130, identified in WAC 16-662-105 (3)(b):

(1) Section 2.5. Peat and Peat Moss. Modify Section 2.5.2.2. Cubic Measure by deleting the struck-through words as follows: 2.5.2.2. Cubic Measure. — Peat and peat moss sold in terms of cubic measures shall be offered and exposed for sale only in liters and/or cubic feet. If the commodity is labeled in terms of compressed cubic measurement, the quantity declaration shall represent the quantity in the compressed state.

(2) Section 2.20. Gasoline-Oxygenate Blends. Delete Section 2.20 because requirements for this subject are addressed in RCW 19.94.505 and chapter 16-657 WAC.

(3) Section 2.23. Animal Bedding. Add a new subsection 2.23.1. Sawdust, Barkdust, Decorative Wood Particles, and Similar Products. As used in this subsection, "unit" means a standard volume equal to 200 cubic feet. Quantity representations for sawdust, barkdust, decorative wood particles, and similar loose bulk materials when advertised, offered for sale, or sold within the state of Washington shall be in terms of cubic measure or units and fractions thereof.

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 16-662-070	Promulgation.
WAC 16-662-071	Replacement of amendments.

**WSR 97-12-076**  
**PERMANENT RULES**  
**DEPARTMENT OF AGRICULTURE**  
[Filed June 4, 1997, 9:02 a.m.]

Date of Adoption: May 29, 1997.

Purpose: To establish a national type evaluation program (NTEP) to ensure that weighing and measuring devices used commercially comply with the provisions of the National Institute of Standards and Technology (NIST) Handbook 44 which prescribes specifications, tolerances, and other technical requirements for weighing and measuring equipment.

Statutory Authority for Adoption: RCW 19.94.190 and 19.94.195.

Adopted under notice filed as WSR 97-09-102 on April 23, 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 6, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 6, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 6, 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.

May 30, 1997

Jim Jesernig

Director

**Chapter 16-664 WAC**  
**NATIONAL TYPE EVALUATION PROGRAM**

#### NEW SECTION

**WAC 16-664-010 Purpose.** The purpose of this rule is to assure users, sellers, manufacturers and weights and measures officials that a particular model or type of device and/or equipment is capable of meeting applicable standards.

#### NEW SECTION

**WAC 16-664-020 Definitions.** For purposes of this rule:

(1) "Certificate of conformance" means a document issued by the National Institute of Standards and Technology based on testing by a participating laboratory. The certificate evidences conformance of a type with the requirements of the National Institute of Standards and Technology Handbooks 44, 105-1, 105-2, or 105-3.

(2) "Device" means any weighing and measuring device as defined in subsection (4) of this section, Commercial and law enforcement equipment.

(3) "Director" means the director of the Washington state department of agriculture.

(4) "Commercial and law enforcement equipment" means:

(a) Any weighing or measuring equipment commercially used or employed in establishing the size, quantity, extent, area, or measurement of quantities, things, produce, or articles for distribution or consumption, purchased, offered, or submitted for sale, hire, or award, or in computing any basic charge or payment for services rendered on the basis of weight or measure.

(b) Any accessory attached to or used in connection with a commercial weighing or measuring device when such accessory is so designed that its operation affects the accuracy of the device.

(c) Weighing and measuring equipment in official use for the enforcement of law or for the collection of statistical information by government agencies.

(5) "National type evaluation program" means a program of cooperation between the National Institute of Standards and Technology, other federal agencies, the National Conference on Weights and Measures, the states, and the private sector for determining, on a uniform basis, conformance of a type with the relevant provisions of National Institute of Standards and Technology Handbook 44, "*Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices*" and National Conference on Weights and Measures, Publication 14, "*National Type Evaluation Program, Administrative Procedures, Technical Policy, Checklists, and Test Procedures*."

(6) "One-of-a-kind device" means a device manufactured for sale that has been categorized and tested as a "one-of-a-kind" device. If the manufacturer constructs an additional device or devices, the device is no longer considered to be "one-of-a-kind." This definition also applies to any device that has been determined to be a "one-of-a-kind" device by a weights and measures jurisdiction in one state and the manufacturer decides to manufacture and install the device in another state. In this case, the device must be traceable to a Certificate of Conformance, unless NTEP decides that a Certificate of Conformance will not be required.

(7) "Participating laboratory" means any state measurement laboratory that has been accredited by the National Institute of Standards and Technology in accordance with its program for the Certification of Capability of State Measurement Laboratories, or any state weights and measures agency or other laboratory that has been authorized to conduct a type evaluation under the National Type Evaluation Program.

(8) "Person" means both plural and singular, as the case demands, and includes individuals, partnerships, corporations, companies, societies, and associations.

(9) "Remanufactured device" means a device to which an overhaul or replacement of parts has been performed so the device can be installed in a new location.

(10) "Repaired device" means the maintenance or replacement of parts for a device to remain or return to service in the same location.

(11) "Type" means a model or models of a particular device, measurement system, instrument, or element that positively identifies the design. A specific type may vary in its measurement ranges, size, performance, and operating characteristics as specified in the Certificate of Conformance.

(12) "Type evaluation" means the testing, examination, and/or evaluation of a type by a participating laboratory under the National Type Evaluation Program.

#### NEW SECTION

**WAC 16-664-030 Certificate of Conformance—When required.** The director shall require a device to be traceable to a Certificate of Conformance prior to its installation or use for commercial or law enforcement purposes.

#### NEW SECTION

**WAC 16-664-040 Commercial and law enforcement equipment—Certificate of Conformance—Requirements—Exemptions—One-of-kind device—Repaired device—Remanufactured device—Device copy—Components.** (1) Except for a device exempted under subsection (6) of this section, no person shall sell a device, within the state of Washington, unless it is traceable to a Certificate of Conformance. Certificate of Conformance documentation must be provided as part of the sales transaction.

(2) No person shall use a device within the state of Washington, unless it is traceable to a Certificate of Conformance, except when the device is exempted by subsection (3), (4), or (5) of this section. Certificate of Conformance documentation must be maintained at the device location.

(3) A device in service in Washington prior to . . . . , 19. . . , that meets the specifications, tolerances, and other technical requirements of National Institute of Standards and Technology Handbook 44, is not required to be traceable to a Certificate of Conformance.

(4) A device in service in Washington prior to . . . . , 19. . . , removed from service by the owner or on which the department has issued a removal order after . . . . , 19. . . , and returned to service at a later date shall be modified to meet all specifications, tolerances, and other technical requirements of National Institute of Standards and Technology Handbook 44 effective on the date of the return to service. Such a device is not required to be traceable to a Certificate of Conformance.

(5) A device in service in Washington prior to . . . . , 19. . . , which is repaired after such date shall meet the specifications, tolerances, and other technical requirements of National Institute of Standards and Technology Handbook 44 is not required to be traceable to a Certificate of Conformance.

(6) A device in service in Washington prior to . . . . , 19. . . , and sold after such date shall be modified by the seller to meet the specifications, tolerances, and other technical requirements of National Institute of Standards and Technology Handbook 44 on or before the date sold, unless the buyer and seller agree by written contract to exchange the modification responsibility in which case modification must be completed before further commercial application. Such commercial weighing or measuring device is not required to be traceable to a Certificate of Conformance.

(7) A device in service in another state prior to . . . . , 19. . . , may be installed in Washington; however, the device shall meet the specifications, tolerances, and technical

requirement for weighing and measuring devices in National Institute of Standards and Technology Handbook 44 and be traceable to a Certificate of Conformance.

(8) One-of-a-kind device — A "one-of-a-kind" device is not required to be traceable to a Certificate of Conformance. However, if the manufacturer decides to make an additional device or devices, the device will no longer be considered to be "one-of-a-kind" and it shall be traceable to a Certificate of Conformance. For scales, the load cells and electronic indicators must be traceable to a Certificate of Conformance.

(9) Repaired device — If a person makes changes to a device to the extent that the metrological characteristics are changed, that specific device is no longer traceable to the Certificate of Conformance.

(10) Remanufactured device — If a person repairs or remanufactures a device, they are obligated to repair or remanufacture it consistent with the manufacturer's original design; otherwise, that specific device is no longer traceable to a Certificate of Conformance.

(11) Copy of a device — The manufacturer who copies the design of a device that is traceable to a Certificate of Conformance, but which is made by another company, must obtain a separate Certificate of Conformance for the device. The Certificate of Conformance for the original device shall not apply to the copy.

(12) Device components — If a person buys a load cell(s) and an indicating element that are traceable to Certificates of Conformance and then manufactures a device from the parts, that person shall obtain a Certificate of Conformance for the device.

**NEW SECTION**

**WAC 16-664-050 Unlawful acts.** It shall be unlawful for a person to:

(1) Use a device in commercial application if a Certificate of Conformance has not been issued for such device, unless exempt under WAC 16-664-040;

(2) Sell a device for use in commercial application if a Certificate of Conformance has not been issued for such device, unless exempt under WAC 16-664-040.

**NEW SECTION**

**WAC 16-664-060 Penalty.** Any person who violates the provisions of this chapter is subject to penalties as provided under chapter 19.94 RCW.

**WSR 97-12-087  
PERMANENT RULES  
DEPARTMENT OF HEALTH  
[Filed June 4, 1997, 11:41 a.m.]**

Date of Adoption: June 3, 1997.

Purpose: Adjusts the fee that medical providers may charge for searching and duplicating medical records. The adjustment is based on the change in the consumer price index based on all consumers for the Seattle/Tacoma area for fiscal years 1996 and 1997.

Citation of Existing Rules Affected by this Order: Amending WAC 246-08-400.

Statutory Authority for Adoption: RCW 70.02.010(12).  
Other Authority: RCW 43.70.040.

Adopted under notice filed as WSR 97-09-092 on April 23, 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 1, repealed 0.

Effective Date of Rule: Thirty-one days after filing.  
June 4, 1997

Bruce Miyahara  
Secretary

**AMENDATORY SECTION** (Amending WSR 95-20-080, filed 10/4/95, effective 11/4/95)

**WAC 246-08-400 ((Searching and duplicating medical records.)) How much can a medical provider charge for searching and duplicating medical records?** ((Effective July 1, 1995, through June 30, 1997, the "reasonable fee" defined in RCW 70.02.010(12) for duplicating or searching a record shall not exceed sixty-nine cents per page for the first thirty pages and fifty-three cents for all other pages. In addition, a clerical fee for searching and handling may be charged not to exceed sixteen dollars. However, where editing of records by a health care provider is required by statute and is done by the provider personally, the fee may be the usual and customary charge for a basic office visit.)) RCW 70.02.010(12) allows medical providers to charge fees for searching and duplicating medical records. The fees a provider may charge cannot exceed the fees listed below:

(1) Copying charge per page:

(a) No more than seventy-four cents per page for the first thirty pages;

(b) No more than fifty-seven cents per page for all other pages.

(2) Additional charges:

(a) The provider can charge a seventeen dollar clerical fee for searching and handling records;

(b) If the provider personally edits confidential information from the record, as required by statute, the provider can charge the usual fee for a basic office visit.

(3) This section is effective July 1, 1997, through June 30, 1999.

PERMANENT

**WSR 97-12-088**  
**PERMANENT RULES**  
**DEPARTMENT OF HEALTH**  
 (Board of Optometry)  
 [Filed June 4, 1997, 11:42 a.m.]

Date of Adoption: May 16, 1997.

Purpose: To include, as approved continuing education activities, courses offered electronically through Internet, CD ROM or diskette. Amends existing language of the continuing education regulations for clarity and readability. Extends the deadline for submitting coursework to the Board of Optometry for approval.

Citation of Existing Rules Affected by this Order: Repealing WAC 246-851-210; and amending WAC 246-851-090 through 246-851-200 and WAC 246-851-220 through 246-851-240.

Statutory Authority for Adoption: RCW 18.54.070(2).

Adopted under notice filed as WSR 97-08-094 on April 2, 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 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 14, repealed 1.

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 14, repealed 1.

Effective Date of Rule: Thirty-one days after filing.

June 4, 1997

Dr. James H. Grimes, O.D.  
 Chair, Board of Optometry

**AMENDATORY SECTION** (Amending Order 248B, filed 2/26/92, effective 3/28/92)

**WAC 246-851-090 Continuing education requirement.** ~~((An))~~ (1) All optometrists licensed in ((the state of)) Washington shall complete fifty hours of continuing education ((each)) every two-years ((period preceding license renewal)) beginning at the first license renewal following initial licensure, except:

~~((1) An optometrist applying for the first renewal subsequent to initial licensing is exempt from this requirement; and~~

(2) An optometrist) In lieu of this requirement, licensees practicing ((only out of the state)) solely outside of Washington may((, in lieu of this requirement, fulfill the licensing and)) meet the continuing education requirements of the state ((of practice)) or territory in which they practice.

(2) Every two years, as part of the license renewal process, a licensee must certify that he or she have met the continuing education requirements and have documentation that will be furnished upon request.

(3) Licensees must maintain documentation of continuing education activities.

(4) When requested by the board, a licensee must submit documentation of completion of continuing education activities.

**AMENDATORY SECTION** (Amending Order 119B, filed 2/26/91, effective 3/29/91)

**WAC 246-851-100 Credit hour defined.** A credit hour is defined as one hour actually spent in a course or other ~~((work))~~ activity approved by the ~~((optometry))~~ board as fulfilling continuing education requirements.

**AMENDATORY SECTION** (Amending WSR 94-04-041, filed 1/27/94, effective 2/27/94)

**WAC 246-851-110 Courses presumed to qualify for credit.** Courses offered by the following organizations ~~((listed in this section will be))~~ are presumed to qualify as continuing education courses without specific prior approval of the board~~((, but)).~~ However, the board reserves the ~~((authority))~~ right to ~~((refuse to))~~ not accept credits ~~((in any course))~~ if the board determines that ~~((the))~~ a course did not provide appropriate information or training ~~((sufficient in amount or relevancy. Organizations for the purposes of this section shall include:))~~.

(1) The American Optometric Association.

(2) Any college or school of optometry whose scholastic standards are deemed sufficient by the board under RCW 18.53.060(2).

(3) The Washington Association of Optometric Physicians.

(4) Any state optometric association which is recognized by the licensing authority of its state as a qualified professional association or educational organization.

(5) The state optometry board.

(6) The optometry licensing authority of any other state.

(7) The American Academy of Optometry.

(8) The Optometric Extension Program.

(9) The College of Optometrists in Vision Development.

(10) The National Eye Research Foundation.

(11) Regional congresses of any of the organizations listed in subsections (1) through (10) of this section.

(12) The Council on Post-Graduate Education of the American Optometric Association.

(13) The Council on Optometric Practitioner Education (C.O.P.E.).

**AMENDATORY SECTION** (Amending Order 210B, filed 11/1/91, effective 12/2/91)

**WAC 246-851-120 ((Credit for classes.)) Approval of courses.** ~~((Continuing education credit may be granted for courses sponsored by schools and professional organizations.))~~ (1) The board will individually consider ((granting or denying credit for any course other than those offered by organizations approved in WAC 246-851-110.

~~((1) Requests for credit must be submitted at least thirty days prior to the date of the course. The request must include, as a minimum, an agenda, an outline of each offering, and a brief professional biography of each presenter. Within sixty days the board will notify the sponsor of its~~

~~approval or denial of continuing education credits and the number of credits approved. If the board does not act on the continuing education credit request within sixty days after receipt, the request shall be approved as submitted.~~

~~(2) Any requests received after the thirty day submission deadline will be considered by the board as soon as possible.~~

~~(3) In determining whether a course will be granted credit, the board may consider, among other factors: The relevancy of the course to the usual and customary practice of optometry, the correlation of the course to subjects taught in accredited colleges or schools of optometry, the speaker(s) being properly credentialed in the subject area, and the relationship to new concepts and techniques. *Provided, however,* Courses related to a single product or device will not normally be granted credit) requests for approval of continuing education courses. The board will consider the following course components:~~

(a) Whether the course contributes to the advancement and enhancement of skills in the practice of optometry.

(b) Whether the course is taught in a manner appropriate to the subject matter.

(c) Whether the instructor has the necessary qualifications, training and/or experience to present the course.

(2) Courses related to a single product or device will not normally be granted credit.

(3) Requests must be submitted at least sixty days prior to the date of the course and must include at least:

(a) Name of the course being offered.

(b) Location and date of course.

(c) Course outline.

(d) Format of activity (e.g., lecture, videotape, clinical participation, individual study).

(e) Total number of hours of continuing education being offered.

(f) Name and qualifications of the instructor or speaker.

AMENDATORY SECTION (Amending Order 119B, filed 2/26/91, effective 3/29/91)

**WAC 246-851-140 Continuing education credit for admission to optometric organizations and participation in patient care reviews.** (1) ~~((Continuing education))~~ Credit ~~((will))~~ may be granted for preparation and admission to optometric scientific groups (for example, the Academy of Optometry). ~~((The licensee must petition the board for credit thirty days prior to the end of the reporting period and no more than five credit hours will be approved for any licensee in any reporting period.))~~

(2) ~~((Continuing education))~~ Credit ~~((will))~~ may be granted for participation ~~((in formal reviews and evaluations of patient care such as peer review and case conference. Also, participation))~~ in a local, county, state or federal professional standard review ~~((organization, regional health planning council, health planning board, state health coordinating council and state health))~~ or planning ~~((department, and local/county councils of state health planning council))~~ organization ~~((s, as authorized by the state and the United States government, and other official representation (and not mere attendance as an observer))~~) relating to health care agencies ~~((may be granted continuing education credit by submitting an outline of the particular activity thirty))~~ or institutions.

(3) Requests for credit must be submitted to the board at least sixty days prior to the end of the reporting period.

(4) No more than five credit hours will be ~~((approved))~~ granted under this section for any licensee in any two-year reporting period.

AMENDATORY SECTION (Amending Order 119B, filed 2/26/91, effective 3/29/91)

**WAC 246-851-150 Credit for individual** ~~((study))~~ research, publications, and small ~~((-))~~ group study. ~~((The granting of continuing education credit for individual study, publication of scholarly papers and articles, and small group study will be considered by the board on a case by case basis. Such credit may be granted if the board determines that such study or publication entails at least the same amount of work, information, or training as a regular course for which the same number of credit hours are awarded.))~~

(1) Subject to approval by the board, continuing education credit may be granted for:

(a) Participation in formal reviews and evaluations of patient care such as peer review and case conferences;

(b) Participation in small group study or individual research;

(c) Scholarly papers and articles whether or not the articles or papers are published.

Requests for credit for papers or articles should include a copy of the article, date of acceptance or publication, and the number of hours requested.

(2) Requests for credit must be submitted to the board at least sixty days prior to the end of the reporting period.

(3) No more than ten credit hours will be granted under this section to any licensee in any two-year reporting period.

AMENDATORY SECTION (Amending Order 210B, filed 11/1/91, effective 12/2/91)

**WAC 246-851-160 Credit for reports.** (1) Continuing education credit will be ~~((given))~~ granted for reports on professional optometric literature. Requests for credit must be submitted ~~((to the department of health, professional licensing services in Olympia.))~~ at least ~~((thirty))~~ sixty days prior to the end of the reporting period. The request should include a copy of the article ~~((being reported on and the typewritten report)),~~ including publication source, date and author. ~~((Such))~~ The report ~~((shall list))~~ should be typewritten and include at least ten descriptive ~~((basic))~~ statements from ~~((an))~~ the article ~~((or sequence of articles)).~~

(2) Professional literature approved for such reports are:

(a) American Journal of Optometry and Physiological Optics ~~((;))~~ <sub>1</sub>

(b) American Optometric Association News ~~((;))~~ <sub>1</sub>

(c) Contact Lens Forum ~~((;))~~ <sub>1</sub>

(d) Contacto ~~((;))~~ <sub>1</sub>

(e) Insight ~~((;))~~ <sub>1</sub>

(f) International Contact Lens Clinic ~~((;))~~ <sub>1</sub>

(g) Journal of American Optometric Association ~~((;))~~ <sub>1</sub>

(h) Journal on Optometric Education ~~((;))~~ <sub>1</sub>

(i) Journal of Optometric Vision Development ~~((;))~~ <sub>1</sub>

(j) OEP Monthly ~~((;))~~ <sub>1</sub>

(k) Optometric Management ~~((;))~~ <sub>1</sub>

(l) Optometric Monthly ~~((;))~~ <sub>1</sub>

(m) Optometric World ~~((;))~~ <sub>1</sub>



(n) Review of Optometry(~~(, and)~~);  
 (o) 20/20 Magazine(~~(-)~~); and  
 (p) Other (~~(professional)~~) literature (~~(may be submitted in advance for the board's consideration and approval. Reports shall list the title of the article(s), literature that the article(s) was taken from, the date of issuance/publication of the literature, page(s) utilized, and author(s))~~) as approved by the board.

(3) Each report qualifies for one credit hour (~~(and may only be used for credit once)~~). (~~(The maximum continuing education credit that)~~) No more than ten credit hours will be granted under this section (~~(is ten credit hours for each)~~) to any licensee in any two-year reporting period.

**AMENDATORY SECTION** (Amending Order 210B, filed 11/1/91, effective 12/2/91)

**WAC 246-851-170 Credit for preprogrammed educational materials.** Subject to approval by the board, continuing education credit (~~(with)~~) may be granted for (~~(observation)~~) viewing and participation in the use of formal preprogrammed optometric educational materials(~~(, including the use of cassettes, videodiscs, videotapes, teaching machines, etc. Requests for credit must be submitted to the department of health, professional licensing services in Olympia, at least thirty days prior to the end of the reporting period. The request should include the title of the preprogrammed educational material, its date of issuance, its author/provider, and the length of time spent viewing/listening to the preprogrammed educational material. A synopsis of the preprogrammed educational material shall be submitted.~~

The maximum continuing education credit that will be granted under this section is ten credit hours for each two-year reporting period). Preprogrammed educational materials include, but are not limited to:

(1) Correspondence courses taken through magazines or other publications, cassettes, videodiscs, videotapes, teaching machines, computer software, CD-ROM, diskettes or internet, other than those that qualify under subsection (2) of this section. No more than ten credit hours will be granted under this subsection to any licensee in any two-year reporting period. Requests for credit must be submitted to the board at least sixty days prior to the end of the reporting period and should include the title, date issued or released, author or source and the length of time spent viewing, listening or responding to the material.

(2) Cassettes, videodiscs, videotapes, teaching machines, computer software, CD-ROM, diskettes or internet, which are offered by a board-approved school or college of optometry or other entity or organization approved by the board for credit under this section and require successful completion of an examination for certification of completion. No more than twenty-five credit hours will be granted under this subsection to any licensee in any two-year reporting period.

**AMENDATORY SECTION** (Amending Order 210B, filed 11/1/91, effective 12/2/91)

**WAC 246-851-180 Credit for lecturing.** Subject to approval by the board, continuing education credit (~~(with)~~) may be given for the preparation and presentation of courses

and lectures in optometric education(~~(, if attendance at such a course or lecture would also qualify for such credit. For each hour of credit for the initial presentation of such a course or lecture, two additional hours of credit will be granted)~~). Three hours of credit will be granted for each course hour. Requests for credit must be submitted to the (~~(department of health, professional licensing services in Olympia)~~) board at least (~~(thirty)~~) sixty days prior to the end of the reporting period. (~~(The request should include a brief outline of the lecture and the length of the presentation.)~~) Credit for subsequent presentations will be (~~(individually)~~) considered (~~(upon a showing)~~) if the applicant can demonstrate that (~~(significant)~~) substantial additional (~~(work has been)~~) preparation was required. No more than ten hours will be (~~(approved)~~) granted under this section for any licensee in any two-year reporting period.

**AMENDATORY SECTION** (Amending Order 119B, filed 2/26/91, effective 3/29/91)

**WAC 246-851-190 Credit for CPR training.** Continuing education credit(~~(, up to five credit hours yearly, may)~~) will be granted for certified training (~~(obtained)~~) in (~~(a)~~) cardio-pulmonary resuscitation (CPR) (~~(course where such training is provided by a currently certified CPR instructor. A request for credit must include the name of the instructor, the organization certifying the instructor, the date the instructor's certification expires, and the date, length, and location of the course)~~). No more than ten credit hours will be granted under this section to any licensee in any two-year reporting period.

**AMENDATORY SECTION** (Amending Order 119B, filed 2/26/91, effective 3/29/91)

**WAC 246-851-200 Dual acceptance of continuing education credits.** A course (~~(otherwise acceptable for continuing education credit under the rules of this chapter)~~) will not be denied (~~(continuing education credit)~~) approval solely because it has been used to satisfy the continuing education requirement of (~~(another)~~) other states in which the licensee (~~(is concurrently licensed)~~) holds a license to practice optometry.

**AMENDATORY SECTION** (Amending Order 119B, filed 2/26/91, effective 3/29/91)

**WAC 246-851-220 Surplus credit hours.** Excess continuing education credits (~~(in excess of the required hours earned in any reporting period)~~) may not be carried forward to a subsequent reporting period.

**AMENDATORY SECTION** (Amending Order 210B, filed 11/1/91, effective 12/2/91)

**WAC 246-851-230 Credits for practice management.** Continuing education credit will be granted for courses or materials involving practice management(~~(, however,)~~) under WAC 246-851-110 through 246-851-180. No more than ten credit hours (~~(total)~~) will be granted under this section to any licensee (~~(for practice management courses under WAC 246-851-110 through 246-851-180)~~) in any two-year reporting period.

AMENDATORY SECTION (Amending Order 119B, filed 2/26/91, effective 3/29/91)

**WAC 246-851-240 Discretionary exception for emergency situation.** In emergency situations, ~~((such as))~~ or personal or family sickness, the board may waive ~~((for good cause shown))~~ all or part of the continuing education requirement for a ~~((particular))~~ two-year reporting period ~~((for an individual licensee))~~. The board ~~((will))~~ may require ~~((such verification of the emergency as is necessary to prove its existence))~~ additional information to determine if a waiver should be granted.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 246-851-210 Certification for continuing education courses.

**WSR 97-12-089**  
**PERMANENT RULES**  
**DEPARTMENT OF HEALTH**  
 [Filed June 4, 1997, 11:46 a.m.]

Date of Adoption: May 22, 1997.

Purpose: Chapter 246-10 WAC, housekeeping changes to rules to change location of where documents are to be filed, change name of office that serves orders and most references from "Office of Professional Standards" to "Adjudicative Clerk Office." The new office will consolidate administrative tasks for service of orders and filing of orders and motions relating to adjudicative proceedings. This will result in uniform procedures for all professions benefiting licensees, applicants, boards/commissions and defense attorneys.

Citation of Existing Rules Affected by this Order: Amending chapter 246-10 WAC.

Statutory Authority for Adoption: RCW 18.155.040.

Adopted under notice filed as WSR 97-08-092 on April 2, 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 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 14, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 14, 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.

June 4, 1997  
 Bruce Miyahara  
 Secretary

AMENDATORY SECTION (Amending WSR 94-04-079, filed 1/31/94, effective 3/3/94)

**WAC 246-10-102 Definitions.** As used in these rules of practice and procedure, the following terms shall have the meaning set forth in this section unless the context clearly indicates otherwise. Other terms shall have their ordinary meaning unless defined elsewhere in this chapter.

"Adjudicative clerk office" shall mean the unit with responsibility for: Docketing; service of orders; and maintaining custody of the adjudicative proceeding record, whose address is:

Department of Health  
Adjudicative Clerk Office  
2413 Pacific Avenue  
PO Box 47879  
Olympia, WA 98504-7879

"Adjudicative proceeding" or "hearing" shall mean a proceeding required by statute or constitutional right and conducted under the rules of this chapter, which provides an opportunity to be heard by the department prior to the entry of a final order under this chapter.

"Brief adjudicative proceeding" shall mean an adjudicative proceeding or hearing, the scope or conduct of which is limited as provided in this chapter.

"Department" shall mean the Washington state department of health and, where appropriate, the secretary of the Washington state department of health or the secretary's designee.

"Docket" or "docketing" shall mean the list or calendar of causes set to be heard at a specified time, prepared by the adjudicative clerk office for the use of the department.

"Filing" shall mean receipt by the adjudicative clerk office ~~((of professional standards))~~.

"Initiating document" shall mean a written agency document which initiates action against a license holder or applicant for license or recipient of benefits and which creates the right to an adjudicative proceeding. It may be entitled a statement of charges, notice of intent to deny, order, or by any other designation indicating the action or proposed action to be taken.

"License" shall have the meaning set forth in RCW 34.05.010, and includes any license, certification, registration, permit, approval, or any similar form of authorization required by law to be obtained from the department.

"Office of professional standards" shall mean the unit responsible for conducting adjudicative proceedings ~~((whose address is:))~~.

~~((Department of Health~~  
~~Office of Professional Standards~~  
~~2413 Pacific Avenue~~  
~~PO Box 47872~~  
~~Olympia, WA 98504-7872))~~

"Presiding officer" shall mean the person who is assigned to conduct an adjudicative proceeding. The presiding officer may be an employee of the department who is authorized to issue a final decision as designee of the secretary, or an administrative law judge employed by the office of administrative hearings.

PERMANENT

"Presiding officer for brief adjudicative proceedings" shall mean an employee of the department who is authorized to conduct brief adjudicative proceedings.

"Program" shall mean the administrative unit within the department responsible for implementation of a particular statute or rule.

"Prompt adjudicative proceeding" or "prompt hearing" shall mean a hearing conducted at the request of the license holder or applicant for license following summary action taken in accord with this chapter against that license holder or applicant.

"Protective order" shall mean an order issued under this chapter which limits the use of, access to, or disclosure of information or evidence.

"Recipient of benefits" shall mean an individual who has qualified for benefits administered by the department.

"Respondent" shall mean a person eligible to request an adjudicative proceeding in a program under the jurisdiction of the department who is named in an initiating document.

"Secretary" shall mean the secretary of the department of health or his/her designee.

"Summary action" shall mean an agency action to address an immediate danger to the public health, safety, or welfare and shall include, but not be limited to, a cease and desist order, an order of summary suspension, and an order of summary restriction of a license.

**AMENDATORY SECTION** (Amending Order 369, filed 6/3/93, effective 7/4/93)

**WAC 246-10-108 Representation.** (1) Persons requesting an adjudicative proceeding may be represented subject to the following conditions:

(a) A person requesting an adjudicative proceeding may represent himself/herself or may be represented by an attorney who has complied with the admission to practice rules of the supreme court of the state of Washington;

(b) Every attorney representing a person requesting an adjudicative proceeding shall file a notice of appearance with the adjudicative clerk office (~~(of professional standards)~~) upon commencing representation, and shall file a notice of withdrawal of counsel with the adjudicative clerk office (~~(of professional standards)~~) upon terminating representation.

(c) No person requesting an adjudicative proceeding may be represented in an adjudicative proceeding by an employee of the department.

(2) No current or former employee of the department may appear as an expert, character witness, or representative of any party other than the state of Washington if he/she took an active part in investigating or evaluating the case or represented the agency in the matter, unless written permission of the secretary is granted. No current or former member of the attorney general's office staff who participated personally and substantially in investigating or evaluating the matter at issue while so employed may represent a party or otherwise participate in a related proceeding without first having obtained the written consent of the attorney general's office.

**AMENDATORY SECTION** (Amending WSR 94-04-079, filed 1/31/94, effective 3/3/94)

**WAC 246-10-109 Service and filing.** (1) A party filing a pleading, brief, or paper other than an initiating document or application for an adjudicative proceeding as required or permitted by these rules, shall serve a copy of the paper upon the opposing party or any designated representative of the opposing party prior to or simultaneous with filing.

(2) Unless otherwise provided by law, filing and service shall be made by personal service; by first class, registered, or certified mail; or by electronic telefacsimile transmission (FAX) where copies are mailed simultaneously.

(3) Filing shall be complete upon actual receipt during normal business hours at the adjudicative clerk office (~~(of professional standards)~~).

(4) Service shall be complete when personal service is made; or mail is properly stamped, addressed, and deposited in the United States mail; or FAX transmission is completed and copies are deposited in the United States mail properly stamped and addressed.

(5) Proof of service shall consist of filing as required by these rules, together with one of the following:

(a) An acknowledgement of service;

(b) A certificate of service including the date the papers were served, the parties upon whom served, the signature of the serving party, and a statement that service was completed by:

(i) Personal service; or

(ii) Mailing in the United States mail a copy properly addressed with postage and fees prepaid to each party and each designated representative.

(6) For the purpose of service on a licensee or a person requesting an adjudicative proceeding, service shall be made at the last known address provided to the department in accordance with WAC 246-01-100, unless the program has actual knowledge of a different correct address for the person being served.

**AMENDATORY SECTION** (Amending Order 369, filed 6/3/93, effective 7/4/93)

**WAC 246-10-121 Notice to limited-English-speaking parties.** When the program or the adjudicative clerk office (~~(of professional standards)~~) is notified or otherwise made aware that a limited-English-speaking person is a party in an adjudicative proceeding, all notices concerning the hearing, including notices of hearing, continuance, and dismissal, shall either be in the primary language of the party or shall include a notice in the primary language of the party which describes the significance of the notice and how the party may receive assistance in understanding and, if necessary, responding to the notice.

**AMENDATORY SECTION** (Amending Order 369, filed 6/3/93, effective 7/4/93)

**WAC 246-10-122 Interpreters.** (1) A "hearing impaired person" means a person who, because of a hearing impairment or speech defect, cannot readily understand or communicate in spoken language. A "hearing impaired

person" includes a person who is deaf, deaf and blind, or hard of hearing.

(2) A "limited-English-speaking person" means a person who because of a non-English-speaking cultural background cannot readily speak or understand the English language.

(3) If a hearing impaired person or a limited-English-speaking person is involved in an adjudicative proceeding and a need for an interpreter is made known to the adjudicative clerk office (~~(of professional standards)~~), the presiding officer shall appoint an interpreter who is acceptable to the parties or, if the parties are unable to agree on an interpreter, the presiding officer shall select and appoint an interpreter.

(4) Before beginning to interpret, an interpreter shall take an oath or make affirmation that:

(a) A true interpretation shall be made to the impaired person of all the proceedings in a language or in a manner the impaired person understands; and

(b) The interpreter shall repeat the statements of the impaired person to the presiding officer, in the English language, to the best of the interpreter's skill and judgment.

(5) When an interpreter is used in a proceeding:

(a) The interpreter shall translate all statements made by other participants in the proceeding;

(b) The presiding officer shall ensure sufficient extra time is provided to permit translation; and

(c) The presiding officer shall ensure that the interpreter translates the entire proceeding to the hearing impaired person or limited-English-speaking person to the extent that the person has the same opportunity to understand the statements made as would a person not requiring an interpreter.

(6) An interpreter appointed under this section shall be entitled to a reasonable fee for services, including waiting time and reimbursement for actual necessary travel expenses. The program shall pay the interpreter fee and expenses incurred for interpreters for license holders, applicants, or recipients of benefits. The party on whose behalf a witness requiring an interpreter appears shall pay for interpreter services for that witness.

(7) All proceedings shall be conducted consistent with chapters 2.42 and 2.43 RCW.

**AMENDATORY SECTION** (Amending WSR 94-04-079, filed 1/31/94, effective 3/3/94)

**WAC 246-10-203 Request for adjudicative proceeding.** A respondent may respond to an initiating document by filing an application for an adjudicative proceeding or by waiving the opportunity for adjudicative proceeding.

(1) If the respondent wishes to file an application for an adjudicative proceeding:

(a) An application for adjudicative proceeding must be filed in accordance with the following time periods:

(i) For matters under chapter 18.130 RCW, the Uniform Disciplinary Act, within twenty days of service of the initiating documents unless an extension has been granted as provided in subsection (3) of this section; and

(ii) For all other matters in which the program proposes to deny, suspend, revoke or modify a license or proposes to impose a civil fine, within twenty-eight days of receipt of the initiating documents, unless otherwise provided by statute; and

(iii) For all other matters, within twenty days of service of the initiating documents, unless otherwise provided by statute.

(b) The application for adjudicative proceeding shall be made either on the Request for Adjudicative Proceeding Form accompanying the initiating documents or by a written document containing at least the following information:

(i) Name and address of the party requesting an adjudicative proceeding;

(ii) Name and address of the attorney representing the party, if any;

(iii) Identification of the portion or portions of the initiating documents contested;

(iv) Summary of the party's position on the portion or portions contested;

(v) Statement of the party's standing to request an adjudicative proceeding under WAC 246-10-107; and

(vi) For matters not under chapter 18.130 RCW and in which the department proposes to deny, suspend, revoke or modify a license or proposes to impose a civil fine, the application shall include a copy of the initiating document containing the adverse notice.

(c) By filing a request for adjudicative proceeding, the responding party agrees to appear personally at the adjudicative proceeding or, if otherwise approved by the presiding officer, by telephone, unless appearance is waived as authorized in WAC 246-10-104(4).

(d) The application for adjudicative proceeding shall contain a response to the initiating documents, indicating whether each charge is admitted, denied, or not contested, and responses shall be subject to the following conditions:

(i) Once admitted or not contested, an allegation may not be denied; and

(ii) An allegation denied or not contested may later be admitted.

(e) When an allegation is admitted or not contested, it shall be conclusively deemed to be true for all further proceedings. No proof of the allegation need be submitted.

(f) The application for adjudicative proceeding shall specify the representative, if any, designated pursuant to WAC 246-10-108 and any request for interpreter. The responding party shall amend the name of the representative and need for interpreter immediately if circumstances change prior to the hearing.

(g) The application for adjudicative proceeding shall be filed at the adjudicative clerk office (~~(of professional standards)~~) at the address specified in WAC 246-10-102.

(2) A respondent may waive an adjudicative proceeding and submit a written statement and other documents in defense or in mitigation of the charges. Such waiver and documents shall be filed:

(a) In accordance with the timelines in subsection (1)(a) of this section; and

(b) At the address indicated in subsection (1)(g) of this section.

(3) For matters under RCW 18.130.180, if the twenty-day limit for filing an application for adjudicative proceeding results in a hardship to the respondent, the respondent may request an extension of not more than sixty days upon a showing of good cause.

(a) The request for extension shall be filed within the twenty day limit and shall include:

- (i) The reason for the request and the number of days for which the extension is requested; and
- (ii) Documentation of the circumstances creating the hardship.
- (b) The request shall be granted for a period not to exceed sixty days upon showing of:
- (i) Illness of the respondent; or
- (ii) Absence of the respondent from the county of residence or employment; or
- (iii) Emergency in the respondent's family; or
- (iv) Other good cause as determined by the presiding officer.
- (c) If a request for extension is denied, the respondent shall have ten days from service of the order denying the extension or twenty days from service of the initiating documents, whichever is longer, to file an application for adjudicative proceeding.

**AMENDATORY SECTION** (Amending WSR 94-04-079, filed 1/31/94, effective 3/3/94)

**WAC 246-10-205 Scheduling orders.** (1) Within thirty days after receipt of the application for adjudicative proceeding, the office of professional standards, or other designee of the secretary, shall:

- (a) Approve the application for full adjudicative procedure and issue and serve on the parties a scheduling order specifying the course of the proceeding; or
- (b) Approve the application for a brief adjudicative procedure and issue and serve a notice of the date by which any additional written materials are to be submitted for consideration; or
- (c) Deny the application according to RCW 34.05.416.
- (2) For matters under chapter 18.130 RCW, the scheduling order shall contain:
- (a) The date, time, and place of a settlement conference, a prehearing conference, and the hearing;
- (b) The deadlines for completion of discovery and submission of prehearing motions; and
- (c) The name, address, and telephone number of the assistant attorney general or other department representative who will represent the state in the matter.
- (3) The scheduling order may be modified by order of the presiding officer upon his/her own initiative or upon motion of a party. Any request for a change in the scheduling order shall be made by motion as provided in WAC 246-10-403.
- (4) The presiding officer may waive establishing dates for the settlement conference, completion of discovery, submission of prehearing motions, and the prehearing conference, if, in the discretion of the presiding officer, those proceedings are not necessary or appropriate in a particular matter or type of case. However, either party may request by motion to the presiding officer that any or all of the dates be set.
- (5) Dates contained in the scheduling order may be changed by the adjudicative clerk office (~~(of professional standards)~~) upon written request of either party made within fifteen days of issuance of the first scheduling order. All other changes must be made by motion pursuant to WAC 246-10-403.

**AMENDATORY SECTION** (Amending WSR 94-04-079, filed 1/31/94, effective 3/3/94)

**WAC 246-10-401 Settlement conference.** (1) Following a request for an adjudicative proceeding, (~~(the office of professional standards may schedule)~~) a settlement conference may be scheduled as provided in WAC 246-10-205. The parties shall be notified of the date, time, and place of the settlement conference.

(2) The purpose of the settlement conference shall be to attempt to reach agreement on the issues and on a proposed order to be entered. Any agreement of the parties is subject to final approval by the presiding officer.

(3) The respondent shall attend the settlement conference as scheduled and may also be represented as provided in WAC 246-10-108. Representatives of the department will also attend. Other persons may attend by agreement of the parties.

(4) Either party may bring documents or other materials to the settlement conference for the purpose of settlement negotiations. No testimony will be taken. No documents or information submitted at the settlement conference will be admitted at the adjudicative proceeding unless stipulated by the parties or otherwise admitted into evidence by the presiding officer.

(5) If a settlement offer has been made in writing to the respondent and it is signed and returned by the respondent to the adjudicative clerk office (~~(of professional standards)~~) prior to the settlement conference, all subsequent dates set in the scheduling order are continued pending final review of the settlement by the presiding officer.

**AMENDATORY SECTION** (Amending WSR 96-21-027, filed 10/7/96, effective 11/7/96)

**WAC 246-10-403 Motions.** (1) The presiding officer shall rule on motions. The presiding officer may rule on motions without oral argument or may request or permit the parties to argue the motion in person or by telephone. Oral argument may be limited in time at the discretion of the presiding officer.

(2) All prehearing motions, including discovery and evidentiary motions, shall be made in writing and filed with the (~~(presiding officer)~~) adjudicative clerk office prior to the dates set in the scheduling order.

(3) Motions for continuance must be made in writing and filed prior to the dates set in the scheduling order. If the adjudicative proceeding is scheduled to take place fewer than twenty days from service of the scheduling order, motions for continuance must be made within ten days of service of the scheduling order, but in no event fewer than five days prior to the hearing. Continuances may be granted by the presiding officer for good cause.

(4) The presiding officer may grant a continuance when a motion for continuance is not submitted within the time limits contained in subsection (3) of this section for good cause.

(5) The following is the recommended format for motions:

- (a) A succinct statement of the facts contended to be material;
- (b) A concise statement of the issue, issues or law upon which the presiding officer is requested to rule;

(c) The specific relief requested by the moving party;

(d) If the motion requires the consideration of facts or evidence not appearing on the record, the moving party shall also serve and file copies of all affidavits and photographic or documentary evidence presented in support of the motion;

(e) The legal authority upon which the motion is based; and

(f) A proposed order may accompany the motion, and should contain findings of fact and conclusions of law.

(6) The moving party shall file the motion, and the accompanying affidavits and photographic or documentary evidence when necessary, with the ~~((presiding officer))~~ adjudicative clerk office and shall serve the motion, and the accompanying affidavits and photographic or documentary evidence when necessary, on all other parties.

(7) The opposing party shall file with the ~~((presiding officer))~~ adjudicative clerk office, and serve upon the moving party, a responsive memorandum, and accompanying affidavits and photographic or documentary evidence when necessary, no later than eleven days following service of the motion, unless otherwise ordered by the presiding officer.

(8) The moving party may file with the ~~((presiding officer))~~ adjudicative clerk office, and serve upon the opposing party, a reply memorandum no later than five days following service of the responsive memorandum, unless otherwise ordered by the presiding officer.

(9) Unless otherwise ordered by the presiding officer, all motions shall be decided without oral argument. A party requesting oral argument on a motion shall so indicate by typing "ORAL ARGUMENT REQUESTED" in the caption of the motion or the responsive memorandum. If a request for oral argument is granted, the presiding officer shall notify the parties of the date and time of the argument and whether the argument will be in person or by telephone conference.

(10) Motions to shorten time or emergency motions shall be exceptions to the rule, and a party may only make such motions in exigent or exceptional circumstances. When making such a motion, the moving party shall:

(a) Suggest a date and time when the moving party seeks to have the presiding officer hear the motion to shorten time, which should be at least forty-eight hours after filing;

(b) Suggest a date and time when the moving party seeks to have the presiding officer consider the merits of the underlying motion;

(c) Describe the exigent or exceptional circumstances justifying shortening of time in an affidavit or a memorandum accompanying the motion;

(d) Certify that the motion to shorten time and the underlying motion have been served on all other parties prior to the filing of the motion with the presiding officer. Any opposition to the motion to shorten time must be served and filed within twenty-four hours of the service of the motion. If the presiding officer grants the motion to shorten time, the presiding officer shall notify the parties of the date by which the responsive memorandum to the underlying motion shall be served and filed.

(11) All motions will be decided as soon as practical, but not more than thirty days following the filing of the motion. If the presiding officer will not decide the motion within this time, the presiding officer shall notify the parties in writing of the date by which the motion will be decided.

(12) If a party serves a motion or responsive memorandum by mail, pursuant to WAC 246-10-109, then three days shall be added to the time within which the opposing party must file and serve the responsive or reply memorandum.

(13) All computations of time shall be calculated pursuant to WAC 246-10-105.

(14) Departmental motions for summary actions are exempted from all requirements of this rule.

**AMENDATORY SECTION** (Amending Order 369, filed 6/3/93, effective 7/4/93)

**WAC 246-10-605 Issuance of final order.** If the adjudicative proceeding is conducted by a presiding officer authorized to make the final decision, the presiding officer shall:

(1) Issue a final order containing findings of fact and conclusions of law and an order; and

(2) Cause the adjudicative clerk office to serve a copy of the order on each party and any designated representative of the party.

**AMENDATORY SECTION** (Amending Order 369, filed 6/3/93, effective 7/4/93)

**WAC 246-10-608 Initial order.** If the adjudicative proceeding is conducted by a presiding officer who is not authorized to make the final decision, the presiding officer shall:

(1) Issue an initial order containing proposed findings of fact, conclusions of law, and a proposed order;

(2) Cause the adjudicative clerk office to serve a copy of the initial order on each party and any designated representative of a party; and

(3) Forward the initial order and record of the adjudicative proceeding to the adjudicative clerk office ~~((of professional standards))~~.

**AMENDATORY SECTION** (Amending WSR 94-04-079, filed 1/31/94, effective 3/3/94)

**WAC 246-10-701 Appeal from initial order.** (1) Any party may file a written petition for administrative review of an initial order issued under WAC 246-10-503 or 246-10-608 stating the specific grounds upon which exception is taken and the relief requested.

(2) Petitions for administrative review must be served upon the opposing party and filed with the adjudicative clerk office ~~((of professional standards))~~ within twenty-one days of service of the initial order.

(3) The opposing party may file a response to a petition for administrative review filed as provided in this section. The response shall be filed at the adjudicative clerk office ~~((of professional standards))~~. The party filing the response shall serve a copy of the response upon the party requesting administrative review. If the initial order was entered pursuant to WAC 246-10-503, the response shall be filed within ten days of service of the petition. In all other matters, the response shall be filed within twenty days of service of the petition.

**AMENDATORY SECTION** (Amending WSR 94-04-079, filed 1/31/94, effective 3/3/94)

**WAC 246-10-704 Reconsideration of final orders.**

(1) Within ten days of service of a final order, either party may file a petition for reconsideration, stating the specific grounds upon which reconsideration is requested and the relief requested.

(2) Grounds for reconsideration shall be limited to:

(a) Specific errors of fact or law; or

(b) Implementation of the final order would require department activities inconsistent with current department practice; or

(c) Specific circumstances render the person requesting reconsideration unable to comply with the terms of the order.

(3) Petitions for reconsideration must be served upon the opposing party and filed with the adjudicative clerk office ~~((of professional standards))~~ within ten days of service of the final order.

(4) If reconsideration is requested based on an error of fact, the request for reconsideration shall contain specific reference to the record. If reconsideration is requested based on testimony of record, the request for reconsideration shall contain specific reference to the testimony. The presiding officer may require that the party requesting reconsideration submit a copy of the transcript of the adjudicative proceeding and provide specific reference to the transcript.

(5) The petition for reconsideration is denied if, within twenty days of the date the petition is filed, the presiding officer:

(a) Denies the petition;

(b) Does not act upon the petition; or

(c) Does not serve the parties with notice of the date by which he/she will act on the petition.

(6) If the presiding officer determines to act upon the petition, the opposing party shall be provided at least ten days in which to file a response to the petition.

(7) Disposition of petitions for reconsideration shall be in the form of a written order denying the petition, granting the petition, and dissolving or modifying the final order, or granting the petition and setting the matter for further proceedings.

**AMENDATORY SECTION** (Amending WSR 94-04-079, filed 1/31/94, effective 3/3/94)

**WAC 246-10-707 Vacating an order for reason of default or withdrawal.** (1) A party may petition to vacate a default order entered against that party for failing to attend an adjudicative proceeding requested by that party by:

(a) Specifying the grounds relied upon in the petition; and

(b) Filing the petition at the adjudicative clerk office ~~((of professional standards))~~ within seven days of service of the default order.

(2) The presiding officer shall consider the petition and shall:

(a) Grant the motion to vacate and reinstate the application for adjudicative proceeding, and may impose conditions on licensure pending final adjudication; or

(b) Deny the motion to vacate the default order.





**WSR 97-12-003**  
**EMERGENCY RULES**  
**ENVIRONMENTAL HEARINGS OFFICE**

[Filed May 22, 1997, 4:33 p.m.]

Date of Adoption: May 22, 1997.

Purpose: To conform chapter 371-08 WAC to SHB 1314.

Citation of Existing Rules Affected by this Order: Amending WAC 371-08-310 and 371-08-335.

Statutory Authority for Adoption: SHB 1314, chapter 43.21B RCW.

Under RCW 34.05.350 the agency for good cause finds 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: SHB 1314 changed the date from which the appeal period is computed and also excluded Saturdays from the computation if the appeal deadline falls on a Saturday.

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 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 0, repealed 0.

Effective Date of Rule: Immediately.

May 22, 1997

Suzanne Skinner

Administrative Appeals Judge

**AMENDATORY SECTION** (Amending WSR 96-17-016, filed 8/12/96, effective 9/12/96)

**WAC 371-08-310 Computation of time.** (1) The time within which any act shall be done, as provided by these rules, shall be computed by excluding the first day and including the last, unless the last day is a Saturday, Sunday or a legal holiday, and then it is excluded and the next succeeding day which is neither a Saturday, Sunday nor a legal holiday is included. When the period of time prescribed or allowed is less than seven days, intermediate Saturdays, Sundays and holidays shall be excluded in the computation.

(2) This section also pertains to the period for filing an appeal with the board.

**AMENDATORY SECTION** (Amending WSR 96-17-016, filed 8/12/96, effective 9/12/96)

**WAC 371-08-335 Filing a timely appeal with the board.** (1) An appeal before the board shall be begun by filing a notice of appeal with the board at the environmental

hearings office and by serving a copy of the appeal notice on the agency whose decision is being appealed. For the board to acquire jurisdiction both such filing and such service must be timely accomplished.

(2) The notice of appeal shall be filed with the board within thirty days of the date that a copy of the order or decision is (~~mailed~~) posted in the United States mail, properly addressed, postage prepaid, to the appealing party. The board's rule governing the computation of time (WAC 371-08-310) shall determine how the thirty-day appeal period is calculated.

(3) An appeal is filed with the board on the date the board actually receives the notice of the appeal, not the date that the notice is mailed. Upon receiving the notice of appeal, the board will acknowledge receipt. The date stamped on the appeal notice shall be prima facie evidence of the filing date. The board may thereafter require that additional copies be filed.

**WSR 97-12-004**  
**EMERGENCY RULES**  
**ENVIRONMENTAL HEARINGS OFFICE**

[Filed May 22, 1997, 4:36 p.m.]

Date of Adoption: May 22, 1997.

Purpose: To conform chapter 461-08 WAC to SHB 1314.

Citation of Existing Rules Affected by this Order: Amending WAC 461-08-310.

Statutory Authority for Adoption: SHB 1314, chapter 43.21B RCW.

Under RCW 34.05.350 the agency for good cause finds 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: SHB 1314 excluded Saturdays from the computation of the appeal period if the appeal deadline falls on a Saturday.

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 0, repealed 0.

Effective Date of Rule: Immediately.

May 22, 1997

Suzanne Skinner

Administrative Appeals Judge

**AMENDATORY SECTION** (Amending WSR 96-17-017, filed 8/12/96, effective 9/12/96)

**WAC 461-08-310 Computation of time.** (1) In computing any period of time prescribed or allowed by these rules or applicable statute, the day of the act after which the designated period of time begins to run is not to be included. The time within which any act shall be done, as provided by these rules, shall be computed by excluding the first day and including the last, unless the last day is a Saturday, Sunday or a legal holiday, and then it is excluded and the next succeeding day which is neither a Saturday, Sunday nor a legal holiday is included. When the period of time prescribed or allowed is less than seven days, intermediate Saturdays, Sundays and legal holidays shall be excluded in the computation.

(2) This section also pertains to the period for filing with the board any petition for review, petition for rule making, petition for declaratory ruling or any other adjudication which this chapter authorizes.

**WSR 97-12-009  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE  
(Fisheries)**

[Order 97-83—Filed May 23, 1997, 11:10 a.m., effective May 25, 1997, 12:01 a.m.]

Date of Adoption: May 22, 1997.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order:  
Amending WAC 220-56-350.

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 non-Indian share of the allowable harvest has been taken. The remainder of the harvestable clams are required to meet treaty tribe sharing requirements. There is insufficient time to promulgate permanent rules.

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: May 25, 1997, 12:01 a.m.

May 22, 1997

Bern Shanks

Director

**NEW SECTION**

**WAC 220-56-35000P Clams—Other than razor clams—Areas and seasons.** Notwithstanding the provisions of WAC 220-56-350, effective 12:01 a.m. May 25, 1997 until further notice, it is unlawful to harvest or possess clams, cockles, or mussels taken for personal use from the following public tidelands:

1. Cline Spit
2. Frye Cove

**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 97-12-022  
EMERGENCY RULES  
DEPARTMENT OF ECOLOGY**

[Order 97-12—Filed May 28, 1997, 4:38 p.m.]

Date of Adoption: May 28, 1997.

Purpose: To provide definitions of "public health need" and "substantial environmental degradation" (as used in 1997 amendments to RCW 70.146.070) and to outline a process of documenting their existence.

Statutory Authority for Adoption: RCW 70.146.070.

Other Authority: RCW 36.70A.040.

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: (a) The bill that made this rule necessary specifically addresses public health; and (b) state law was passed, making this rule necessary to process time-sensitive funding offers to local governments.

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 5, 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.

May 28, 1997  
Tom Fitzsimmons  
Director

**Chapter 173-95A WAC  
USES AND LIMITATIONS OF  
CENTENNIAL CLEAN WATER FUNDS**

- WAC 173-95A-010 Purpose and scope.**  
**WAC 173-95A-020 Definitions.**  
**WAC 173-95A-030 Documenting a public health need.**  
**WAC 173-95A-040 Documenting a substantial environmental degradation.**  
**WAC 173-95A-050 Awarding grant and loan funds.**

**NEW SECTION**

**WAC 173-95A-010 Purpose and scope.** This chapter is intended to address critical or emergent public health needs or environmental problems in jurisdictions that are not in compliance with the Growth Management Act. It implements an exception to the prohibition of counties, cities, and towns that are not in compliance with the Growth Management Act (chapter 36.70A RCW) from receiving grant or loan funds for water pollution control facilities. The exception is provided in limited circumstances, where necessary to address a public health need or substantial environmental degradation.

**NEW SECTION**

**WAC 173-95A-020 Definitions.** (1) "Compliance with the Growth Management Act" means that (a) a county, city, or town that is required or chooses to plan under RCW 36.70A.040 has adopted a comprehensive plan and development regulations in conformance with the requirements of chapter 36.70A RCW, after it is required that the comprehensive plan and development regulations be adopted; and (b) the county, city, or town has not been found out of compliance by a growth management hearings board; or (c) a growth management hearings board has found a county, city, or town in compliance with the requirements of chapter 36.70A RCW, after previously finding the county, city, or town was not in compliance.

(2) "Department" means the department of ecology.

(3) "Public health need" means that a situation exists where (a) there is a documented potential for: (i) Contaminating a source of drinking water; or (ii) failure of existing wastewater system or systems resulting in contamination being present on the surface of the ground in such quantities and locations as to create a potential for public contact; or (iii) contamination of a commercial or recreational shellfish bed as to create a critical public health risk associated with consumption of the shellfish; or (iv) contamination of surface water so as to create a critical public health risk associated with recreational use; and (b) the problem generally involves a serviceable area including, but not limited to, a subdivision, town, city, or county, or an area serviced by on-site sewage disposal systems; and (c) the problem cannot be corrected through more efficient operation and maintenance of an existing wastewater disposal system or systems.

(4) "Substantial environmental degradation" means that (a) there is a situation causing real, documented, critical

environmental contamination that (i) contributes to violations of the state's water quality standards; or (ii) interferes with beneficial uses of the waters of the state; and (b) the problem generally involves a serviceable area including, but not limited to, a subdivision, town, city, or county, or an area serviced by on-site sewage disposal systems; and (c) the problem cannot be corrected through more efficient operation and maintenance of an existing wastewater disposal system or systems.

(5) "Water pollution control facility" or "facilities" means any facilities or systems for the control, collection, storage, treatment, disposal, or recycling of wastewater, including but not limited to sanitary sewage, storm water, residential, commercial, industrial, and agricultural wastes, which are causing water quality degradation due to concentrations of conventional, nonconventional, or toxic pollutants. Water pollution control facilities include all equipment, utilities, structures, real property, and interests in and improvements on real property necessary for or incidental to such purpose. Water pollution control facilities also include such facilities, equipment, and collection systems as are necessary to protect federally designated sole source aquifers.

**NEW SECTION**

**WAC 173-95A-030 Documenting a public health need.** For the purposes of this chapter, a public health need related to a grant or loan must be documented by a letter signed by the secretary of the Washington state department of health or his or her designee and addressed to the public official who signed the grant or loan application.

**NEW SECTION**

**WAC 173-95A-040 Documenting a substantial environmental degradation.** For the purposes of this chapter, a substantial environmental degradation related to a grant or loan must be documented by a letter signed by the director of the Department or his or her designee and addressed to the public official who signed the grant or loan application.

**NEW SECTION**

**WAC 173-95A-050 Awarding grant and loan funds.** A county, city or town that has been offered a grant or loan for a water pollution control facility project may not receive grant or loan funds while the county, city, or town is not in compliance with the Growth Management Act unless:

(1) Documentation showing that a public health need has been provided by the Washington state department of health; or documentation showing that a substantial environmental degradation exists has been provided by the Department; and

(2) The county, city or town has provided documentation to the Department that actions or measures are being implemented to address the public health need or substantial environmental degradation; and

(3) The Department has determined that the project is designed to address only the public health need or substantial environmental degradation described in the documentation,

and does not address unrelated needs including but not limited to provisions for additional growth.

**WSR 97-12-035**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

(Fisheries)  
(Wildlife)

[Order 97-85—Filed May 30, 1997, 4:34 p.m., effective May 31, 1997, 12:01 a.m.]

Date of Adoption: May 30, 1997.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-57-31900M and 232-28-61900F; and amending WAC 220-57-250, 220-57-319, 220-57-480, and 232-28-619.

Statutory Authority for Adoption: RCW 75.08.080 and 77.12.040.

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: Lewis River spring chinook hatchery needs are assured. Harvestable fish are now available. Game fish closure no longer necessary. Green River and North Toutle River have harvestable spring chinook 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 4, amended 0, 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 0, amended 0, repealed 0.

Effective Date of Rule: May 31, 1997, 12:01 a.m.

May 30, 1997

Dirk Brazil  
for Bern Shanks  
Director

NEW SECTION

**WAC 220-57-25000A Green River (Cowlitz County)** Notwithstanding the provisions of WAC 220-57-255, effective 12:01 a.m. June 1, 1997 through August 31, 1997:

(1) Open for salmon angling in those waters of the Green River from the mouth upstream to the 1000 Road Bridge.

(2) Daily limit is six salmon of which two may be adults. Minimum size is 12 inches in length,

(3) Those waters from 1500 feet below the salmon hatchery rack to the water intake at upper end of hatchery is closed to angling after the rack is installed.

NEW SECTION

**WAC 220-57-31900N Lewis River.** Notwithstanding the provisions of WAC 220-57-319, effective 12:01 a.m. May 31, 1997 through July 31, 1997:

(1) Open for salmon angling in those waters of the Lewis River from Merwin Dam to the mouth.

(2) Daily limit is six salmon of which two may be adults. Minimum size is 12 inches in length.

NEW SECTION

**WAC 220-57-48000A Toutle River (North Fork).** Notwithstanding the provisions of WAC 220-57-480, effective 12:01 a.m. June 1, 1997 until August 31, 1997:

(1) Open for salmon angling in those waters of the North Toutle River from the Highway 504 Bridge near Kidd Valley to the mouth of the Green River.

(2) Daily limit is six salmon of which two may be adults. Minimum size is 12 inches in length.

NEW SECTION

**WAC 232-28-61900K Regional exception to permanent game fish rules.** Notwithstanding the provisions of WAC 232-28-619:

(1) Effective 12:01 a.m. May 31, 1997 until further notice, in those waters of the Lewis River from Johnson Creek upstream to Colvin Creek is open to game fish angling.

(2) Effective immediately 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 sections of the Washington Administrative Code are repealed effective 12:01 a.m. May 31, 1997:

WAC 220-57-31900M	Lewis River. (97-62)
WAC 232-28-61900F	Regional exceptions to game fish rules. (97-22)

**WSR 97-12-036**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
(Fisheries)

[Order 97-86—Filed May 30, 1997, 4:36 p.m., effective May 31, 1997, 6:01 p.m.]

Date of Adoption: May 30, 1997.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-32-05500B and 220-32-05500C; and amending WAC 220-32-055.

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: Harvestable numbers of spring chinook salmon are available for a subsistence fishery. This conforms state rules with Yakama Nation regulations.

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 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 0, amended 0, repealed 0.

Effective Date of Rule: May 31, 1997, 6:01 p.m.  
May 30, 1997  
Dirk Brazil  
for Bern Shanks  
Director

**NEW SECTION**

**WAC 220-32-05500C Columbia River tributaries—Subsistence.** Notwithstanding the provisions of WAC 220-32-055, effective immediately until further notice, it is unlawful for a person possessing treaty fishing rights under the Yakama treaty to take or possess salmon taken for subsistence purposes from the Yakima River, Klickitat River, Wind River, Icicle River, Drano Lake and Ringold in the Columbia River except under the following provisions:

(1) The Yakima River from Horn Rapids Dam to Wapato Dam is open noon Tuesday to 6:00 p.m. Saturday of each week until June 21, 1997.

(2) The Klickitat River from the site of the former Swinging Bridge (RM 1.5) to Fishway No. 5 (RM 2.2) is open noon Wednesday to 6:00 p.m. Saturday from June 4 to June 7, 1997.

(3) The Wind River from the mouth to a marker 400 feet downstream of Shipperd Falls is open from 6:00 a.m. Monday to 6:00 p.m. Saturday of each week until June 7, 1997 and from 200 feet above the Shipperd Falls upstream to a marker 30 feet below the outlet stream for Carson National Fish Hatchery is open noon Wednesday to 6:00 p.m. Saturday of each week from June 4 to June 28, 1997.

(4) The Icicle River where it borders the property of the U.S. Fish and Wildlife National Fish Hatchery at Leaven-

worth is open from 9:00 p.m. Wednesday to noon Saturday of each week from May 7 to June 21, 1997.

(5) The Columbia River from the marker located approximately 1/2 mile upstream of Spring Creek (Ringold Hatchery rearing pond outlet) downstream to a boundary marker approximately 1/4 mile downstream of Ringold waterway outlet, is open from 6:00 a.m. Monday to 6:00 p.m. Saturday of each week from May 5 to July 26, 1997. Fishing may be conducted from the riverbank on the hatchery side of the Columbia River only; fishing is not allowed from boats.

**(6) ALLOWABLE GEAR:**

Dipnets, setbag net, or rod and reel with bait or lures. All other fishing gear and methods, including snagging are unlawful.

(7) In Drano Lake from the Highway 14 Bridge to the orange markers near the mouth of the Little White Salmon River is open by permit only from:

6:00 p.m. May 29 to noon May 31, 1997

**(8) GEAR FOR DRANO LAKE**

Legal gear includes floating gillnets, hoopnets fished from bank or boat, or hook and line with bait or lures. Snagging or gaffing of fish is prohibited. All fish must be landed at the boat ramp at Drano Lake.

**REPEALER**

The following section of the Washington Administrative Code is repealed effective 6:01 p.m. May 31, 1997:

WAC 220-32-05500B Columbia River tributaries—Subsistence. (97-61)

**REPEALER**

The following section of the Washington Administrative Code is repealed effective 6:01 p.m. July 26, 1997:

WAC 220-32-05500C Columbia River tributaries—Subsistence.

**WSR 97-12-037  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE  
(Fisheries)**

[Order 97-87—Filed May 30, 1997, 4:38 p.m., effective June 4, 1997]

Date of Adoption: May 30, 1997.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-32500M and 220-56-32500P; and amending WAC 220-56-310, 220-56-315, 220-56-320, 220-56-325, and 220-56-330.

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: Stock assessment has shown there is sufficient shrimp available for additional recreational

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harvest. Recreational harvest scheduling has been agreed to under the shellfish subproceeding in *United States v. Washington*. There is insufficient time to promulgate permanent rules and still allow for a recreational fishery.

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 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 0, amended 0, repealed 0.

Effective Date of Rule: June 4, 1997.

May 30, 1997  
Dirk Brazil  
for Bern Shanks  
Director

**NEW SECTION**

**WAC 220-56-32500P Shrimp and crab—Hood Canal.** Notwithstanding the provisions of WAC 220-56-310, 220-56-315, 220-56-320, 220-56-325 and 220-56-330, effective June 4, 1997 until further notice it is unlawful to fish for or possess shrimp from those waters of Hood Canal south of the Hood Canal floating bridge except as provided for in this section:

(1) Fishing for shrimp is allowed between 9:00 a.m. and 1:00 p.m. on the following date: June 4, 1997.

(2) No shrimp fisher may use more than one shrimp pot on any one day. All shrimp pots must conform to the Hood Canal shrimp pot requirements set forth in WAC 220-56-320(4). It shall be unlawful for the owner/operator of any boat to have on board or to fish more than four shrimp pots at any time from one boat. A boat is defined as a vessel in the water from which shrimp pots are set and pulled. No shrimp fishers may leave shrimp fishing gear in the water after 1:00 p.m. June 4, 1997.

(3) All unattended shrimp gear must be marked with a buoy, and the buoy must conform with the requirements and be marked as provided for in WAC 220-56-320(1). It is unlawful to have more than one shrimp pot attached to one line.

(4) It is unlawful for any one person to take in any one day more than eighty shrimp. The first eighty shrimp taken must be retained. After the eightieth shrimp has been retained by a fisher, the fisher must stop fishing and release all additional shrimp immediately to the water unharmed.

(5) The use of all crab pot gear is prohibited. No crab fisher may use more than two ring nets or two star traps, or more than one ring net and one star trap. No crab fisher may set or pull ring nets or star traps between one hour after official sunset to one hour before official sunrise.

(6) All unattended crab gear must be marked with a buoy, and the buoy must conform with the requirements and be marked as provided for in WAC 220-56-320(1).

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 220-56-32500M Shrimp and crab—Hood Canal. (97-76)

The following section of the Washington Administrative Code is repealed effective 1:00 p.m. June 4, 1997:

WAC 220-56-32500P Shrimp and crab—Hood Canal.

**WSR 97-12-039**  
**EMERGENCY RULES**  
**SECRETARY OF STATE**  
[Filed June 2, 1997, 10:37 a.m.]

Date of Adoption: June 2, 1997.

Purpose: To allow county auditors to be exempted from submitting voter registration signature cards if certain requirements are met.

Statutory Authority for Adoption: RCW 20.04.080 and 29.07.120.

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: Adoption of the WAC allows county auditors to enter into interlocal agreement with the Secretary of State in time for the upcoming initiative cycle in July. Permanent filing/adoption of the rule will be on June 30, 1997. This emergency rule only allows the work to begin sooner.

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 1, 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.

June 2, 1997  
Donald F. Whiting  
Assistant Secretary of State

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**NEW SECTION**

**WAC 434-24-065 Exemption of transmittal of signature cards to the secretary of state.** Pursuant to the requirements of RCW 29.07.120, a county auditor shall be exempted from transmitting voter registration cards required by RCW 29.07.090 and 29.10.100, by providing the secretary of state access to electronic voter registration and electronic voter signature information, provided that access to the electronic data shall meet the specifications defined by the secretary of state and agreed to by the county auditor through interlocal agreement. If access to the electronic data is suspended by the county auditor, the county auditor shall provide a complete alphabetical copy of all voter registration records in that county. The records shall contain the voter's name, date of registration, voter registration number, and a facsimile of the voter's signature. The office of the county auditor shall pay for all costs incurred by the secretary of state in reestablishing a voter registration card file system.

**WSR 97-12-043  
EMERGENCY RULES  
DEPARTMENT OF LICENSING**

[Filed June 2, 1997, 2:55 p.m., effective July 27, 1997]

Date of Adoption: June 2, 1997.

Purpose: Implementation of EHB 1940, chapter 229, Laws of 1997, and SSB 5060, chapter 66, Laws of 1997. The proposed rule amendments reflect the changes made to the model traffic ordinances by enactment of this legislation.

Citation of Existing Rules Affected by this Order: Amending WAC 308-330-307 and 308-330-425.

Statutory Authority for Adoption: RCW 46.90.010.

Other Authority: Chapter 66, Laws of 1997.

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 model traffic ordinance is amended relating to the driving while under the influence of liquor or drugs and to clarify driving statutes. Implementation of 1997 session legislation.

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 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 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: July 27, 1997.

June 2, 1997

Eric L. Anderson  
for Nancy Kelly, Administrator  
Title and Registration Services

**AMENDATORY SECTION** (Amending WSR 97-10-068, filed 5/5/97, effective 6/5/97)

**WAC 308-330-307 RCW sections adopted—Driver licenses-identcards.** The following sections of the Revised Code of Washington (RCW) pertaining to driver licenses and identification cards as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.20.021, 46.20.022, 46.20.025, 46.20.027, 46.20.031, 46.20.041, 46.20.045, 46.20.055, 46.20.070, 46.20.190, 46.20.220, 46.20.308, 46.20.336, 46.20.338, 46.20.342, 46.20.343, 46.20.344, 46.20.391, 46.20.394, 46.20.410, 46.20.420, 46.20.430, 46.20.500, 46.20.510, 46.20.550, 46.20.750, ((and)) 46.20.3101, and sections 1 and 2, chapter 66, Laws of 1997.

**AMENDATORY SECTION** (Amending WSR 97-10-068, filed 5/5/97, effective 6/5/97)

**WAC 308-330-425 RCW sections adopted—Reckless driving, vehicular homicide and assault.** The following sections of the Revised Code of Washington (RCW) pertaining to reckless driving, driving while under the influence of intoxicating liquor or any drug, vehicular homicide and assault as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.61.500, 46.61.502, 46.61.503, 46.61.504, 46.61.5054, 46.61.5055, 46.61.5057, 46.61.5058, 46.61.506, 46.61.517, 46.61.519, 46.61.5191, 46.61.5195, 46.61.525, 46.61.527, 46.61.530, 46.61.535, ((and)) 46.61.540, and section 4, chapter 66, Laws of 1997.

**WSR 97-12-069  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE  
(Fisheries)**

[Order 97-88—Filed June 3, 1997, 4:12 p.m.]

Date of Adoption: June 3, 1997.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-32-05500C and 220-32-05500D; and amending WAC 220-32-055.

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: Harvestable numbers of spring chinook salmon are available for a subsistence fishery. This conforms state rules with Yakama Nation regulations.

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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 1, amended 0, 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 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

June 3, 1997  
Evan Jacoby  
for Bern Shanks  
Director

**NEW SECTION**

**WAC 220-32-05500D Columbia River tributaries—Subsistence.** Notwithstanding the provisions of WAC 220-32-055, effective immediately until further notice, it is unlawful for a person possessing treaty fishing rights under the Yakama treaty to take or possess salmon taken for subsistence purposes from the Yakima River, Klickitat River, Wind River, Icicle River, Drano Lake and Ringold in the Columbia River except under the following provisions:

(1) The Yakima River from Horn Rapids Dam to Wapato Dam is open noon Tuesday to 6:00 p.m. Saturday of each week until June 21, 1997.

(2) The Klickitat River from the site of the former Swinging Bridge (RM 1.5) to Fishway No. 5 (RM 2.2) is open noon Wednesday to 6:00 p.m. Saturday from June 4 to June 7, 1997.

(3) The Wind River from the mouth to a marker 400 feet downstream of Shipperd Falls is open from 6:00 a.m. Monday to 6:00 p.m. Saturday of each week until June 7, 1997 and from 200 feet above the Shipperd Falls upstream to a marker 30 feet below the outlet stream for Carson National Fish Hatchery is open noon Wednesday to 6:00 p.m. Saturday of each week from June 4 to June 28, 1997.

(4) The Icicle River where it borders the property of the U.S. Fish and Wildlife National Fish Hatchery at Leavenworth is open from 9:00 p.m. Wednesday to noon Saturday of each week from May 7 to June 21, 1997.

(5) The Columbia River from the marker located approximately 1/2 mile upstream of Spring Creek (Ringold Hatchery rearing pond outlet) downstream to a boundary marker approximately 1/4 mile downstream of Ringold waterway outlet, is open from 6:00 a.m. Monday to 6:00 p.m. Saturday of each week from May 5 to July 26, 1997. Fishing may be conducted from the riverbank on the hatchery side of the Columbia River only; fishing is not allowed from boats.

(6) ALLOWABLE GEAR:

Dipnets, setbag net, or rod and reel with bait or lures. All other fishing gear and methods, including snagging are unlawful.

(7) In Drano Lake from the Highway 14 Bridge to the orange markers near the mouth of the Little White Salmon River is open by permit only from:

6:00 p.m. June 3, 1997 to 6:00 p.m. June 4, 1997.

(8) GEAR FOR DRANO LAKE

Legal gear includes floating gillnets, hoopnets fished from bank or boat, or hook and line with bait or lures. Snagging or gaffing of fish is prohibited. All fish must be landed at the boat ramp at Drano Lake.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 220-32-05500C Columbia River tributaries—Subsistence.

**REPEALER**

The following section of the Washington Administrative Code is repealed effective 6:01 p.m. July 26, 1997:

WAC 220-32-05500D Columbia River tributaries—Subsistence.

**WSR 97-12-077  
EMERGENCY RULES  
PUBLIC WORKS BOARD**  
[Filed June 4, 1997, 9:18 a.m.]

Date of Adoption: June 3, 1997.

Purpose: To interpret recent legislative enactment; to establish a process to implement the statute.

Statutory Authority for Adoption: RCW 43.155.040(4).

Other Authority: RCW 43.155.040(5).

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: Section 29, chapter 429, Laws of 1998 [1997] has an emergency enactment clause.

Effective Date of Rule: Immediately.

June 4, 1997  
Pete A. Butkus  
Rules Coordinator

**NEW SECTION**

**WAC 399-30-032 What are the requirements for meeting the Growth Management Act under RCW 43.155.070 (1)(d)?** (1) Comprehensive plan and development regulations must be in compliance with the time requirements of Chapter 36.70A RCW (Growth Management Act) at the time of application for financial assistance.

(2) Exceptions based on "public health need" or "substantial environmental degradation" shall not be used as a

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method to provide unrestricted access to financial assistance for local governments not in compliance with the law.

**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.

#### NEW SECTION

**WAC 399-30-033 How will the board address a "public health need" under RCW 43.155.070 (1)(d)?** In determining whether a project is necessary to address a public health need, the board shall consider the following factors:

(1) For bridge or road projects - whether injury or fatal injury motor or non-motorized vehicle traffic collisions at a specific site, roadway control section, or area have occurred at a rate to be in the top five percent of all such collisions within the applicant jurisdiction for the most recent three-year period; and whether the proposed public works project will eliminate or reduce the likelihood of such vehicle collisions. Applicants applying under this sub-section may utilize jurisdiction-wide accident data, or break the data down into arterial or non-arterial roads, intersection or non-intersection, and for intersections, whether they are signalized or non-signalized.

(2) For domestic water projects - whether a drinking water system regulated by the department of health has been contaminated or is in imminent danger of being contaminated to the extent of creating a critical public health risk and; whether the proposed public works project will eliminate or reduce the chance of contamination.

(3) For sanitary sewer projects - whether failure of existing wastewater system or systems, including on-site systems, has resulted in contamination being present on the surface of the ground in such quantities and locations so as to create a potential for public contact; or whether contamination of a commercial or recreational shellfish bed so as to create a critical public health risk associated with the consumption of the shellfish, or contamination of surface water so as to create a critical public health risk associated with recreational use; and whether the proposed public works project will eliminate or reduce the danger of such critical public health risks.

(4) For storm sewer projects - whether failure of an existing storm sewer system has caused or is in imminent danger of causing localized flooding which disrupts critical public services, disease, illness, attraction of rodents so as to create a critical public health risk; or contamination of a commercial or recreational shellfish bed so as to create a critical public health risk associated with the consumption of the shellfish, or contamination of surface water so as to create a critical public health risk associated with recreational use and; whether the proposed public works project will eliminate or reduce the danger of localized flooding which disrupts critical public services or critical public health risks.

(5) For solid waste or recycling projects - whether failure of an existing solid waste system or recycling system has caused or is in danger of causing critical groundwater contamination, disease, illness, or attraction of rodents so as to create a critical public health need and; whether the proposed public works project will eliminate or reduce the danger of such critical public health risks.

(6) For all projects - whether more efficient operation of an existing system, changing public access, or modifying other regulatory standards (e.g. reduced speed limits, water conservation measures, rodent control, restricted shellfish harvesting) is likely to provide the same or similar level of resolution.

(7) For all projects - whether the public health problem is caused by failure to maintain a public works system.

(8) For all projects - other factors the board finds on the record are significant in light of facts and circumstances unique to the project.

(9) The factors enumerated in subsection (1) must be documented in a letter signed by the public official who signed the application for financial assistance. The factors enumerated in subsections (2) through (5) must be documented in a letter signed by the secretary of health, or designee, and addressed to the public official who signed the application for financial assistance. Factors considered under subsections (6) through (8) must be documented in a manner acceptable to the board.

**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.

#### NEW SECTION

**WAC 399-32-034 How will the board address "substantial environmental degradation" as found in RCW 43.155.070 (1)(d)?** "Substantial environmental degradation" means a situation causing real, documented, critical environmental contamination that contributes to violations of the state's air quality, water quality, or soil contaminate standards, interferes with beneficial uses of the air, water or land, and the problem generally involves a discrete area including, but not limited to, a county, city, subdivision, or an area serviced by on-site wastewater disposal systems.

In determining whether a project is necessary to address substantial environmental degradation, the board shall consider the following factors:

(1) For bridge and road projects - whether motorized or non-motorized vehicle traffic has caused critical environmental degradation of the air, water or soils of the state at the site for which a proposed public works project is the subject of a financial assistance application, and; whether the proposed public works project will eliminate or reduce the chance of such vehicle-caused critical environmental degradation of the air, water, or soils.

(2) For domestic water projects - whether a drinking water system regulated by the department of health has experienced or caused substantial environmental degradation of the air, water or soil of the state, including but not limited to: causing disease or illness to humans, the attraction of rodents, or the killing of fish and shellfish that reside in the waters of the state and; whether the proposed public works project will eliminate or reduce the chance of critical environmental degradation.

(3) For sanitary sewer projects - whether failure of an existing wastewater system, including individual, on-site systems, has caused or is in imminent danger of causing critical environmental degradation of the air, water or soil of the state including, but not limited to: causing disease or

illness to humans, the attraction of rodents, or the killing of fish and shellfish that reside in the waters of the state, and; whether the proposed public works project will eliminate or reduce such critical environmental degradation.

(4) For storm sewer systems - whether of an existing storm sewer system has caused or is in imminent danger of causing critical environmental degradation of the air, water or soil of the state including, but not limited to: causing disease or illness to humans, the attraction of rodents, or the killing of fish and shellfish that reside in the waters of the state, and; whether the proposed public works project will eliminate or reduce such critical environmental degradation.

(5) For solid waste or recycling projects - whether failure of an existing solid waste system or recycling system has caused or is in imminent danger of causing severe environmental degradation of the air, water or soil of the state, including, but not limited to: causing disease or illness to humans, the attraction of rodents, or the killing of fish and shellfish that reside in the waters of the state, and; whether the proposed public works project will eliminate or reduce such occurrences.

(6) For all projects - whether more efficient operation of an existing system, changing public access, or modifying other regulatory standards (e.g. reduced speed limits, water conservation measures, rodent control, restricted shellfish harvesting) is likely to provide the same or similar level of resolution.

(7) For all projects - whether the environmental degradation is caused by failure to maintain a public works system.

(8) For all projects - other factors the board finds on the record are significant in light of facts and circumstances unique to the project.

(9) The factors enumerated in subsections (1) through (5) must be documented in a letter signed by the director of the department of ecology, or designee, and addressed to the public official who signed the application for financial assistance. Factors considered under subsections (6) through (8) must be documented in a manner acceptable to the board.

**Reviser's note:** The section appears as filed by the agency pursuant to RCW 34.08.040; however, the reference to WAC 399-32-034 is probably intended to be to WAC 399-30-034.

**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 97-12-001**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF**  
**NATURAL RESOURCES**  
(Board of Natural Resources)  
[Memorandum—May 21, 1997]

The next regular meeting of the Board of Natural Resources will consist of a two-day retreat being held at the Olympic Natural Resources Center in Forks, Washington on June 2 and 3, 1997.

The retreat will begin at 8:00 a.m. on Monday, June 2, 1997, and will conclude on Tuesday, June 3, 1997, with the regular business meeting which is scheduled to begin at 12:00 p.m. following a morning workshop.

**WSR 97-12-002**  
**NOTICE OF PUBLIC MEETINGS**  
**COUNTY ROAD**  
**ADMINISTRATION BOARD**  
[Memorandum—May 20, 1997]

**\*\*PLEASE NOTE CHANGE\*\***

**MEETING NOTICE**

July 17, 1997  
Kittitas County Courthouse  
205 West 5th, Room 1110  
Ellensburg, WA 98926  
1:00 p.m. to 5:00 p.m.

July 18, 1997  
Kittitas County Courthouse  
205 West 5th, Room 1110  
Ellensburg, WA 98926  
\*\*8:00 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.

If you have questions, please contact Karen Pendleton at (360) 753-5989.

**WSR 97-12-005**  
**NOTICE OF PUBLIC MEETINGS**  
**WHATCOM COMMUNITY COLLEGE**  
[Memorandum—May 20, 1997]

The board of trustees at Whatcom Community College recently revised its annual meeting schedule due to scheduling conflicts for its board members. The board will hold a retreat on August 4, 1997, in lieu of its regularly scheduled July 8, 1997, meeting.

**WSR 97-12-006**  
**NOTICE OF PUBLIC MEETINGS**  
**WASHINGTON STATE LIBRARY**  
(Library Commission)  
[Memorandum—May 21, 1997]

**WASHINGTON STATE LIBRARY COMMISSION**  
**TELEPHONE CONFERENCE CALL MEETING MAY 28, 1997**  
**REVISED LOCATION/TIME - JUNE 12-13, 1997, MEETING**

The Washington State Library Commission will meet via telephone conference call on:

**DATE:** Wednesday, May 28, 1997  
**TIME:** 8:15 a.m. to 8:45 a.m.  
**LOCATION:** via telephone conference call  
**CONTACT:** Cathy M. Stussy, (360) 753-2914

The Washington State Library Commission has revised the location on the following meetings:

**DATE:** Thursday, June 12, 1997  
**TIME:** 3:00 p.m. to 5:00 p.m.  
**LOCATION:** Washington State Library  
Olympia, Washington  
**SUBJECT:** WSL commission briefing meeting

**DATE:** Friday, June 13, 1997  
**TIME:** 9:00 a.m.  
**BREAK:** 10:00 a.m.  
**Dedicate WSL as the "The Joel Pritchard Building"**  
**TIME:** 11:00 to noon  
**SUBJECT:** WSL quarterly business meeting  
**LOCATION:** Cherberg Building  
Olympia, Washington

For additional information, please contact Cathy M. Stussy at (360) 753-2914, FAX (360) 586-7575 or INTERNET [dstussy@statelib.wa.gov](mailto:dstussy@statelib.wa.gov).

**WSR 97-12-007**  
**ATTORNEY GENERAL OPINION**  
**Cite as: AGO 1997 No. 3**  
[May 20, 1997]

**ELECTIONS - CITIES**

RCW 35A.12.030 establishes the qualifications for city council member as (1) being a registered voter of the city at the time of filing a declaration for candidacy and (2) being a resident of the city for at least one year before the election; a person who meets these qualifications need not have been a city resident for one year before filing (interpreting RCW 29.15.025 in light of RCW 35A.12.030).

Requested by:  
The Honorable John Pennington  
State Representative  
18th Legislative District  
P.O. Box 40600  
Olympia, Washington 98504-0600

MISCELLANEOUS

**WSR 97-12-008  
PROCLAMATION  
OFFICE OF THE GOVERNOR**  
[May 22, 1997]

**WHEREAS**, excessive flooding caused by an unusual combination of 150% of normal snow pack amounts above river basins and extended periods of above average temperatures in northeastern Washington is threatening citizens and property of Washington State;

**WHEREAS**, the flooding is causing, and has the potential to cause, damage to homes, businesses, public utilities, public facilities and infrastructure in Pend Oreille County;

**WHEREAS**, the Washington State Military Department has implemented response procedures, and is coordinating resources to support local officials in alleviating the immediate social and economic impacts to people, property, and infrastructure and is assessing the magnitude of the event;

**NOW, THEREFORE**, I, Gary Locke, Governor of the state of Washington, as a result of the aforementioned situation and under RCW 38.08, 38.52, and 43.06, do hereby proclaim that a state of emergency exists in Pend Oreille County and direct the supporting plans and procedures to the *Washington State Comprehensive Emergency Management Plan* be implemented. State agencies and departments are directed to utilize state resources and to do everything possible to assist affected political subdivisions in an effort to respond and recover from the event. I also hereby order into active service the state of Washington National Guard, or such part thereof as may be necessary in the opinion of the Adjutant General to perform such duties as directed by competent authority. Additionally, the Washington State Military Department, Emergency Management Division (EMD) is instructed to coordinate all event-related assistance to the affected areas.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia, this twenty-second day of May, A.D., nineteen hundred and ninety-seven.

Gary Locke  
Governor of Washington

**BY THE GOVERNOR**

Ralph Munro  
Secretary of State

**WSR 97-12-010  
NOTICE OF PUBLIC MEETINGS  
DEPARTMENT OF HEALTH  
(Board of Optometry)**  
[Memorandum—May 22, 1997]

Board of Optometry Meetings for 1997 and 1998

The following meetings have been scheduled for the Washington State Board of Optometry:

- |                    |                     |
|--------------------|---------------------|
| September 12, 1997 | Columbia East Room  |
| December 5, 1997   | Peninsula East Room |
| March 20, 1998     | Victoria Room       |

May 15, 1998  
September 11, 1998

Columbia West Room  
Columbia West Room

All of these meetings will be held at the Seattle Airport Hilton Inn, 17620 Pacific Highway South, Seattle, WA 98188.

**WSR 97-12-012  
NOTICE OF PUBLIC MEETINGS  
COMMUNITY COLLEGES OF SPOKANE**  
[Memorandum—May 21, 1997]

The July 15, 1997, meeting of the board of trustees of Community Colleges of Spokane (Washington State Community College District #17) has been changed to July 22, 1997. The location and time remains the same; 2000 North Greene Street, Spokane, WA 99207, at 1:30 p.m.

**WSR 97-12-013  
NOTICE OF PUBLIC MEETINGS  
BELLINGHAM TECHNICAL COLLEGE**  
[Memorandum—May 27, 1997]

The board of trustees of Bellingham Technical College will hold a study session to discuss budgetary matters, goal setting, and capital construction on Monday, June 2, 1997, 9 a.m. to 3 p.m., at 3826 South Bay, Bellingham, WA. Call 738-3105 ext. 334 for information.

**WSR 97-12-014  
NOTICE OF PUBLIC MEETINGS  
SEATTLE COMMUNITY COLLEGES**  
[Memorandum—May 22, 1997]

The Seattle Community College District board of trustees has scheduled a special meeting to be held Friday, May 30, 1997, beginning at 2:00 p.m.

The meeting will be held at the Puget Sound Regional Office of the Employment Security Department, 400 East Pine Street, Suite 325, Seattle, WA 98122.

**WSR 97-12-040  
NOTICE OF PUBLIC MEETINGS  
WALLA WALLA  
COMMUNITY COLLEGE**  
[Memorandum—May 29, 1997]

This is to advise you of the following change made to Walla Walla Community College's board of trustees meeting schedule:

Changed from:	June 25, 1997, 10:30 a.m., WWCC Main Campus
Changed to:	July 11, 1997, 1:00 p.m., WWCC Main Campus

MISCELLANEOUS

**WSR 97-12-045**  
**NOTICE OF PUBLIC MEETINGS**  
**EDMONDS COMMUNITY COLLEGE**  
 [Memorandum—May 30, 1997]

EDMONDS COMMUNITY COLLEGE  
 BOARD OF TRUSTEES  
 NOTICE OF SPECIAL MEETINGS  
 TO MEDIA/OTHER

- June 2, 1997\* Legislative Contact Team Reception: EdCC, Brier Hall Fine Dining Center (Culinary Connections), 20122 68th Avenue West, 3:00 - 4:30 p.m.
- June 3, 1997\* Retirement Reception for Darrell Hull and Milt Stark: EdCC, Triton Union Building, 20200 68th Avenue West, Room 202, 2:00 - 5:00 p.m.
- June 4, 1997\* Board of Trustees Working Dinner hosting College Leadership and the American Federation of Teachers: EdCC, Triton Union Building, Mulligan's Restaurant, 20200 68th Avenue West, 6:00 - 7:30 p.m.
- June 5, 1997\* Retirement Reception for Merl Deinhart: EdCC, Brier Hall Fine Dining Center (Culinary Connections), 20122 68th Avenue West, 2:30 - 4:00 p.m.
- June 5, 1997\* 1997 Tenure Reception: EdCC, Triton Union Building, 20200 68th Avenue West, Room 202A, 4:00 - 5:30 p.m.
- June 6, 1997\* Farewell Reception for Mary Lou Rozdilsky: EdCC, Triton Union Building, 20200 68th Avenue West, Room 202, 2:00 - 6:00 p.m.
- June 7, 1997\* CWU School of Business and Economics Honors and Awards Banquet: EdCC, Triton Union Building, 20200 68th Avenue West, Room 202, 7:00 - 9:00 p.m.
- June 10, 1997\* Creative Retirement Institute Summer Kick-Off: EdCC, Triton Union Building, 20200 68th Avenue West, Room 202, 5:30 - 6:30 p.m.
- June 12, 1997 Board of Trustees Meeting: EdCC, Sno-King Building, 6600 196th Street S.W., Room 103, 4:00 - 6:30 p.m.
- June 16, 1997\* VIP Social: EdCC, Brier Hall Cafeteria, 20122 68th Avenue West, 4:00 - 5:00 p.m.
- June 19, 1997\* Twin Rivers Corrections Center Graduation: Twin Rivers Corrections Center, 16774 170th Drive S.E., Monroe, 12:40 - 3:00 p.m.
- June 27, 1997\* Governor Gary Locke's Schoolwork Initiative Luncheon: EdCC, Triton Union Building, 20200 68th Avenue West, Room 202, 11:30 a.m. - 2:00 p.m.

\* These events are being scheduled as study sessions where no action will be taken.

**WSR 97-12-046**  
**NOTICE OF PUBLIC MEETINGS**  
**WORKFORCE TRAINING AND**  
**EDUCATION COORDINATING BOARD**  
 [Memorandum—May 30, 1997]

The Workforce Training and Education Coordinating Board will be holding teleconferences on June 4 and June 23, 1997.

1997 BOARD MEETING SITES

The Following Locations are  
 Workforce Training and Education Coordinating Board  
 Meeting Sites for 1997

Tuesday, January 28, 1997  
 The Olympia Center  
 222 North Columbia  
 Olympia, WA

Tuesday, March 25, 1997  
 New Market Skills Center  
 7299 New Market Street  
 Tumwater, WA

Thursday, May 28-29, 1997  
 Chief Lechi School  
 5625 52 Street East  
 Puyallup, WA

Wednesday, June 4, 1997  
 Teleconference

Workforce Training and Education Coordinating Board  
 Olympia, Washington

Monday, June 23, 1997  
 Teleconference

Workforce Training and Education Coordinating Board  
 Olympia, Washington

Wednesday, August 6, 1997  
 Bellingham Technical College  
 3028 Lindberg Avenue  
 Bellingham, WA  
 (Planning Session)

Friday, September 12, 1997  
 Medicine Creek Tribal College  
 2002 East 28th Street  
 Tacoma, WA

Tuesday, October 28, 1997  
 Spokane Community College  
 North 1810 Greene Street  
 Spokane, WA

Friday, December 12, 1997  
 Seattle Vocational Institute  
 2120 South Jackson  
 Seattle, WA

**WSR 97-12-064**  
**NOTICE OF PUBLIC MEETINGS**  
**SKAGIT VALLEY COLLEGE**

[Memorandum—June 3, 1997]

SPECIAL MEETING  
 BOARD OF TRUSTEES  
 COMMUNITY COLLEGE DISTRICT NO. 4  
 SKAGIT VALLEY COLLEGE

2405 East College Way  
 Mount Vernon, WA 98273  
 Monday, June 2, 1997, 5:00 p.m.  
 Board Room

Chairperson, Debbie Aldrich, has called a special meeting of the board of trustees on Monday, June 2, 1997, 5:00 p.m. in the board room of the Campus Center Annex. The purpose of the meeting is to discuss the 1997-98 proposed operating budget. No action will be taken at this meeting. The board of trustees will adjourn to executive session for this discussion.

Skagit Valley College will schedule meetings in locations that are free of mobility barriers, and interpreters for deaf individuals and brailled or taped information for blind individuals can be provided when adequate notice is given to the president's office at the college.

**WSR 97-12-065**  
**NOTICE OF PUBLIC MEETINGS**  
**WASHINGTON STATE LIBRARY**

(Library Commission)  
 [Memorandum—May 29, 1997]

WASHINGTON STATE LIBRARY COMMISSION MEETINGS  
 WASHINGTON STATE LIBRARY DEDICATION  
 JOEL PRITCHARD BUILDING - JUNE 13, 1997

The Washington State Library Commission will meet as indicated below:

- DATE: Thursday, June 12, 1997
- TIME: 3:00 p.m. to 5:00 p.m.
- LOCATION: Washington State Library  
 Conference Room  
 Olympia, Washington
- SUBJECT: WSL Commission Briefing Meeting
- DATE: Friday, June 13, 1997
- TIME: 9:00 a.m.
- LOCATION: Cherberg Building  
 Senate Hearing Room 2  
 Olympia, Washington 98504
- SUBJECT: WSL Commission Quarterly Business Meeting
- BREAK: WSL commission will convene at the Washington State Library to participate in the "Joel Pritchard Building" dedication 10:00 to 11:00
- CONVENE: Cherberg Building  
 Senate Hearing Room 2  
 11:00 to noon

For additional information, please contact Cathy M. Stussy at (360) 753-2914 or cstussy@statelib.wa.gov.

Persons with a disability needing reasonable accommodations should contact Cathy Stussy at (360) 753-2914.

**WSR 97-12-066**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF HEALTH**

(Dispensing Optician Examining Committee)  
 [Memorandum—May 30, 1997]

The following meetings have been scheduled for the Washington State Dispensing Optician Examining Committee:

- September 19, 1997 Harbor Room
- October 18, 1997 Harbor Room

All of these meetings will be held at the Seattle Airport Hilton Inn, 17620 Pacific Highway South, Seattle, WA 98188.

**WSR 97-12-083**  
**DEPARTMENT OF ECOLOGY**

[Filed June 4, 1997, 11:24 a.m.]

**FOR YOUR REVIEW AND COMMENT**

The Washington Department of Ecology and the United States Environmental Protection Agency (EPA) for over two decades have shared a mutual mission to protect, preserve and enhance Washington's environment, and promote the wise management of the air, land and water for the benefit of current and future generations. Ecology and EPA have developed a draft environmental partnership agreement that identifies mutual goals as well as activities the two agencies would undertake during the state fiscal year (July 1, 1997 - June 30, 1998) in the areas listed below. This agreement would also serve as the only work plan for most of the EPA grant programs in the air, water and hazardous waste management programs.

- Air Quality
- Resource Conservation and Recovery Act (RCRA)
- Surface and Ground Water Quality Management
- Watershed and Aquatic Habitat Protection
- Enforcement and Compliance

**The Draft Environmental Performance Partnership Agreement will be available after June 23, 1997, for public review and comment.** The agreement will be available as a MS Word document on EPA and ecology's web sites at the following addresses:

- The EPA address is: <http://www.epa.gov/docs/-region10/www/r10.html>. Once in EPA's home page, click on Promoting Innovation and Technology.
- The Ecology address is: <http://www.wa.gov/ecology>.

**If you prefer to receive a printed copy, please contact John Shores, EPA Region 10, EPA Public Information Center, 1200 Sixth Avenue, Seattle, WA 98101, phone (206) 553-1200, FAX (206) 553-0149, e-mail shores.john@epamail.epa.gov.**

MISCELLANEOUS

**Please direct questions and written comments by July 25, 1997, to Jack Boller, EPA Region 10, Washington Operations Office, 300 Desmond Drive, Suite 102, Lacey, WA 98503, phone (360) 753-9428, e-mail boller.jack@epamail.epa.gov.**

MISCELLANEOUS





**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 97-14

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.

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
1-21-010	AMD-P	97-12-068	16-324-400	REP-P	97-07-075	16-324-620	REP	97-11-028
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1-21-070	AMD-P	97-12-068	16-324-401	NEW-P	97-07-075	16-324-630	REP	97-11-028
1-21-170	AMD-P	97-12-068	16-324-401	NEW	97-11-028	16-324-650	REP-P	97-07-075
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16-08-031	AMD-P	97-08-086	16-324-402	NEW	97-11-028	16-324-660	REP-P	97-07-075
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16-324-381	NEW-P	97-07-075	16-324-470	REP-P	97-07-075	16-473-015	NEW-P	97-05-059
16-324-381	NEW	97-11-028	16-324-470	REP	97-11-028	16-473-015	NEW	97-11-015
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16-324-382	NEW	97-11-028	16-324-480	REP	97-11-028	16-473-020	NEW-W	97-05-058
16-324-390	REP-P	97-07-075	16-324-490	REP-P	97-07-075	16-473-020	NEW-P	97-05-059
16-324-390	REP	97-11-028	16-324-490	REP	97-11-028	16-473-020	NEW	97-11-015
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16-324-396	NEW-P	97-07-075	16-324-600	REP-P	97-07-075	16-536-040	AMD-P	97-11-085
16-324-396	NEW	97-11-028	16-324-600	REP	97-11-028	16-573-010	NEW-P	97-11-084
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16-324-397	NEW	97-11-028	16-324-605	REP	97-11-028	16-573-030	NEW-P	97-11-084
16-324-398	NEW-P	97-07-075	16-324-610	REP-P	97-07-075	16-573-040	NEW-P	97-11-084
16-324-398	NEW	97-11-028	16-324-610	REP	97-11-028	16-573-041	NEW-P	97-11-084
			16-324-620	REP-P	97-07-075	16-573-050	NEW-P	97-11-084

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16-573-070	NEW-P	97-11-084	51-32-1119	NEW-W	97-09-042	132V-12-006	REP-P	97-03-128
16-573-080	NEW-P	97-11-084	51-34	PREP	97-03-086	132V-12-006	REP	97-07-048
16-580	PREP	97-10-098	82-50-021	AMD-P	97-10-079	132V-12-009	REP-P	97-03-128
16-662	AMD-P	97-09-080	131-16	AMD-C	97-07-007	132V-12-009	REP	97-07-048
16-662	AMD	97-12-075	131-16-010	AMD-E	97-07-006	132V-12-012	REP-P	97-03-128
16-662-070	REP-P	97-09-080	131-16-010	AMD	97-10-069	132V-12-012	REP	97-07-048
16-662-070	REP	97-12-075	131-16-011	AMD-E	97-07-006	132V-12-015	REP-P	97-03-128
16-662-071	REP-P	97-09-080	131-16-011	AMD	97-10-069	132V-12-015	REP	97-07-048
16-662-071	REP	97-12-075	131-16-021	AMD-E	97-07-006	132V-12-018	REP-P	97-03-128
16-662-100	NEW-P	97-09-080	131-16-021	AMD	97-10-069	132V-12-018	REP	97-07-048
16-662-100	NEW	97-12-075	131-16-050	AMD-E	97-07-006	132V-12-021	REP-P	97-03-128
16-662-105	NEW-P	97-09-080	131-16-050	AMD	97-10-069	132V-12-021	REP	97-07-048
16-662-105	NEW	97-12-075	131-16-060	AMD-E	97-07-006	132V-12-024	REP-P	97-03-128
16-662-110	NEW-P	97-09-080	131-16-060	AMD	97-10-069	132V-12-024	REP	97-07-048
16-662-110	NEW	97-12-075	132E-111-010	PREP	97-08-080	132V-12-027	REP-P	97-03-128
16-662-115	NEW-P	97-09-080	132E-121-010	PREP	97-08-080	132V-12-027	REP	97-07-048
16-662-115	NEW	97-12-075	132E-121-010	AMD-P	97-11-068	132V-12-030	REP-P	97-03-128
16-664-010	NEW-P	97-09-102	132E-133-020	PREP	97-08-081	132V-12-030	REP	97-07-048
16-664-010	NEW	97-12-076	132E-133-020	AMD-P	97-11-069	132V-12-033	REP-P	97-03-128
16-664-020	NEW-P	97-09-102	132K-04	AMD-P	97-07-018	132V-12-033	REP	97-07-048
16-664-020	NEW	97-12-076	132K-04	AMD	97-12-071	132V-12-036	REP-P	97-03-128
16-664-030	NEW-P	97-09-102	132K-04-001	AMD-P	97-07-018	132V-12-036	REP	97-07-048
16-664-030	NEW	97-12-076	132K-04-001	AMD	97-12-071	132V-12-039	REP-P	97-03-128
16-664-040	NEW-P	97-09-102	132K-04-010	AMD-P	97-07-018	132V-12-039	REP	97-07-048
16-664-040	NEW	97-12-076	132K-04-010	AMD	97-12-071	132V-12-042	REP-P	97-03-128
16-664-050	NEW-P	97-09-102	132K-04-020	AMD-P	97-07-018	132V-12-042	REP	97-07-048
16-664-050	NEW	97-12-076	132K-04-020	AMD	97-12-071	132V-12-045	REP-P	97-03-128
16-664-060	NEW-P	97-09-102	132K-04-030	AMD-P	97-07-018	132V-12-045	REP	97-07-048
16-664-060	NEW	97-12-076	132K-04-030	AMD	97-12-071	132V-12-048	REP-P	97-03-128
16-675-010	AMD-P	97-09-103	132K-04-050	AMD-P	97-07-018	132V-12-048	REP	97-07-048
16-675-010	AMD	97-12-024	132K-04-050	AMD	97-12-071	132V-12-051	REP-P	97-03-128
16-675-020	AMD-P	97-09-103	132K-04-070	REP-P	97-07-018	132V-12-051	REP	97-07-048
16-675-020	AMD	97-12-024	132K-04-070	REP	97-12-071	132V-12-054	REP-P	97-03-128
16-675-030	AMD-P	97-09-103	132K-04-080	AMD-P	97-07-018	132V-12-054	REP	97-07-048
16-675-030	AMD	97-12-024	132K-04-080	AMD	97-12-071	132V-12-057	REP-P	97-03-128
16-675-040	AMD-P	97-09-103	132K-04-110	AMD-P	97-07-018	132V-12-057	REP	97-07-048
16-675-040	AMD	97-12-024	132K-04-110	AMD	97-12-071	132V-12-060	REP-P	97-03-128
16-695-005	NEW-E	97-04-020	132K-04-130	AMD-P	97-07-018	132V-12-060	REP	97-07-048
16-695-010	NEW-E	97-04-020	132K-04-130	AMD	97-12-071	132V-12-063	REP-P	97-03-128
16-695-015	NEW-E	97-04-020	132K-08-010	REP-P	97-07-017	132V-12-063	REP	97-07-048
16-695-020	NEW-E	97-04-020	132K-08-010	REP	97-12-070	132V-12-066	REP-P	97-03-128
16-695-025	NEW-E	97-04-020	132N-20	PREP	97-06-008	132V-12-066	REP	97-07-048
16-695-030	NEW-E	97-04-020	132N-20-010	REP-P	97-10-018	132V-12-069	REP-P	97-03-128
16-695-035	NEW-E	97-04-020	132N-20-020	REP-P	97-10-018	132V-12-069	REP	97-07-048
16-695-040	NEW-E	97-04-020	132N-20-030	REP-P	97-10-018	132V-12-072	REP-P	97-03-128
16-695-045	NEW-E	97-04-020	132N-20-040	REP-P	97-10-018	132V-12-072	REP	97-07-048
16-695-050	NEW-E	97-04-020	132N-20-050	REP-P	97-10-018	132V-12-075	REP-P	97-03-128
16-695-055	NEW-E	97-04-020	132N-20-060	REP-P	97-10-018	132V-12-075	REP	97-07-048
16-695-060	NEW-E	97-04-020	132N-20-070	REP-P	97-10-018	132V-12-078	REP-P	97-03-128
16-695-065	NEW-E	97-04-020	132N-20-080	REP-P	97-10-018	132V-12-078	REP	97-07-048
16-695-070	NEW-E	97-04-020	132N-20-090	REP-P	97-10-018	132V-12-084	REP-P	97-03-128
16-695-075	NEW-E	97-04-020	132N-120-010	NEW-P	97-10-018	132V-12-084	REP	97-07-048
16-695-080	NEW-E	97-04-020	132N-120-020	NEW-P	97-10-018	132V-12-087	REP-P	97-03-128
16-700-010	AMD	97-04-078	132N-120-030	NEW-P	97-10-018	132V-12-087	REP	97-07-048
16-700-021	AMD-S	97-04-077	132N-120-040	NEW-P	97-10-018	132V-12-096	REP-P	97-03-128
16-700-021	AMD	97-04-078	132N-120-050	NEW-P	97-10-018	132V-12-096	REP	97-07-048
16-700-021	AMD-C	97-09-025	132N-120-060	NEW-P	97-10-018	132V-12-120	REP-P	97-03-128
16-700-021	AMD	97-12-028	132N-120-065	NEW-P	97-10-018	132V-12-120	REP	97-07-048
16-700-040	AMD	97-04-078	132N-120-070	NEW-P	97-10-018	132V-12-144	REP-P	97-03-128
16-700-050	AMD	97-04-078	132N-120-080	NEW-P	97-10-018	132V-12-144	REP	97-07-048
16-700-060	AMD	97-04-078	132N-120-090	NEW-P	97-10-018	132V-12-147	REP-P	97-03-128
16-700-080	AMD	97-04-078	132N-120-100	NEW-P	97-10-018	132V-12-147	REP	97-07-048
16-750	PREP	97-12-019	132N-120-110	NEW-P	97-10-018	132V-12-150	REP-P	97-03-128
16-750-003	AMD	97-06-108	132N-120-120	NEW-P	97-10-018	132V-12-150	REP	97-07-048
16-750-011	AMD	97-06-108	132N-120-130	NEW-P	97-10-018	132V-12-153	REP-P	97-03-128
16-750-015	AMD	97-06-108	132N-120-140	NEW-P	97-10-018	132V-12-153	REP	97-07-048
16-750-020	AMD	97-06-108	132N-120-150	NEW-P	97-10-018	132V-12-165	REP-P	97-03-128
16-750-130	AMD	97-06-108	132N-120-160	NEW-P	97-10-018	132V-12-165	REP	97-07-048
51-11-1210	AMD	97-03-017	132N-120-170	NEW-P	97-10-018	132V-12-168	REP-P	97-03-128
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51-26	PREP	97-06-107	132P-116	PREP	97-10-076	132V-12-171	REP-P	97-03-128
51-27	PREP	97-06-107	132V-12-003	REP-P	97-03-128	132V-12-171	REP	97-07-048

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132V-12-174	REP	97-07-048	132V-12-284	REP-P	97-03-128	132V-12-392	REP	97-07-048
132V-12-177	REP-P	97-03-128	132V-12-284	REP	97-07-048	132V-12-398	REP-P	97-03-128
132V-12-177	REP	97-07-048	132V-12-287	REP-P	97-03-128	132V-12-398	REP	97-07-048
132V-12-180	REP-P	97-03-128	132V-12-287	REP	97-07-048	132V-12-401	REP-P	97-03-128
132V-12-180	REP	97-07-048	132V-12-290	REP-P	97-03-128	132V-12-401	REP	97-07-048
132V-12-183	REP-P	97-03-128	132V-12-290	REP	97-07-048	132V-12-404	REP-P	97-03-128
132V-12-183	REP	97-07-048	132V-12-293	REP-P	97-03-128	132V-12-404	REP	97-07-048
132V-12-186	REP-P	97-03-128	132V-12-293	REP	97-07-048	132V-12-407	REP-P	97-03-128
132V-12-186	REP	97-07-048	132V-12-296	REP-P	97-03-128	132V-12-407	REP	97-07-048
132V-12-189	REP-P	97-03-128	132V-12-296	REP	97-07-048	132V-12-410	REP-P	97-03-128
132V-12-189	REP	97-07-048	132V-12-299	REP-P	97-03-128	132V-12-410	REP	97-07-048
132V-12-192	REP-P	97-03-128	132V-12-299	REP	97-07-048	132V-12-413	REP-P	97-03-128
132V-12-192	REP	97-07-048	132V-12-302	REP-P	97-03-128	132V-12-413	REP	97-07-048
132V-12-195	REP-P	97-03-128	132V-12-302	REP	97-07-048	132V-12-416	REP-P	97-03-128
132V-12-195	REP	97-07-048	132V-12-305	REP-P	97-03-128	132V-12-416	REP	97-07-048
132V-12-198	REP-P	97-03-128	132V-12-305	REP	97-07-048	132V-12-419	REP-P	97-03-128
132V-12-198	REP	97-07-048	132V-12-308	REP-P	97-03-128	132V-12-419	REP	97-07-048
132V-12-201	REP-P	97-03-128	132V-12-308	REP	97-07-048	132V-12-422	REP-P	97-03-128
132V-12-201	REP	97-07-048	132V-12-311	REP-P	97-03-128	132V-12-422	REP	97-07-048
132V-12-204	REP-P	97-03-128	132V-12-311	REP	97-07-048	132V-12-425	REP-P	97-03-128
132V-12-204	REP	97-07-048	132V-12-314	REP-P	97-03-128	132V-12-425	REP	97-07-048
132V-12-207	REP-P	97-03-128	132V-12-314	REP	97-07-048	132V-12-428	REP-P	97-03-128
132V-12-207	REP	97-07-048	132V-12-317	REP-P	97-03-128	132V-12-428	REP	97-07-048
132V-12-210	REP-P	97-03-128	132V-12-317	REP	97-07-048	132V-12-431	REP-P	97-03-128
132V-12-210	REP	97-07-048	132V-12-320	REP-P	97-03-128	132V-12-431	REP	97-07-048
132V-12-213	REP-P	97-03-128	132V-12-320	REP	97-07-048	132V-12-434	REP-P	97-03-128
132V-12-213	REP	97-07-048	132V-12-323	REP-P	97-03-128	132V-12-434	REP	97-07-048
132V-12-216	REP-P	97-03-128	132V-12-323	REP	97-07-048	136-130-060	AMD	97-06-006
132V-12-216	REP	97-07-048	132V-12-326	REP-P	97-03-128	137-28-140	AMD	97-03-041
132V-12-219	REP-P	97-03-128	132V-12-326	REP	97-07-048	137-28-160	AMD	97-03-041
132V-12-219	REP	97-07-048	132V-12-329	REP-P	97-03-128	137-28-220	AMD	97-03-041
132V-12-222	REP-P	97-03-128	132V-12-329	REP	97-07-048	137-28-260	AMD	97-03-041
132V-12-222	REP	97-07-048	132V-12-332	REP-P	97-03-128	137-28-350	AMD	97-03-041
132V-12-225	REP-P	97-03-128	132V-12-332	REP	97-07-048	137-55-010	NEW	97-03-041
132V-12-225	REP	97-07-048	132V-12-335	REP-P	97-03-128	137-55-020	NEW	97-03-041
132V-12-228	REP-P	97-03-128	132V-12-335	REP	97-07-048	137-55-030	NEW	97-03-041
132V-12-228	REP	97-07-048	132V-12-338	REP-P	97-03-128	137-55-040	NEW	97-03-041
132V-12-231	REP-P	97-03-128	132V-12-338	REP	97-07-048	137-55-050	NEW	97-03-041
132V-12-231	REP	97-07-048	132V-12-341	REP-P	97-03-128	137-55-060	NEW	97-03-041
132V-12-234	REP-P	97-03-128	132V-12-341	REP	97-07-048	172-120-015	NEW	97-06-095
132V-12-234	REP	97-07-048	132V-12-344	REP-P	97-03-128	172-120-020	AMD	97-06-095
132V-12-237	REP-P	97-03-128	132V-12-344	REP	97-07-048	172-120-030	AMD	97-06-095
132V-12-237	REP	97-07-048	132V-12-347	REP-P	97-03-128	172-120-040	AMD	97-06-095
132V-12-240	REP-P	97-03-128	132V-12-347	REP	97-07-048	172-120-050	AMD	97-06-095
132V-12-240	REP	97-07-048	132V-12-350	REP-P	97-03-128	172-120-060	AMD	97-06-095
132V-12-243	REP-P	97-03-128	132V-12-350	REP	97-07-048	172-120-070	AMD	97-06-095
132V-12-243	REP	97-07-048	132V-12-353	REP-P	97-03-128	172-120-080	AMD	97-06-095
132V-12-246	REP-P	97-03-128	132V-12-353	REP	97-07-048	172-120-090	AMD	97-06-095
132V-12-246	REP	97-07-048	132V-12-356	REP-P	97-03-128	172-120-100	AMD	97-06-095
132V-12-249	REP-P	97-03-128	132V-12-356	REP	97-07-048	172-120-110	AMD	97-06-095
132V-12-249	REP	97-07-048	132V-12-359	REP-P	97-03-128	172-120-120	AMD	97-06-095
132V-12-252	REP-P	97-03-128	132V-12-359	REP	97-07-048	172-120-130	AMD	97-06-095
132V-12-252	REP	97-07-048	132V-12-362	REP-P	97-03-128	172-120-140	AMD	97-06-095
132V-12-255	REP-P	97-03-128	132V-12-362	REP	97-07-048	172-120-150	REP	97-06-095
132V-12-255	REP	97-07-048	132V-12-365	REP-P	97-03-128	173-22	AMD-C	97-03-129
132V-12-258	REP-P	97-03-128	132V-12-365	REP	97-07-048	173-22	AMD	97-04-076
132V-12-258	REP	97-07-048	132V-12-368	REP-P	97-03-128	173-22-015	REP	97-04-076
132V-12-261	REP-P	97-03-128	132V-12-368	REP	97-07-048	173-22-030	AMD	97-04-076
132V-12-261	REP	97-07-048	132V-12-371	REP-P	97-03-128	173-22-035	NEW	97-04-076
132V-12-264	REP-P	97-03-128	132V-12-371	REP	97-07-048	173-22-040	AMD	97-04-076
132V-12-264	REP	97-07-048	132V-12-374	REP-P	97-03-128	173-22-070	AMD	97-04-076
132V-12-267	REP-P	97-03-128	132V-12-374	REP	97-07-048	173-22-080	NEW	97-04-076
132V-12-267	REP	97-07-048	132V-12-377	REP-P	97-03-128	173-95A-010	NEW-E	97-12-022
132V-12-270	REP-P	97-03-128	132V-12-377	REP	97-07-048	173-95A-020	NEW-E	97-12-022
132V-12-270	REP	97-07-048	132V-12-380	REP-P	97-03-128	173-95A-030	NEW-E	97-12-022
132V-12-273	REP-P	97-03-128	132V-12-380	REP	97-07-048	173-95A-040	NEW-E	97-12-022
132V-12-273	REP	97-07-048	132V-12-383	REP-P	97-03-128	173-95A-050	NEW-E	97-12-022
132V-12-276	REP-P	97-03-128	132V-12-383	REP	97-07-048	173-152-010	NEW-E	97-10-091
132V-12-276	REP	97-07-048	132V-12-386	REP-P	97-03-128	173-152-020	NEW-E	97-10-091
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132V-12-279	REP	97-07-048	132V-12-389	REP-P	97-03-128	173-152-040	NEW-E	97-10-091
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173-162	PREP	97-10-093	180-75-047	REP	97-04-088	180-78A-060	NEW	97-04-084
173-201A-020	AMD-P	97-12-034	180-75-048	REP	97-04-088	180-78A-063	NEW	97-04-084
173-201A-030	AMD-P	97-12-034	180-75-050	REP	97-04-088	180-78A-065	NEW	97-04-084
173-201A-040	AMD-P	97-12-034	180-75-055	REP	97-04-088	180-78A-068	NEW	97-04-084
173-201A-050	AMD-P	97-12-034	180-75-060	REP	97-04-088	180-78A-073	NEW	97-04-084
173-201A-060	AMD-P	97-12-034	180-75-061	REP	97-04-088	180-78A-074	NEW	97-04-084
173-201A-110	AMD-P	97-12-034	180-75-065	REP	97-04-088	180-78A-075	NEW	97-04-084
173-201A-130	AMD-P	97-12-034	180-75-070	REP	97-04-088	180-78A-080	NEW	97-04-084
173-201A-140	AMD-P	97-12-034	180-75-081	DECOD	97-04-082	180-78A-135	NEW	97-04-084
173-201A-160	AMD-P	97-12-034	180-75-082	REP	97-04-088	180-78A-140	NEW	97-04-084
173-202-020	AMD-E	97-05-039	180-75-083	DECOD	97-04-082	180-78A-142	NEW	97-04-084
173-202-020	PREP	97-08-038	180-75-085	REP	97-04-088	180-78A-145	NEW	97-04-084
173-303	PREP	97-04-062	180-75-087	REP	97-04-088	180-78A-150	NEW	97-04-084
173-401-735	AMD-P	97-04-061	180-75-088	REP	97-04-088	180-78A-155	NEW	97-04-084
173-401-735	AMD	97-08-084	180-75-089	REP	97-04-088	180-78A-160	NEW	97-04-084
173-430-040	AMD	97-03-021	180-75-090	REP	97-04-088	180-78A-165	NEW	97-04-084
173-490	PREP	97-09-018	180-75-091	REP	97-04-088	180-78A-195	NEW	97-04-084
173-491	PREP	97-09-018	180-75-092	REP	97-04-088	180-78A-197	NEW	97-04-084
173-491-020	AMD	97-04-012	180-75-100	REP	97-04-088	180-78A-201	NEW	97-04-084
173-491-040	AMD	97-04-012	180-75-110	REP	97-04-088	180-78A-260	NEW	97-04-084
173-491-050	AMD	97-04-012	180-77	PREP	97-10-016	180-78A-265	NEW	97-04-084
173-531A	PREP	97-12-092	180-77-003	AMD	97-04-085	180-78A-266	NEW	97-04-084
173-563-090	PREP	97-12-092	180-77-031	AMD	97-04-085	180-78A-300	NEW	97-04-084
174-116	PREP	97-05-044	180-77-041	AMD	97-04-085	180-78A-301	NEW	97-04-084
174-122	PREP	97-05-044	180-77-120	AMD	97-04-085	180-78A-302	NEW	97-04-084
174-122-010	REP-P	97-09-084	180-77A-003	NEW	97-04-087	180-78A-303	NEW	97-04-084
174-122-020	REP-P	97-09-084	180-77A-004	NEW	97-04-087	180-78A-304	NEW	97-04-084
174-122-030	REP-P	97-09-084	180-77A-006	NEW	97-04-087	180-78A-305	NEW	97-04-084
174-122-040	REP-P	97-09-084	180-77A-012	NEW	97-04-087	180-78A-306	NEW	97-04-084
174-130	PREP	97-05-044	180-77A-014	NEW	97-04-087	180-78A-320	NEW	97-04-084
174-130-010	REP-P	97-09-084	180-77A-016	NEW	97-04-087	180-78A-340	NEW	97-04-084
174-130-020	REP-P	97-09-084	180-77A-018	NEW	97-04-087	180-78A-345	NEW	97-04-084
174-133	PREP	97-05-044	180-77A-020	NEW	97-04-087	180-78A-350	NEW	97-04-084
174-133-020	AMD-P	97-09-084	180-77A-025	NEW	97-04-087	180-78A-355	NEW	97-04-084
174-140	PREP	97-05-044	180-77A-026	NEW	97-04-087	180-78A-360	NEW	97-04-084
174-140-010	NEW-P	97-09-084	180-77A-028	NEW	97-04-087	180-78A-365	NEW	97-04-084
174-140-180	REP-P	97-09-084	180-77A-029	NEW	97-04-087	180-79-003	REP	97-04-088
174-140-190	REP-P	97-09-084	180-77A-030	NEW	97-04-087	180-79-005	REP	97-04-088
174-140-200	REP-P	97-09-084	180-77A-033	NEW	97-04-087	180-79-010	REP	97-04-088
174-140-210	REP-P	97-09-084	180-77A-037	NEW	97-04-087	180-79-031	REP	97-04-088
174-140-220	REP-P	97-09-084	180-77A-040	NEW	97-04-087	180-79-032	REP	97-04-088
174-140-230	REP-P	97-09-084	180-77A-057	NEW	97-04-087	180-79-035	REP	97-04-088
174-140-240	REP-P	97-09-084	180-77A-165	NEW	97-04-087	180-79-041	REP	97-04-088
174-276	PREP	97-05-044	180-77A-170	NEW	97-04-087	180-79-045	REP	97-04-088
174-276	AMD-P	97-09-084	180-77A-175	NEW	97-04-087	180-79-047	REP	97-04-088
174-276-005	NEW-P	97-09-084	180-77A-180	NEW	97-04-087	180-79-049	REP	97-04-088
174-276-010	AMD-P	97-09-084	180-77A-195	NEW	97-04-087	180-79-060	REP	97-04-088
174-276-040	AMD-P	97-09-084	180-78-205	AMD	97-04-081	180-79-062	REP	97-04-088
174-276-050	AMD-P	97-09-084	180-78-207	RECOD	97-04-081	180-79-063	REP	97-04-088
174-276-060	AMD-P	97-09-084	180-78-215	AMD	97-04-081	180-79-065	REP	97-04-088
174-276-080	AMD-P	97-09-084	180-78-217	RECOD	97-04-081	180-79-075	REP	97-04-088
174-276-090	AMD-P	97-09-084	180-78-235	AMD	97-04-081	180-79-080	REP	97-04-088
174-276-095	NEW-P	97-09-084	180-78-237	RECOD	97-04-081	180-79-086	REP	97-04-088
180-16	PREP	97-10-014	180-78-285	AMD	97-04-081	180-79-115	REP	97-04-088
180-16-221	AMD	97-04-083	180-78A	PREP	97-10-007	180-79-117	REP	97-04-088
180-16-222	AMD	97-04-083	180-78A	PREP	97-10-013	180-79-120	REP	97-04-088
180-16-223	REP	97-04-083	180-78A-003	NEW	97-04-084	180-79-121	REP	97-04-088
180-16-224	REP	97-04-083	180-78A-004	NEW	97-04-084	180-79-122	REP	97-04-088
180-16-236	PREP	97-10-008	180-78A-005	NEW	97-04-084	180-79-123	REP	97-04-088
180-24	PREP	97-09-032	180-78A-006	NEW	97-04-084	180-79-124	REP	97-04-088
180-27-056	PREP	97-09-115	180-78A-007	NEW	97-04-084	180-79-125	REP	97-04-088
180-33-025	PREP	97-09-116	180-78A-010	NEW	97-04-084	180-79-126	REP	97-04-088
180-40-260	AMD-P	97-04-067	180-78A-010	PREP	97-10-006	180-79-127	REP	97-04-088
180-40-260	AMD	97-08-019	180-78A-012	NEW	97-04-084	180-79-128	REP	97-04-088
180-40-310	AMD-P	97-04-067	180-78A-015	NEW	97-04-084	180-79-131	DECOD	97-04-081
180-40-310	AMD	97-08-019	180-78A-025	NEW	97-04-084	180-79-136	DECOD	97-04-081
180-51-050	AMD-P	97-04-066	180-78A-026	NEW	97-04-084	180-79-140	DECOD	97-04-081
180-51-050	AMD	97-08-020	180-78A-028	NEW	97-04-084	180-79-230	REP	97-04-088
180-75-003	REP	97-04-088	180-78A-030	NEW	97-04-084	180-79-236	REP	97-04-088
180-75-005	REP	97-04-088	180-78A-033	NEW	97-04-084	180-79-241	REP	97-04-088
180-75-016	REP	97-04-088	180-78A-037	NEW	97-04-084	180-79-245	REP	97-04-088
180-75-017	REP	97-04-088	180-78A-047	NEW	97-04-084	180-79-247	REP	97-04-088

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
180-79-300	REP	97-04-088	180-79A-161	NEW	97-04-088	180-79A-430	NEW	97-04-088
180-79-303	REP	97-04-088	180-79A-165	NEW	97-04-088	180-79A-433	NEW	97-04-088
180-79-305	REP	97-04-088	180-79A-170	NEW	97-04-088	180-79A-435	NEW	97-04-088
180-79-311	REP	97-04-088	180-79A-200	NEW	97-04-088	180-79A-440	NEW	97-04-088
180-79-312	REP	97-04-088	180-79A-205	NEW	97-04-088	180-79A-445	NEW	97-04-088
180-79-315	REP	97-04-088	180-79A-210	NEW	97-04-088	180-79A-503	NEW	97-04-088
180-79-317	REP	97-04-088	180-79A-215	NEW	97-04-088	180-79A-510	NEW	97-04-088
180-79-320	REP	97-04-088	180-79A-220	NEW	97-04-088	180-79A-515	NEW	97-04-088
180-79-322	REP	97-04-088	180-79A-225	NEW	97-04-088	180-79A-517	NEW	97-04-088
180-79-324	REP	97-04-088	180-79A-230	NEW	97-04-088	180-79A-520	NEW	97-04-088
180-79-326	REP	97-04-088	180-79A-230	PREP	97-10-009	180-85	PREP	97-10-011
180-79-328	REP	97-04-088	180-79A-236	NEW	97-04-088	180-85-025	AMD	97-04-086
180-79-330	REP	97-04-088	180-79A-241	NEW	97-04-088	180-85-030	AMD	97-04-086
180-79-332	REP	97-04-088	180-79A-300	NEW	97-04-088	180-85-110	REP	97-04-086
180-79-333	REP	97-04-088	180-79A-302	NEW	97-04-088	180-85-115	REP	97-04-086
180-79-334	REP	97-04-088	180-79A-304	NEW	97-04-088	180-85-120	REP	97-04-086
180-79-336	REP	97-04-088	180-79A-306	NEW	97-04-088	180-85-135	REP	97-04-086
180-79-338	REP	97-04-088	180-79A-308	NEW	97-04-088	180-85-200	AMD	97-04-086
180-79-340	REP	97-04-088	180-79A-310	NEW	97-04-088	180-85-210	AMD	97-04-086
180-79-342	REP	97-04-088	180-79A-311	NEW	97-04-088	180-85-211	NEW	97-04-086
180-79-344	REP	97-04-088	180-79A-312	NEW	97-04-088	180-85-215	AMD	97-04-086
180-79-346	REP	97-04-088	180-79A-315	NEW	97-04-088	180-86-011	NEW	97-04-082
180-79-348	REP	97-04-088	180-79A-317	NEW	97-04-088	180-86-013	RECOD	97-04-082
180-79-350	REP	97-04-088	180-79A-320	NEW	97-04-088	180-86-014	RECOD	97-04-082
180-79-352	REP	97-04-088	180-79A-322	NEW	97-04-088	180-86-080	NEW	97-05-008
180-79-354	REP	97-04-088	180-79A-324	NEW	97-04-088	180-86-080	NEW-W	97-05-043
180-79-356	REP	97-04-088	180-79A-326	NEW	97-04-088	180-86-086	NEW-W	97-05-043
180-79-358	REP	97-04-088	180-79A-328	NEW	97-04-088	180-86-116	NEW	97-05-008
180-79-360	REP	97-04-088	180-79A-330	NEW	97-04-088	180-86-116	NEW-W	97-05-043
180-79-362	REP	97-04-088	180-79A-332	NEW	97-04-088	180-87-070	PREP	97-10-025
180-79-364	REP	97-04-088	180-79A-333	NEW	97-04-088	180-97	PREP	97-10-010
180-79-366	REP	97-04-088	180-79A-334	NEW	97-04-088	180-110	PREP	97-05-027
180-79-368	REP	97-04-088	180-79A-336	NEW	97-04-088	180-115	PREP	97-05-026
180-79-370	REP	97-04-088	180-79A-338	NEW	97-04-088	182-08-160	AMD-E	97-06-071
180-79-372	REP	97-04-088	180-79A-340	NEW	97-04-088	182-08-175	AMD-E	97-06-071
180-79-374	REP	97-04-088	180-79A-342	NEW	97-04-088	182-12-117	AMD-E	97-06-070
180-79-376	REP	97-04-088	180-79A-344	NEW	97-04-088	182-25-010	AMD-P	97-08-067
180-79-378	REP	97-04-088	180-79A-346	NEW	97-04-088	182-25-020	AMD-P	97-08-067
180-79-379	REP	97-04-088	180-79A-348	NEW	97-04-088	182-25-030	AMD-E	97-06-069
180-79-380	REP	97-04-088	180-79A-350	NEW	97-04-088	182-25-030	AMD-P	97-08-067
180-79-382	REP	97-04-088	180-79A-352	NEW	97-04-088	182-25-040	AMD-E	97-06-069
180-79-384	REP	97-04-088	180-79A-354	NEW	97-04-088	182-25-040	AMD-P	97-08-067
180-79-386	REP	97-04-088	180-79A-356	NEW	97-04-088	182-25-090	AMD-E	97-06-069
180-79-388	REP	97-04-088	180-79A-358	NEW	97-04-088	182-25-090	AMD-P	97-08-067
180-79-390	REP	97-04-088	180-79A-360	NEW	97-04-088	196-12-010	PREP	97-03-029
180-79-392	REP	97-04-088	180-79A-362	NEW	97-04-088	196-12-020	PREP	97-03-029
180-79-394	REP	97-04-088	180-79A-364	NEW	97-04-088	196-12-030	PREP	97-03-029
180-79-396	REP	97-04-088	180-79A-366	NEW	97-04-088	196-12-050	PREP	97-03-029
180-79-398	REP	97-04-088	180-79A-368	NEW	97-04-088	196-12-060	PREP	97-03-029
180-79A	PREP	97-09-015	180-79A-370	NEW	97-04-088	196-24-030	PREP	97-03-029
180-79A-003	NEW	97-04-088	180-79A-372	NEW	97-04-088	196-24-040	PREP	97-03-029
180-79A-005	NEW	97-04-088	180-79A-374	NEW	97-04-088	196-24-050	PREP	97-03-029
180-79A-010	NEW	97-04-088	180-79A-376	NEW	97-04-088	196-24-085	PREP	97-03-029
180-79A-012	NEW	97-04-088	180-79A-378	NEW	97-04-088	196-24-100	PREP	97-03-029
180-79A-013	NEW	97-04-088	180-79A-379	NEW	97-04-088	196-24-105	PREP	97-03-029
180-79A-015	NEW	97-04-088	180-79A-380	NEW	97-04-088	197-11	PREP	97-03-130
180-79A-020	NEW	97-04-088	180-79A-382	NEW	97-04-088	197-11-055	AMD-P	97-08-085
180-79A-022	NEW	97-04-088	180-79A-384	NEW	97-04-088	197-11-060	AMD-P	97-08-085
180-79A-025	NEW	97-04-088	180-79A-386	NEW	97-04-088	197-11-070	AMD-P	97-08-085
180-79A-101	NEW	97-04-088	180-79A-388	NEW	97-04-088	197-11-158	NEW-P	97-08-085
180-79A-105	NEW	97-04-088	180-79A-390	NEW	97-04-088	197-11-164	NEW-P	97-08-085
180-79A-110	NEW	97-04-088	180-79A-392	NEW	97-04-088	197-11-168	NEW-P	97-08-085
180-79A-115	NEW	97-04-088	180-79A-394	NEW	97-04-088	197-11-172	NEW-P	97-08-085
180-79A-117	NEW	97-04-088	180-79A-396	NEW	97-04-088	197-11-210	AMD-P	97-08-085
180-79A-120	NEW	97-04-088	180-79A-398	NEW	97-04-088	197-11-238	NEW-P	97-08-085
180-79A-122	NEW	97-04-088	180-79A-403	NEW	97-04-088	197-11-259	AMD-P	97-08-085
180-79A-125	NEW	97-04-088	180-79A-405	NEW	97-04-088	197-11-300	AMD-P	97-08-085
180-79A-126	NEW	97-04-088	180-79A-415	NEW	97-04-088	197-11-310	AMD-P	97-08-085
180-79A-130	NEW	97-04-088	180-79A-417	NEW	97-04-088	197-11-315	AMD-P	97-08-085
180-79A-131	NEW	97-04-088	180-79A-420	NEW	97-04-088	197-11-330	AMD-P	97-08-085
180-79A-140	NEW	97-04-088	180-79A-422	NEW	97-04-088	197-11-340	AMD-P	97-08-085
180-79A-150	NEW	97-04-088	180-79A-423	NEW	97-04-088	197-11-355	NEW-P	97-08-085
180-79A-160	NEW	97-04-088	180-79A-424	NEW	97-04-088	197-11-390	AMD-P	97-08-085

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197-11-408	AMD-P	97-08-085	212-17-215	REP-E	97-11-023	220-47-325	NEW-P	97-09-096
197-11-502	AMD-P	97-08-085	212-17-215	RESCIND	97-11-041	220-47-326	NEW-P	97-09-096
197-11-508	AMD-P	97-08-085	212-17-215	REP-E	97-11-041	220-47-401	AMD-P	97-09-104
197-11-535	AMD-P	97-08-085	212-17-21503	NEW-E	97-11-023	220-47-410	NEW-P	97-09-104
197-11-600	AMD-P	97-08-085	212-17-21503	RESCIND	97-11-041	220-47-411	AMD-P	97-09-104
197-11-660	AMD-P	97-08-085	212-17-21503	NEW-E	97-11-041	220-47-427	AMD-P	97-09-104
197-11-680	AMD-P	97-08-085	212-17-21505	NEW-E	97-11-023	220-47-428	AMD-P	97-09-104
197-11-702	AMD-P	97-08-085	212-17-21505	RESCIND	97-11-041	220-48-015	AMD	97-07-053
197-11-721	NEW-P	97-08-085	212-17-21505	NEW-E	97-11-041	220-52-03000K	NEW-E	97-07-050
197-11-728	AMD-P	97-08-085	212-17-21507	NEW-E	97-11-023	220-52-03000K	REP-E	97-07-050
197-11-775	NEW-P	97-08-085	212-17-21507	RESCIND	97-11-041	220-52-040	AMD	97-08-052
197-11-790	AMD-P	97-08-085	212-17-21507	NEW-E	97-11-041	220-52-04000D	NEW-E	97-05-029
197-11-800	AMD-P	97-08-085	212-17-21509	NEW-E	97-11-023	220-52-046	AMD	97-08-052
197-11-912	AMD-P	97-08-085	212-17-21509	RESCIND	97-11-041	220-52-04600T	NEW-E	97-05-029
197-11-914	AMD-P	97-08-085	212-17-21509	NEW-E	97-11-041	220-52-04600U	REP-E	97-06-054
197-11-938	AMD-P	97-08-085	212-17-21511	NEW-E	97-11-023	220-52-04600U	NEW-E	97-06-054
197-11-940	AMD-P	97-08-085	212-17-21511	RESCIND	97-11-041	220-52-07300L	REP-E	97-03-045
197-11-948	AMD-P	97-08-085	212-17-21511	NEW-E	97-11-041	220-52-07300M	NEW-E	97-03-045
197-11-970	AMD-P	97-08-085	212-17-21513	NEW-E	97-11-023	220-52-07300M	REP-E	97-03-101
204-10-035	NEW	97-03-087	212-17-21515	NEW-E	97-11-023	220-52-07300N	NEW-E	97-03-101
204-10-045	PREP	97-03-042	212-17-21515	RESCIND	97-11-041	220-52-07300N	REP-E	97-04-011
204-10-045	NEW-P	97-07-036	212-17-21515	NEW-E	97-11-041	220-52-07300P	NEW-E	97-04-011
204-10-045	NEW	97-10-024	212-17-21517	NEW-E	97-11-041	220-52-07300P	REP-E	97-04-049
204-41-060	PREP	97-03-043	212-17-21519	NEW-E	97-11-023	220-52-07300Q	NEW-E	97-04-049
204-41-060	NEW-P	97-07-037	212-17-21519	RESCIND	97-11-041	220-52-07300Q	REP-E	97-05-025
204-41-060	NEW	97-10-023	212-17-21519	NEW-E	97-11-041	220-52-07300R	NEW-E	97-05-025
204-60	AMD	97-04-054	212-17-21521	NEW-E	97-11-023	220-52-075	AMD	97-08-052
204-60-010	AMD	97-04-054	212-17-21521	RESCIND	97-11-041	220-56	AMD-C	97-05-075
204-60-030	AMD	97-04-054	220-20-020	AMD-P	97-04-080	220-56-100	AMD	97-07-078
204-72-040	PREP	97-06-100	220-20-020	AMD	97-07-043	220-56-103	AMD	97-07-078
204-72-040	AMD-P	97-09-069	220-20-021	AMD-P	97-04-080	220-56-105	AMD	97-07-078
204-72-040	AMD	97-12-061	220-20-021	AMD	97-07-043	220-56-115	AMD-W	97-10-075
204-90-040	AMD	97-04-055	220-20-038	AMD	97-08-078	220-56-128	AMD	97-07-078
204-91A-060	AMD-S	97-04-053	220-24-02000D	NEW-E	97-10-029	220-56-12800A	NEW-E	97-10-043
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232-28-61900E	NEW-E	97-04-001	246-10-401	AMD	97-12-089	246-838-026	REP-P	97-07-074
232-28-61900F	NEW-E	97-06-034	246-10-403	AMD-P	97-08-092	246-838-030	REP-P	97-07-074
232-28-61900F	REP-E	97-06-034	246-10-403	AMD	97-12-089	246-838-040	REP-P	97-07-074
232-28-61900F	REP-E	97-12-035	246-10-605	AMD-P	97-08-092	246-838-050	REP-P	97-07-074
232-28-61900G	NEW-E	97-07-056	246-10-605	AMD	97-12-089	246-838-060	REP-P	97-07-074
232-28-61900G	REP-E	97-07-056	246-10-608	AMD-P	97-08-092	246-838-070	REP-P	97-07-074
232-28-61900H	NEW-E	97-08-047	246-10-608	AMD	97-12-089	246-838-080	REP-P	97-07-074
232-28-61900H	REP-E	97-08-047	246-10-701	AMD-P	97-08-092	246-838-090	REP-P	97-07-074
232-28-61900I	NEW-E	97-09-068	246-10-701	AMD	97-12-089	246-838-100	REP-P	97-07-074
232-28-61900J	NEW-E	97-10-043	246-10-704	AMD-P	97-08-092	246-838-110	REP-P	97-07-074
232-28-61900K	NEW-E	97-12-035	246-10-704	AMD	97-12-089	246-838-120	REP-P	97-07-074
236-48-198	AMD	97-04-025	246-10-707	AMD-P	97-08-092	246-838-121	REP-P	97-07-074
242-02-010	AMD	97-04-008	246-10-707	AMD	97-12-089	246-838-130	REP-P	97-07-074
242-02-030	AMD	97-04-008	246-11-010	AMD-P	97-08-092	246-838-250	REP-P	97-07-074
242-02-040	AMD	97-04-008	246-11-070	AMD-P	97-08-092	246-838-260	REP-P	97-07-074
242-02-060	AMD	97-04-008	246-11-080	AMD-P	97-08-092	246-838-270	REP-P	97-07-074
242-02-070	AMD	97-04-008	246-11-200	AMD-P	97-08-092	246-838-280	REP-P	97-07-074
242-02-074	AMD	97-04-008	246-11-210	AMD-P	97-08-092	246-838-290	REP-P	97-07-074
242-02-110	AMD	97-04-008	246-11-270	AMD-P	97-08-092	246-838-300	REP-P	97-07-074
242-02-130	AMD	97-04-008	246-11-290	AMD-P	97-08-092	246-838-310	REP-P	97-07-074
242-02-210	AMD	97-04-008	246-11-380	AMD-P	97-08-092	246-838-330	REP-P	97-07-074
242-02-220	AMD	97-04-008	246-11-510	AMD-P	97-08-092	246-838-340	REP-P	97-07-074

TABLE



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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
246-838-350	REP-P	97-07-074	246-840-113	NEW-P	97-07-074	246-851-210	REP	97-12-088
246-838-360	REP-P	97-07-074	246-840-115	NEW-P	97-07-074	246-851-220	AMD-P	97-08-094
246-839	PREP-W	97-03-066	246-840-120	NEW-P	97-07-074	246-851-220	AMD	97-12-088
246-839	PREP-W	97-03-067	246-840-130	NEW-P	97-07-074	246-851-230	AMD-P	97-08-094
246-839-010	REP-P	97-07-074	246-840-300	NEW-P	97-07-074	246-851-230	AMD	97-12-088
246-839-020	REP-P	97-07-074	246-840-305	NEW-P	97-07-074	246-851-240	AMD-P	97-08-094
246-839-030	REP-P	97-08-093	246-840-310	NEW-P	97-07-074	246-851-240	AMD	97-12-088
246-839-040	REP-P	97-07-074	246-840-315	NEW-P	97-07-074	246-865	PREP	97-11-038
246-839-050	REP-P	97-07-074	246-840-320	NEW-P	97-07-074	246-907-020	AMD	97-06-019
246-839-060	REP-P	97-07-074	246-840-330	NEW-P	97-07-074	246-907-030	AMD	97-06-019
246-839-070	REP-P	97-07-074	246-840-340	NEW-P	97-07-074	246-919-990	AMD-P	97-12-085
246-839-080	REP-P	97-07-074	246-840-345	NEW-P	97-07-074	249A-02-010	NEW-W	97-09-043
246-839-090	REP-P	97-07-074	246-840-350	NEW-P	97-07-074	249A-02-020	NEW-W	97-09-043
246-839-100	REP-P	97-07-074	246-840-360	NEW-P	97-07-074	249A-02-030	NEW-W	97-09-043
246-839-105	REP-P	97-07-074	246-840-365	NEW-P	97-07-074	249A-02-040	NEW-W	97-09-043
246-839-110	REP-P	97-07-074	246-840-370	NEW-P	97-07-074	249A-02-050	NEW-W	97-09-043
246-839-115	REP-P	97-07-074	246-840-400	NEW-P	97-07-074	249A-02-060	NEW-W	97-09-043
246-839-120	REP-P	97-07-074	246-840-410	NEW-P	97-07-074	249A-02-080	NEW-W	97-09-043
246-839-130	REP-P	97-07-074	246-840-420	NEW-P	97-07-074	249A-02-100	NEW-W	97-09-043
246-839-300	REP-P	97-07-074	246-840-430	NEW-P	97-07-074	249A-02-200	NEW-W	97-09-043
246-839-305	REP-P	97-07-074	246-840-440	NEW-P	97-07-074	249A-02-210	NEW-W	97-09-043
246-839-310	REP-P	97-07-074	246-840-450	NEW-P	97-07-074	249A-02-220	NEW-W	97-09-043
246-839-315	REP-P	97-07-074	246-840-540	AMD-P	97-07-074	249A-02-250	NEW-W	97-09-043
246-839-320	REP-P	97-07-074	246-840-565	AMD-P	97-07-074	249A-02-300	NEW-W	97-09-043
246-839-330	REP-P	97-07-074	246-840-700	NEW-P	97-07-074	249A-02-350	NEW-W	97-09-043
246-839-340	REP-P	97-07-074	246-840-705	NEW-P	97-07-074	249A-02-360	NEW-W	97-09-043
246-839-345	REP-P	97-07-074	246-840-710	NEW-P	97-07-074	249A-02-410	NEW-W	97-09-043
246-839-350	REP-P	97-07-074	246-840-715	NEW-P	97-07-074	249A-02-420	NEW-W	97-09-043
246-839-360	REP-P	97-07-074	246-840-720	NEW-P	97-07-074	249A-02-430	NEW-W	97-09-043
246-839-365	REP-P	97-07-074	246-840-730	NEW-P	97-07-074	249A-02-440	NEW-W	97-09-043
246-839-370	REP-P	97-07-074	246-840-745	NEW-P	97-07-074	249A-02-450	NEW-W	97-09-043
246-839-400	REP-P	97-07-074	246-840-747	NEW-P	97-07-074	249A-02-460	NEW-W	97-09-043
246-839-410	REP-P	97-07-074	246-840-750	NEW-P	97-07-074	249A-02-470	NEW-W	97-09-043
246-839-420	REP-P	97-07-074	246-840-760	NEW-P	97-07-074	249A-02-510	NEW-W	97-09-043
246-839-430	REP-P	97-07-074	246-840-770	NEW-P	97-07-074	249A-02-520	NEW-W	97-09-043
246-839-440	REP-P	97-07-074	246-840-780	NEW-P	97-07-074	249A-02-540	NEW-W	97-09-043
246-839-450	REP-P	97-07-074	246-840-800	NEW-P	97-07-074	249A-02-560	NEW-W	97-09-043
246-839-700	REP-P	97-07-074	246-840-810	NEW-P	97-07-074	249A-02-600	NEW-W	97-09-043
246-839-710	REP-P	97-07-074	246-840-820	NEW-P	97-07-074	249A-02-650	NEW-W	97-09-043
246-839-720	REP-P	97-07-074	246-840-830	NEW-P	97-07-074	249A-02-810	NEW-W	97-09-043
246-839-730	REP-P	97-07-074	246-840-840	NEW-P	97-07-074	249A-02-830	NEW-W	97-09-043
246-839-740	REP-P	97-07-074	246-840-850	NEW-P	97-07-074	249A-02-860	NEW-W	97-09-043
246-839-745	REP-P	97-07-074	246-840-860	NEW-P	97-07-074	251-01-045	AMD-P	97-08-090
246-839-750	REP-P	97-07-074	246-840-860	NEW-S	97-12-030	251-01-045	AMD-W	97-10-088
246-839-760	REP-P	97-07-074	246-840-870	NEW-P	97-07-074	251-01-110	AMD-P	97-08-090
246-839-770	REP-P	97-07-074	246-840-880	NEW-P	97-07-074	251-01-110	AMD-W	97-10-088
246-839-780	REP-P	97-07-074	246-840-890	NEW-P	97-07-074	251-04-040	AMD-P	97-08-090
246-839-800	REP-P	97-07-074	246-840-900	NEW-P	97-07-074	251-04-040	AMD-W	97-10-088
246-839-810	REP-P	97-07-074	246-840-930	AMD-P	97-07-074	251-04-050	AMD-P	97-08-090
246-839-820	REP-P	97-07-074	246-840-940	AMD-P	97-07-074	251-04-050	AMD-W	97-10-088
246-839-830	REP-P	97-07-074	246-851-090	AMD-P	97-08-094	251-10-030	AMD-P	97-08-090
246-839-840	REP-P	97-07-074	246-851-090	AMD	97-12-088	251-10-030	AMD-W	97-10-088
246-839-850	REP-P	97-07-074	246-851-100	AMD-P	97-08-094	251-12-270	REP-P	97-08-090
246-839-860	REP-P	97-07-074	246-851-100	AMD	97-12-088	251-12-270	REP-W	97-10-088
246-839-860	REP-S	97-12-030	246-851-110	AMD-P	97-08-094	251-12-270	REP-P	97-10-089
246-839-870	REP-P	97-07-074	246-851-110	AMD	97-12-088	251-12-600	AMD-P	97-08-090
246-839-880	REP-P	97-07-074	246-851-120	AMD-P	97-08-094	251-12-600	AMD-W	97-10-088
246-839-890	REP-P	97-07-074	246-851-120	AMD	97-12-088	251-12-600	AMD-P	97-10-089
246-839-900	REP-P	97-07-074	246-851-140	AMD-P	97-08-094	251-14-060	AMD	97-06-012
246-840-010	NEW-P	97-07-074	246-851-140	AMD	97-12-088	251-14-120	AMD	97-06-012
246-840-020	NEW-P	97-07-074	246-851-150	AMD-P	97-08-094	251-20-020	AMD-P	97-08-090
246-840-030	NEW-P	97-07-074	246-851-150	AMD	97-12-088	251-20-020	AMD-W	97-10-088
246-840-030	NEW-P	97-08-093	246-851-160	AMD-P	97-08-094	251-20-020	AMD-P	97-10-089
246-840-030	NEW-W	97-09-061	246-851-160	AMD	97-12-088	260-24-010	REP-P	97-04-060
246-840-040	NEW-P	97-07-074	246-851-160	AMD	97-12-088	260-24-020	REP-P	97-04-060
246-840-050	NEW-P	97-07-074	246-851-170	AMD-P	97-08-094	260-24-030	REP-P	97-04-060
246-840-060	NEW-P	97-07-074	246-851-170	AMD	97-12-088	260-24-040	REP-P	97-04-060
246-840-070	NEW-P	97-07-074	246-851-180	AMD-P	97-08-094	260-24-050	REP-P	97-04-060
246-840-080	NEW-P	97-07-074	246-851-180	AMD	97-12-088	260-24-060	REP-P	97-04-060
246-840-090	NEW-P	97-07-074	246-851-190	AMD-P	97-08-094	260-24-070	REP-P	97-04-060
246-840-100	NEW-P	97-07-074	246-851-190	AMD	97-12-088	260-24-080	REP-P	97-04-060
246-840-105	NEW-P	97-07-074	246-851-200	AMD-P	97-08-094	260-24-090	REP-P	97-04-060
246-840-110	NEW-P	97-07-074	246-851-200	AMD	97-12-088	260-24-100	REP-P	97-04-060
			246-851-210	REP-P	97-08-094			

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260-24-110	REP-P	97-04-060	262-02-030	AMD-P	97-11-064	284-43-510	NEW-W	97-08-044
260-24-120	REP-P	97-04-060	262-03	PREP	97-07-068	284-43-520	NEW-W	97-08-044
260-24-130	REP-P	97-04-060	262-03-010	NEW-P	97-11-063	284-43-530	NEW-W	97-08-044
260-24-140	REP-P	97-04-060	262-03-020	NEW-P	97-11-063	284-43-540	NEW-W	97-08-044
260-24-150	REP-P	97-04-060	262-03-030	NEW-P	97-11-063	284-43-550	NEW-W	97-08-044
260-24-160	REP-P	97-04-060	262-03-040	NEW-P	97-11-063	284-43-560	NEW-W	97-08-044
260-24-170	REP-P	97-04-060	262-03-050	NEW-P	97-11-063	284-43-600	NEW-W	97-08-044
260-24-180	REP-P	97-04-060	262-03-060	NEW-P	97-11-063	284-43-610	NEW-W	97-08-044
260-24-190	REP-P	97-04-060	262-03-070	NEW-P	97-11-063	284-43-620	NEW-W	97-08-044
260-24-200	REP-P	97-04-060	262-03-080	NEW-P	97-11-063	284-43-630	NEW-W	97-08-044
260-24-210	REP-P	97-04-060	262-03-090	NEW-P	97-11-063	284-43-640	NEW-W	97-08-044
260-24-220	REP-P	97-04-060	275-27-023	AMD-E	97-03-033	284-43-650	NEW-W	97-08-044
260-24-230	REP-P	97-04-060	275-27-023	AMD-P	97-08-007	284-43-700	NEW-C	97-05-006
260-24-240	REP-P	97-04-060	275-27-023	AMD-E	97-11-009	284-43-700	NEW-C	97-08-046
260-24-250	REP-P	97-04-060	275-27-220	AMD-E	97-03-033	284-43-700	NEW-W	97-11-001
260-24-260	REP-P	97-04-060	275-27-220	AMD-P	97-08-007	284-44-240	REP-W	97-08-044
260-24-270	REP-P	97-04-060	275-27-220	AMD-E	97-11-009	284-44-410	REP-W	97-08-044
260-24-280	REP-P	97-04-060	275-27-221	REP-E	97-03-033	284-46-575	REP-W	97-08-044
260-24-290	REP-P	97-04-060	275-27-221	REP-P	97-08-007	284-51-050	PREP	97-04-074
260-24-300	REP-P	97-04-060	275-27-221	REP-E	97-11-009	286-13-040	PREP	97-08-079
260-24-310	REP-P	97-04-060	275-27-222	NEW-P	97-08-007	286-13-040	AMD-P	97-12-027
260-24-320	REP-P	97-04-060	275-27-222	NEW-E	97-11-009	286-13-045	AMD-P	97-04-006
260-24-330	REP-P	97-04-060	275-27-223	AMD-E	97-03-033	286-13-045	AMD	97-08-003
260-24-340	REP-P	97-04-060	275-27-223	AMD-P	97-08-007	286-13-085	AMD-P	97-04-006
260-24-350	REP-P	97-04-060	275-27-223	AMD-E	97-11-009	286-13-085	AMD	97-08-003
260-24-360	REP-P	97-04-060	275-27-400	AMD-E	97-03-033	286-13-110	AMD-P	97-04-006
260-24-370	REP-P	97-04-060	275-27-400	AMD-P	97-08-007	286-13-110	AMD	97-08-003
260-24-380	REP-P	97-04-060	275-27-400	AMD-E	97-11-009	286-13-110	PREP	97-08-079
260-24-390	REP-P	97-04-060	275-155	AMD-P	97-11-044	286-13-110	AMD-P	97-12-027
260-24-400	REP-P	97-04-060	275-155-005	AMD-P	97-11-044	286-13-115	PREP	97-08-079
260-24-410	REP-P	97-04-060	275-155-010	AMD-P	97-11-044	286-13-115	AMD-P	97-12-027
260-24-420	REP-P	97-04-060	275-155-070	NEW-P	97-11-044	286-26-080	AMD-P	97-04-006
260-24-430	REP-P	97-04-060	275-155-080	NEW-P	97-11-044	286-26-080	AMD	97-08-003
260-24-440	REP-P	97-04-060	275-155-090	NEW-P	97-11-044	286-27-040	AMD-P	97-04-006
260-24-450	REP-P	97-04-060	275-155-100	NEW-P	97-11-044	286-27-040	AMD	97-08-003
260-24-460	REP-P	97-04-060	275-155-110	NEW-P	97-11-044	286-27-050	REP-P	97-04-006
260-24-465	REP-P	97-04-060	275-155-120	NEW-P	97-11-044	286-27-050	REP	97-08-003
260-24-470	REP-P	97-04-060	275-155-130	NEW-P	97-11-044	286-35-030	AMD-P	97-04-006
260-24-480	REP-P	97-04-060	275-155-140	NEW-P	97-11-044	286-35-030	AMD	97-08-003
260-24-500	NEW-P	97-04-060	284-04	NEW-C	97-03-023	286-35-040	REP-P	97-04-006
260-24-510	NEW-P	97-04-060	284-04	NEW-C	97-03-120	286-35-040	REP	97-08-003
260-24-520	NEW-P	97-04-060	284-04	NEW-C	97-08-091	286-40-020	AMD-P	97-04-006
260-24-530	NEW-P	97-04-060	284-04	NEW-W	97-10-072	286-40-020	AMD	97-08-003
260-24-540	NEW-P	97-04-060	284-13-505	NEW	97-05-012	292-09-010	AMD-P	97-05-022
260-24-550	NEW-P	97-04-060	284-13-515	NEW	97-05-012	292-11-010	NEW-S	97-05-023
260-24-560	NEW-P	97-04-060	284-13-520	AMD	97-05-012	292-11-020	NEW-S	97-05-023
260-24-570	NEW-P	97-04-060	284-13-530	NEW	97-05-012	292-11-030	NEW-W	97-09-057
260-24-580	NEW-P	97-04-060	284-13-535	NEW	97-05-012	292-120-010	NEW-P	97-03-133
260-24-590	NEW-P	97-04-060	284-13-540	AMD	97-05-012	292-120-010	NEW	97-07-058
260-24-600	NEW-P	97-04-060	284-13-550	AMD	97-05-012	292-120-020	NEW-P	97-03-133
260-24-610	NEW-P	97-04-060	284-13-560	AMD	97-05-012	292-120-020	NEW	97-07-058
260-24-620	NEW-P	97-04-060	284-13-570	AMD	97-05-012	292-120-030	NEW-P	97-03-133
260-24-630	NEW-P	97-04-060	284-13-590	AMD	97-05-012	292-120-030	NEW	97-07-058
260-24-640	NEW-P	97-04-060	284-13-595	NEW	97-05-012	292-120-040	NEW-P	97-03-133
260-24-650	NEW-P	97-04-060	284-30-395	NEW-S	97-03-090	292-120-040	NEW	97-07-058
260-24-660	NEW-P	97-04-060	284-30-395	NEW-C	97-08-045	296-11-001	DECOD	97-08-042
260-24-670	NEW-P	97-04-060	284-30-395	NEW-C	97-11-010	296-11-003	DECOD	97-08-042
260-24-680	NEW-P	97-04-060	284-43-110	NEW-W	97-08-044	296-11-010	DECOD	97-08-042
260-24-690	NEW-P	97-04-060	284-43-120	NEW-W	97-08-044	296-11-020	DECOD	97-08-042
260-24-700	NEW-P	97-04-060	284-43-130	NEW-W	97-08-044	296-11-030	DECOD	97-08-042
260-32	PREP	97-04-059	284-43-200	NEW-W	97-08-044	296-11-040	DECOD	97-08-042
260-48	PREP	97-04-058	284-43-210	NEW-W	97-08-044	296-11-050	DECOD	97-08-042
262-01-030	PREP	97-06-112	284-43-300	NEW-W	97-08-044	296-11-060	DECOD	97-08-042
262-01-030	AMD-P	97-09-091	284-43-310	NEW-W	97-08-044	296-11-070	DECOD	97-08-042
262-01-030	AMD-W	97-10-060	284-43-320	NEW-W	97-08-044	296-11-080	DECOD	97-08-042
262-01-030	AMD-P	97-11-065	284-43-330	NEW-W	97-08-044	296-11-090	DECOD	97-08-042
262-02-020	PREP	97-06-112	284-43-340	NEW-W	97-08-044	296-11-100	DECOD	97-08-042
262-02-020	AMD-P	97-09-090	284-43-350	NEW-W	97-08-044	296-11-110	DECOD	97-08-042
262-02-020	AMD-W	97-10-060	284-43-360	NEW-W	97-08-044	296-11-120	DECOD	97-08-042
262-02-020	AMD-P	97-11-064	284-43-400	NEW-W	97-08-044	296-11-130	DECOD	97-08-042
262-02-030	PREP	97-06-112	284-43-410	NEW-W	97-08-044	296-11-140	DECOD	97-08-042
262-02-030	AMD-P	97-09-090	284-43-420	NEW-W	97-08-044	296-11-150	DECOD	97-08-042
262-02-030	AMD-W	97-10-060	284-43-500	NEW-W	97-08-044	296-11-160	DECOD	97-08-042

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-11-170	DECOD	97-08-042	296-17-52120	NEW-P	97-08-051	296-23A-0440	NEW	97-06-066
296-11-180	DECOD	97-08-042	296-17-52120	NEW	97-12-011	296-23A-0450	NEW	97-06-066
296-11-190	DECOD	97-08-042	296-17-52121	NEW-E	97-08-043	296-23A-0460	NEW	97-06-066
296-11-200	DECOD	97-08-042	296-17-52121	NEW-P	97-08-051	296-23A-0470	NEW	97-06-066
296-11-210	DECOD	97-08-042	296-17-52121	NEW	97-12-011	296-23A-0480	NEW	97-06-066
296-11-220	DECOD	97-08-042	296-17-52122	NEW-E	97-08-043	296-23A-0490	NEW	97-06-066
296-11-230	DECOD	97-08-042	296-17-52122	NEW-P	97-08-051	296-23A-0500	NEW	97-06-066
296-11-240	DECOD	97-08-042	296-17-52122	NEW	97-12-011	296-23A-0520	NEW	97-06-066
296-11-250	DECOD	97-08-042	296-17-52123	NEW-E	97-08-043	296-23A-0530	NEW	97-06-066
296-11-260	DECOD	97-08-042	296-17-52123	NEW-P	97-08-051	296-23A-0540	NEW	97-06-066
296-11-270	DECOD	97-08-042	296-17-52123	NEW	97-12-011	296-23A-0550	NEW	97-06-066
296-11-280	DECOD	97-08-042	296-17-52124	NEW-E	97-08-043	296-23A-0560	NEW	97-06-066
296-11-290	DECOD	97-08-042	296-17-52124	NEW-P	97-08-051	296-23A-0570	NEW	97-06-066
296-11-300	DECOD	97-08-042	296-17-52124	NEW	97-12-011	296-23A-0575	NEW	97-06-066
296-11-310	DECOD	97-08-042	296-17-52125	NEW-E	97-08-043	296-23A-0580	NEW	97-06-066
296-11-320	DECOD	97-08-042	296-17-52125	NEW-P	97-08-051	296-23A-0600	NEW	97-06-066
296-11-330	DECOD	97-08-042	296-17-52125	NEW	97-12-011	296-23A-0610	NEW	97-06-066
296-11-340	DECOD	97-08-042	296-17-52126	NEW-E	97-08-043	296-23A-0620	NEW	97-06-066
296-11-350	DECOD	97-08-042	296-17-52126	NEW-P	97-08-051	296-23A-100	REP	97-06-066
296-11-360	DECOD	97-08-042	296-17-52126	NEW	97-12-011	296-23A-105	REP	97-06-066
296-11-370	DECOD	97-08-042	296-17-89502	NEW	97-06-007	296-23A-106	REP	97-06-066
296-11-380	DECOD	97-08-042	296-17-89502	AMD-E	97-08-043	296-23A-110	REP	97-06-066
296-11-390	DECOD	97-08-042	296-17-89502	AMD-P	97-08-051	296-23A-115	REP	97-06-066
296-11-400	DECOD	97-08-042	296-17-89502	AMD	97-12-011	296-23A-120	REP	97-06-066
296-11-410	DECOD	97-08-042	296-20	PREP	97-02-096	296-23A-125	REP	97-06-066
296-11-420	DECOD	97-08-042	296-20-125	PREP	97-02-097	296-23A-130	REP	97-06-066
296-11-430	DECOD	97-08-042	296-20-135	PREP	97-02-097	296-23A-135	REP	97-06-066
296-11-440	DECOD	97-08-042	296-20-135	AMD-P	97-05-076	296-23A-140	REP	97-06-066
296-11-450	DECOD	97-08-042	296-20-135	AMD	97-10-017	296-23A-145	REP	97-06-066
296-11-460	DECOD	97-08-042	296-20-200	AMD	97-09-036	296-23A-150	REP	97-06-066
296-11-470	DECOD	97-08-042	296-20-210	AMD	97-09-036	296-23A-155	REP	97-06-066
296-11-480	DECOD	97-08-042	296-20-220	AMD	97-09-036	296-23A-160	REP	97-06-066
296-11-490	DECOD	97-08-042	296-23	PREP	97-02-096	296-23A-165	REP	97-06-066
296-11-500	DECOD	97-08-042	296-23-220	PREP	97-02-097	296-23A-170	REP	97-06-066
296-11-510	DECOD	97-08-042	296-23-220	AMD-P	97-05-076	296-23A-175	REP	97-06-066
296-11-520	DECOD	97-08-042	296-23-220	AMD	97-10-017	296-23A-180	REP	97-06-066
296-11-530	DECOD	97-08-042	296-23-230	PREP	97-02-097	296-23A-185	REP	97-06-066
296-11-540	DECOD	97-08-042	296-23-230	AMD-P	97-05-076	296-23A-190	REP	97-06-066
296-11-550	DECOD	97-08-042	296-23-230	AMD	97-10-017	296-23A-200	REP	97-06-066
296-11-560	DECOD	97-08-042	296-23-265	AMD	97-09-036	296-23A-205	REP	97-06-066
296-11-570	DECOD	97-08-042	296-23-26501	NEW	97-09-036	296-23A-210	REP	97-06-066
296-11-580	DECOD	97-08-042	296-23-26502	NEW	97-09-036	296-23A-215	REP	97-06-066
296-11-590	DECOD	97-08-042	296-23-26503	NEW	97-09-036	296-23A-220	REP	97-06-066
296-17-45003	AMD	97-06-007	296-23-26504	NEW	97-09-036	296-23A-225	REP	97-06-066
296-17-45003	AMD-E	97-08-043	296-23-26505	NEW	97-09-036	296-23A-230	REP	97-06-066
296-17-45003	AMD-P	97-08-051	296-23-26506	NEW	97-09-036	296-23A-235	REP	97-06-066
296-17-45003	AMD	97-12-011	296-23-267	NEW	97-09-036	296-23A-300	REP	97-06-066
296-17-45006	NEW	97-06-007	296-23A	PREP	97-02-097	296-23A-310	REP	97-06-066
296-17-45006	AMD-E	97-08-043	296-23A-0100	NEW	97-06-066	296-23A-315	REP	97-06-066
296-17-45006	AMD-P	97-08-051	296-23A-0110	NEW	97-06-066	296-23A-320	REP	97-06-066
296-17-45006	AMD	97-12-011	296-23A-0120	NEW	97-06-066	296-23A-400	REP	97-06-066
296-17-52107	REP	97-06-007	296-23A-0130	NEW	97-06-066	296-23A-430	REP	97-06-066
296-17-52112	REP	97-06-007	296-23A-0140	NEW	97-06-066	296-24	PREP	97-11-051
296-17-52114	NEW	97-06-007	296-23A-0150	NEW	97-06-066	296-24-07801	AMD-P	97-03-085
296-17-52114	REP-E	97-08-043	296-23A-0160	NEW	97-06-066	296-24-07801	AMD	97-11-055
296-17-52114	REP-P	97-08-051	296-23A-0170	NEW	97-06-066	296-24-084	AMD-P	97-03-085
296-17-52114	REP	97-12-011	296-23A-0180	NEW	97-06-066	296-24-088	AMD	97-11-055
296-17-52115	NEW	97-06-007	296-23A-0190	NEW	97-06-066	296-24-088	AMD-P	97-03-085
296-17-52115	REP-E	97-08-043	296-23A-0195	NEW	97-06-066	296-27-15503	AMD-P	97-11-055
296-17-52115	REP-P	97-08-051	296-23A-0200	NEW	97-06-066	296-27-15503	AMD	97-03-085
296-17-52115	REP	97-12-011	296-23A-0210	NEW	97-06-066	296-46	PREP	97-11-054
296-17-52116	NEW	97-06-007	296-23A-0220	NEW	97-06-066	296-46-090	AMD-P	97-02-095
296-17-52117	NEW	97-06-007	296-23A-0230	NEW	97-06-066	296-46-090	AMD	97-03-083
296-17-52117	REP-E	97-08-043	296-23A-0240	NEW	97-06-066	296-46-130	AMD-P	97-12-016
296-17-52117	REP-P	97-08-051	296-23A-0250	NEW	97-06-066	296-46-130	AMD	97-03-083
296-17-52117	REP	97-12-011	296-23A-0300	NEW	97-06-066	296-46-140	AMD	97-12-016
296-17-52118	NEW-E	97-08-043	296-23A-0310	NEW	97-06-066	296-46-140	AMD-P	97-03-083
296-17-52118	NEW-P	97-08-051	296-23A-0350	NEW	97-06-066	296-46-150	AMD	97-12-016
296-17-52118	NEW	97-12-011	296-23A-0360	NEW	97-06-066	296-46-150	REP-P	97-03-083
296-17-52119	NEW-E	97-08-043	296-23A-0400	NEW	97-06-066	296-46-150	REP	97-12-016
296-17-52119	NEW-P	97-08-051	296-23A-0410	NEW	97-06-066	296-46-21008	AMD-P	97-03-083
296-17-52119	NEW	97-12-011	296-23A-0420	NEW	97-06-066	296-46-21008	AMD	97-12-016
296-17-52120	NEW-E	97-08-043	296-23A-0430	NEW	97-06-066	296-46-21052	AMD-P	97-03-083

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-46-21052	AMD	97-12-016	296-65-001	AMD-P	97-09-079	296-116-315	DECOD	97-08-042
296-46-225	AMD-P	97-03-083	296-65-030	AMD-P	97-09-079	296-116-35001	DECOD	97-08-042
296-46-225	AMD	97-12-016	296-86-020	AMD-P	97-03-132	296-116-360	AMD-P	97-06-103
296-46-23028	AMD-P	97-03-083	296-86-020	AMD	97-11-053	296-116-360	AMD-E	97-06-104
296-46-23028	AMD	97-12-016	296-86-030	AMD-P	97-03-132	296-116-360	DECOD	97-08-042
296-46-23062	AMD-P	97-03-083	296-86-030	AMD	97-11-053	296-116-370	DECOD	97-08-042
296-46-23062	AMD	97-12-016	296-86-050	AMD-P	97-03-132	296-116-400	DECOD	97-08-042
296-46-30001	AMD-P	97-03-083	296-86-050	AMD	97-11-053	296-116-410	DECOD	97-08-042
296-46-30001	AMD	97-12-016	296-86-060	AMD-P	97-03-132	296-116-420	DECOD	97-08-042
296-46-360	AMD-P	97-03-083	296-86-060	AMD	97-11-053	296-116-500	DECOD	97-08-042
296-46-360	AMD	97-12-016	296-86-070	AMD-P	97-03-132	296-128-013	NEW-W	97-03-073
296-46-370	AMD-P	97-03-083	296-86-070	AMD	97-11-053	296-150C-0040	AMD-P	97-09-039
296-46-370	AMD	97-12-016	296-86-075	AMD-P	97-03-132	296-150C-0090	NEW-W	97-04-070
296-46-514	AMD-P	97-03-083	296-86-075	AMD	97-11-053	296-150C-0100	AMD-P	97-09-039
296-46-514	AMD	97-12-016	296-86-080	AMD-P	97-03-132	296-150C-1010	NEW-W	97-04-070
296-46-553	NEW-P	97-03-083	296-86-080	AMD	97-11-053	296-150C-3000	AMD-P	97-03-132
296-46-553	NEW	97-12-016	296-86-090	NEW-P	97-03-132	296-150C-3000	AMD	97-11-053
296-46-700	AMD-P	97-03-083	296-86-090	NEW	97-11-053	296-150F-0040	AMD-P	97-09-039
296-46-700	AMD	97-12-016	296-93-300	AMD-P	97-03-132	296-150F-0100	AMD-P	97-09-039
296-46-725	AMD-P	97-03-083	296-93-300	AMD	97-11-053	296-150F-3000	AMD-P	97-03-132
296-46-725	AMD	97-12-016	296-93-320	REP-P	97-03-132	296-150F-3000	AMD	97-11-053
296-46-910	AMD-P	97-03-083	296-93-320	REP	97-11-053	296-150M-0040	AMD-P	97-09-039
296-46-910	AMD-E	97-10-064	296-93-330	AMD-P	97-03-132	296-150M-0100	AMD-P	97-09-039
296-46-910	AMD	97-12-016	296-93-330	AMD	97-11-053	296-150M-3000	AMD-P	97-03-132
296-46-915	AMD-P	97-03-083	296-99-010	AMD-P	97-09-079	296-150M-3000	AMD	97-11-053
296-46-915	AMD	97-12-016	296-99-015	AMD-P	97-09-079	296-150P-0010	NEW-P	97-09-039
296-46-920	AMD-P	97-03-083	296-99-020	AMD-P	97-09-079	296-150P-0020	NEW-P	97-09-039
296-46-920	AMD	97-12-016	296-99-025	AMD-P	97-09-079	296-150P-0030	NEW-P	97-09-039
296-49	PREP	97-03-082	296-99-030	AMD-P	97-09-079	296-150P-0040	NEW-P	97-09-039
296-49-005	REP-P	97-09-039	296-99-035	AMD-P	97-09-079	296-150P-0060	NEW-P	97-09-039
296-49-010	REP-P	97-09-039	296-99-040	AMD-P	97-09-079	296-150P-0100	NEW-P	97-09-039
296-49-015	REP-P	97-09-039	296-99-045	AMD-P	97-09-079	296-150P-0110	NEW-P	97-09-039
296-49-020	REP-P	97-09-039	296-99-050	AMD-P	97-09-079	296-150P-0120	NEW-P	97-09-039
296-49-025	REP-P	97-09-039	296-99-055	AMD-P	97-09-079	296-150P-0130	NEW-P	97-09-039
296-49-030	REP-P	97-09-039	296-99-060	AMD-P	97-09-079	296-150P-0200	NEW-P	97-09-039
296-49-035	REP-P	97-09-039	296-99-065	AMD-P	97-09-079	296-150P-0210	NEW-P	97-09-039
296-49-040	REP-P	97-09-039	296-99-070	AMD-P	97-09-079	296-150P-0220	NEW-P	97-09-039
296-49-045	REP-P	97-09-039	296-99-075	AMD-P	97-09-079	296-150P-0250	NEW-P	97-09-039
296-49-050	REP-P	97-09-039	296-99-080	AMD-P	97-09-079	296-150P-0280	NEW-P	97-09-039
296-49-055	REP-P	97-09-039	296-99-085	AMD-P	97-09-079	296-150P-0290	NEW-P	97-09-039
296-49-060	REP-P	97-09-039	296-99-090	AMD-P	97-09-079	296-150P-0300	NEW-P	97-09-039
296-49-065	REP-P	97-09-039	296-99-095	AMD-P	97-09-079	296-150P-0310	NEW-P	97-09-039
296-49A-010	NEW-P	97-09-039	296-99-095	AMD-P	97-09-079	296-150P-0320	NEW-P	97-09-039
296-49A-020	NEW-P	97-09-039	296-104	PREP	97-11-004	296-150P-0330	NEW-P	97-09-039
296-49A-030	NEW-P	97-09-039	296-116-010	DECOD	97-08-042	296-150P-0340	NEW-P	97-09-039
296-49A-040	NEW-P	97-09-039	296-116-020	DECOD	97-08-042	296-150P-0350	NEW-P	97-09-039
296-49A-050	NEW-P	97-09-039	296-116-030	DECOD	97-08-042	296-150P-0400	NEW-P	97-09-039
296-49A-060	NEW-P	97-09-039	296-116-050	DECOD	97-08-042	296-150P-0410	NEW-P	97-09-039
296-49A-070	NEW-P	97-09-039	296-116-060	DECOD	97-08-042	296-150P-0420	NEW-P	97-09-039
296-49A-080	NEW-P	97-09-039	296-116-070	AMD	97-06-105	296-150P-0440	NEW-P	97-09-039
296-49A-090	NEW-P	97-09-039	296-116-070	DECOD	97-08-042	296-150P-0450	NEW-P	97-09-039
296-49A-100	NEW-P	97-09-039	296-116-075	DECOD	97-08-042	296-150P-0600	NEW-P	97-09-039
296-49A-110	NEW-P	97-09-039	296-116-080	DECOD	97-08-042	296-150P-0610	NEW-P	97-09-039
296-54	PREP	97-10-071	296-116-081	DECOD	97-08-042	296-150P-0620	NEW-P	97-09-039
296-62	PREP	97-05-047	296-116-082	PREP	97-06-102	296-150P-0630	NEW-P	97-09-039
296-62	PREP	97-06-101	296-116-082	AMD-E	97-08-040	296-150P-0640	NEW-P	97-09-039
296-62	PREP	97-09-078	296-116-082	DECOD	97-08-042	296-150P-0700	NEW-P	97-09-039
296-62-05413	AMD-P	97-03-085	296-116-082	DECOD	97-08-042	296-150P-0710	NEW-P	97-09-039
296-62-05413	AMD	97-11-055	296-116-083	DECOD	97-08-042	296-150P-0720	NEW-P	97-09-039
296-62-07113	AMD-P	97-09-079	296-116-085	DECOD	97-08-042	296-150P-1000	NEW-P	97-09-039
296-62-07460	NEW-P	97-09-079	296-116-110	DECOD	97-08-042	296-150P-1010	NEW-P	97-09-039
296-62-075	AMD-P	97-09-079	296-116-115	DECOD	97-08-042	296-150P-1020	NEW-P	97-09-039
296-62-07501	AMD-P	97-09-079	296-116-120	DECOD	97-08-042	296-150P-1020	NEW-P	97-09-039
296-62-07510	AMD-P	97-09-079	296-116-140	DECOD	97-08-042	296-150P-2000	NEW-P	97-09-039
296-62-07515	AMD-P	97-09-079	296-116-150	DECOD	97-08-042	296-150P-2010	NEW-P	97-09-039
296-62-07711	AMD-P	97-09-079	296-116-170	DECOD	97-08-042	296-150P-2020	NEW-P	97-09-039
296-62-07712	AMD-P	97-09-079	296-116-175	DECOD	97-08-042	296-150P-2030	NEW-P	97-09-039
296-62-07715	AMD-P	97-09-079	296-116-185	DECOD	97-08-042	296-150P-3000	NEW-P	97-09-039
296-62-07717	AMD-P	97-09-079	296-116-200	AMD	97-06-106	296-150R	PREP	97-03-082
296-62-07721	AMD-P	97-09-079	296-116-200	DECOD	97-08-042	296-150R	AMD-P	97-09-039
296-62-07725	AMD-P	97-09-079	296-116-205	DECOD	97-08-042	296-150R-0010	AMD-P	97-09-039
296-62-07728	AMD-P	97-09-079	296-116-2051	DECOD	97-08-042	296-150R-0020	AMD-P	97-09-039
296-62-07761	REP-P	97-09-079	296-116-300	AMD-P	97-08-041	296-150R-0030	AMD-P	97-09-039
			296-116-300	DECOD	97-08-042	296-150R-0040	AMD-P	97-09-039

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-150R-0060	AMD-P	97-09-039	296-306A-07005	DECOD	97-09-013	296-306A-16003	AMD-E	97-06-040
296-150R-0100	AMD-P	97-09-039	296-306A-07007	DECOD	97-09-013	296-306A-16003	AMD	97-08-051A
296-150R-0110	AMD-P	97-09-039	296-306A-07009	DECOD	97-09-013	296-306A-16003	DECOD	97-09-013
296-150R-0120	AMD-P	97-09-039	296-306A-07011	DECOD	97-09-013	296-306A-16005	DECOD	97-09-013
296-150R-0130	AMD-P	97-09-039	296-306A-07013	DECOD	97-09-013	296-306A-16007	DECOD	97-09-013
296-150R-0200	AMD-P	97-09-039	296-306A-073	DECOD	97-09-013	296-306A-16009	DECOD	97-09-013
296-150R-0250	AMD-P	97-09-039	296-306A-076	DECOD	97-09-013	296-306A-16011	DECOD	97-09-013
296-150R-0280	AMD-P	97-09-039	296-306A-080	DECOD	97-09-013	296-306A-16013	AMD-P	97-03-131
296-150R-0400	AMD-P	97-09-039	296-306A-08003	DECOD	97-09-013	296-306A-16013	AMD-E	97-04-048
296-150R-0640	AMD-P	97-09-039	296-306A-08006	DECOD	97-09-013	296-306A-16013	AMD	97-08-051A
296-150R-0850	AMD-P	97-09-039	296-306A-08009	DECOD	97-09-013	296-306A-16013	DECOD	97-09-013
296-150R-1000	AMD-P	97-09-039	296-306A-08012	DECOD	97-09-013	296-306A-16015	DECOD	97-09-013
296-150R-2000	AMD-P	97-09-039	296-306A-08015	DECOD	97-09-013	296-306A-16017	DECOD	97-09-013
296-150R-2020	AMD-P	97-09-039	296-306A-08018	AMD-P	97-03-131	296-306A-16019	DECOD	97-09-013
296-150R-3000	AMD-P	97-03-132	296-306A-08018	AMD	97-08-051A	296-306A-16021	DECOD	97-09-013
296-150R-3000	AMD-P	97-09-039	296-306A-08018	DECOD	97-09-013	296-306A-16023	DECOD	97-09-013
296-150R-3000	AMD	97-11-053	296-306A-08021	DECOD	97-09-013	296-306A-185	DECOD	97-09-013
296-155	PREP	97-10-095	296-306A-085	DECOD	97-09-013	296-306A-18503	DECOD	97-09-013
296-155-527	AMD-P	97-03-085	296-306A-090	DECOD	97-09-013	296-306A-18506	DECOD	97-09-013
296-155-527	AMD	97-11-055	296-306A-095	DECOD	97-09-013	296-306A-18509	DECOD	97-09-013
296-200	PREP	97-03-081	296-306A-09503	DECOD	97-09-013	296-306A-18512	DECOD	97-09-013
296-200-025	AMD-P	97-03-132	296-306A-09506	DECOD	97-09-013	296-306A-18515	DECOD	97-09-013
296-200-025	AMD	97-11-053	296-306A-09509	DECOD	97-09-013	296-306A-190	DECOD	97-09-013
296-200-050	AMD-P	97-03-132	296-306A-09512	DECOD	97-09-013	296-306A-19003	DECOD	97-09-013
296-200-050	AMD	97-11-053	296-306A-09515	DECOD	97-09-013	296-306A-19006	DECOD	97-09-013
296-200-900	AMD-P	97-03-132	296-306A-09518	DECOD	97-09-013	296-306A-19009	DECOD	97-09-013
296-200-900	AMD	97-11-053	296-306A-100	DECOD	97-09-013	296-306A-19012	DECOD	97-09-013
296-306-060	REP-P	97-03-131	296-306A-10005	DECOD	97-09-013	296-306A-19015	DECOD	97-09-013
296-306-060	REP-E	97-06-040	296-306A-10010	DECOD	97-09-013	296-306A-19018	DECOD	97-09-013
296-306-060	REP	97-08-051A	296-306A-10015	DECOD	97-09-013	296-306A-195	DECOD	97-09-013
296-306-060	REP-W	97-12-063	296-306A-10020	DECOD	97-09-013	296-306A-200	DECOD	97-09-013
296-306-330	REP-P	97-03-131	296-306A-10025	DECOD	97-09-013	296-306A-20005	DECOD	97-09-013
296-306-330	REP-E	97-06-040	296-306A-107	DECOD	97-09-013	296-306A-20010	DECOD	97-09-013
296-306-330	REP	97-08-051A	296-306A-110	DECOD	97-09-013	296-306A-205	DECOD	97-09-013
296-306-330	REP-W	97-12-063	296-306A-11005	DECOD	97-09-013	296-306A-20505	DECOD	97-09-013
296-306-400	REP-P	97-03-131	296-306A-11010	DECOD	97-09-013	296-306A-20510	DECOD	97-09-013
296-306-400	REP-E	97-06-040	296-306A-11015	DECOD	97-09-013	296-306A-20515	DECOD	97-09-013
296-306-400	REP	97-08-051A	296-306A-120	DECOD	97-09-013	296-306A-220	DECOD	97-09-013
296-306-400	REP-W	97-12-063	296-306A-12005	DECOD	97-09-013	296-306A-22003	DECOD	97-09-013
296-306-40007	REP-P	97-03-131	296-306A-12010	DECOD	97-09-013	296-306A-22006	DECOD	97-09-013
296-306-40007	REP-E	97-06-040	296-306A-12015	DECOD	97-09-013	296-306A-22009	DECOD	97-09-013
296-306-40007	REP	97-08-051A	296-306A-12020	DECOD	97-09-013	296-306A-22012	DECOD	97-09-013
296-306-40007	REP-W	97-12-063	296-306A-12025	DECOD	97-09-013	296-306A-22015	DECOD	97-09-013
296-306-40009	REP-P	97-03-131	296-306A-12030	DECOD	97-09-013	296-306A-225	DECOD	97-09-013
296-306-40009	REP-E	97-06-040	296-306A-12035	DECOD	97-09-013	296-306A-22503	DECOD	97-09-013
296-306-40009	REP	97-08-051A	296-306A-12040	DECOD	97-09-013	296-306A-22506	DECOD	97-09-013
296-306-40009	REP-W	97-12-063	296-306A-12045	DECOD	97-09-013	296-306A-22509	DECOD	97-09-013
296-306A-003	DECOD	97-09-013	296-306A-12050	DECOD	97-09-013	296-306A-230	DECOD	97-09-013
296-306A-006	DECOD	97-09-013	296-306A-12055	DECOD	97-09-013	296-306A-232	DECOD	97-09-013
296-306A-009	DECOD	97-09-013	296-306A-130	DECOD	97-09-013	296-306A-240	DECOD	97-09-013
296-306A-012	DECOD	97-09-013	296-306A-13005	DECOD	97-09-013	296-306A-24001	DECOD	97-09-013
296-306A-015	DECOD	97-09-013	296-306A-13010	DECOD	97-09-013	296-306A-24003	DECOD	97-09-013
296-306A-018	DECOD	97-09-013	296-306A-13015	DECOD	97-09-013	296-306A-24006	DECOD	97-09-013
296-306A-021	DECOD	97-09-013	296-306A-13020	DECOD	97-09-013	296-306A-24009	DECOD	97-09-013
296-306A-024	DECOD	97-09-013	296-306A-13025	DECOD	97-09-013	296-306A-24012	DECOD	97-09-013
296-306A-030	DECOD	97-09-013	296-306A-13030	DECOD	97-09-013	296-306A-24015	DECOD	97-09-013
296-306A-033	DECOD	97-09-013	296-306A-13035	DECOD	97-09-013	296-306A-24018	DECOD	97-09-013
296-306A-036	DECOD	97-09-013	296-306A-13040	DECOD	97-09-013	296-306A-24021	DECOD	97-09-013
296-306A-039	DECOD	97-09-013	296-306A-13045	DECOD	97-09-013	296-306A-24024	DECOD	97-09-013
296-306A-042	DECOD	97-09-013	296-306A-13050	DECOD	97-09-013	296-306A-24027	DECOD	97-09-013
296-306A-045	DECOD	97-09-013	296-306A-13055	DECOD	97-09-013	296-306A-24030	DECOD	97-09-013
296-306A-050	DECOD	97-09-013	296-306A-145	DECOD	97-09-013	296-306A-24033	DECOD	97-09-013
296-306A-055	DECOD	97-09-013	296-306A-14505	DECOD	97-09-013	296-306A-24036	DECOD	97-09-013
296-306A-05501	DECOD	97-09-013	296-306A-14510	DECOD	97-09-013	296-306A-250	DECOD	97-09-013
296-306A-05503	DECOD	97-09-013	296-306A-14520	DECOD	97-09-013	296-306A-25003	DECOD	97-09-013
296-306A-05505	DECOD	97-09-013	296-306A-150	DECOD	97-09-013	296-306A-25006	DECOD	97-09-013
296-306A-05507	DECOD	97-09-013	296-306A-15003	DECOD	97-09-013	296-306A-25009	DECOD	97-09-013
296-306A-060	DECOD	97-09-013	296-306A-15006	DECOD	97-09-013	296-306A-25012	DECOD	97-09-013
296-306A-061	DECOD	97-09-013	296-306A-15009	DECOD	97-09-013	296-306A-25015	DECOD	97-09-013
296-306A-065	DECOD	97-09-013	296-306A-15012	DECOD	97-09-013	296-306A-25018	DECOD	97-09-013
296-306A-070	DECOD	97-09-013	296-306A-160	DECOD	97-09-013	296-306A-25021	DECOD	97-09-013
296-306A-07001	DECOD	97-09-013	296-306A-16001	DECOD	97-09-013	296-306A-25024	DECOD	97-09-013
296-306A-07003	DECOD	97-09-013	296-306A-16003	AMD-P	97-03-131	296-306A-25027	DECOD	97-09-013













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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-400-050	REP	97-11-052	308-12-031	AMD	97-03-121	308-56A-205	AMD-P	97-09-002
296-400-070	REP-P	97-03-084	308-12-040	AMD	97-03-121	308-56A-210	AMD-P	97-09-002
296-400-070	REP	97-11-052	308-12-050	AMD	97-03-121	308-56A-215	AMD-P	97-09-002
296-400-100	REP-P	97-03-084	308-12-140	REP	97-03-121	308-56A-250	AMD-P	97-09-002
296-400-100	REP	97-11-052	308-12-145	REP	97-03-121	308-56A-255	REP-P	97-09-002
296-400-110	REP-P	97-03-084	308-12-210	NEW	97-03-121	308-56A-265	AMD-P	97-09-002
296-400-110	REP	97-11-052	308-12-220	NEW	97-03-121	308-56A-270	AMD-P	97-09-002
296-400-120	REP-P	97-03-084	308-12-230	NEW	97-03-121	308-56A-275	AMD-P	97-09-002
296-400-120	REP	97-11-052	308-12-240	NEW-W	97-03-065	308-56A-280	AMD-P	97-09-002
296-400-130	REP-P	97-03-084	308-12-240	NEW	97-03-121	308-56A-285	AMD-P	97-09-002
296-400-130	REP	97-11-052	308-12-250	NEW-W	97-03-065	308-56A-300	AMD-P	97-09-002
296-400-140	REP-P	97-03-084	308-12-260	NEW-W	97-03-065	308-56A-305	AMD-P	97-09-002
296-400-140	REP	97-11-052	308-12-320	AMD	97-06-064	308-56A-310	AMD-P	97-09-002
296-400-300	REP-P	97-03-084	308-12-324	AMD	97-03-121	308-56A-315	AMD-P	97-09-002
296-400-300	REP	97-11-052	308-12-326	AMD	97-06-064	308-56A-320	AMD-P	97-09-002
296-400A-005	NEW-P	97-03-085	308-12-326	AMD-P	97-10-080	308-56A-325	AMD-P	97-09-002
296-400A-005	NEW	97-11-052	308-13-045	NEW-P	97-03-022	308-56A-330	AMD-P	97-09-002
296-400A-020	NEW-P	97-03-085	308-13-045	NEW	97-06-065	308-56A-335	AMD-P	97-09-002
296-400A-020	NEW	97-11-052	308-13-160	AMD-P	97-03-022	308-56A-340	REP-P	97-09-002
296-400A-030	NEW-P	97-03-085	308-13-160	AMD	97-06-065	308-56A-345	REP-P	97-09-002
296-400A-030	NEW	97-11-052	308-13-210	NEW	97-10-026	308-56A-350	AMD-P	97-09-002
296-400A-031	NEW-P	97-03-085	308-13-220	NEW	97-10-026	308-56A-355	REP-P	97-09-002
296-400A-031	NEW	97-11-052	308-13-230	NEW	97-10-026	308-56A-360	AMD-P	97-09-002
296-400A-032	NEW-P	97-03-085	308-13-240	NEW	97-10-026	308-56A-365	AMD-P	97-09-002
296-400A-032	NEW	97-11-052	308-14-210	NEW-P	97-07-031	308-56A-370	NEW-P	97-09-002
296-400A-033	NEW-P	97-03-085	308-14-210	NEW	97-10-053	308-56A-400	REP-P	97-09-002
296-400A-033	NEW	97-11-052	308-14-220	NEW-P	97-07-031	308-56A-405	REP-P	97-09-002
296-400A-035	NEW-P	97-03-085	308-14-220	NEW	97-10-053	308-56A-410	REP-P	97-09-002
296-400A-035	NEW	97-11-052	308-14-230	NEW-P	97-07-031	308-56A-415	REP-P	97-09-002
296-400A-045	NEW-P	97-03-085	308-14-230	NEW	97-10-053	308-56A-470	AMD	97-07-014
296-400A-045	NEW	97-11-052	308-19-400	NEW-P	97-07-026	308-56A-610	AMD-P	97-06-028
296-400A-050	NEW-P	97-03-085	308-19-400	NEW	97-10-047	308-56A-610	AMD-S	97-09-038
296-400A-050	NEW	97-11-052	308-19-410	NEW-P	97-07-026	308-56A-620	AMD-P	97-06-028
296-400A-070	NEW-P	97-03-085	308-19-410	NEW	97-10-047	308-56A-620	AMD-S	97-09-038
296-400A-070	NEW	97-11-052	308-19-420	NEW-P	97-07-026	308-56A-630	REP-P	97-06-028
296-400A-100	NEW-P	97-03-085	308-19-420	NEW	97-10-047	308-56A-630	REP-S	97-09-038
296-400A-100	NEW	97-11-052	308-20-710	NEW-P	97-07-032	308-56A-640	AMD-P	97-06-028
296-400A-110	NEW-P	97-03-085	308-20-710	NEW	97-10-049	308-56A-640	AMD-S	97-09-038
296-400A-110	NEW	97-11-052	308-20-720	NEW-P	97-07-032	308-56A-650	AMD-P	97-06-028
296-400A-120	NEW-P	97-03-085	308-20-720	NEW	97-10-049	308-56A-650	AMD-S	97-09-038
296-400A-120	NEW	97-11-052	308-20-730	NEW-P	97-07-032	308-56A-660	AMD-P	97-06-028
296-400A-121	NEW-P	97-03-085	308-20-730	NEW	97-10-049	308-56A-660	AMD-S	97-09-038
296-400A-121	NEW	97-11-052	308-29-090	NEW-P	97-07-033	308-56A-670	AMD-P	97-06-028
296-400A-130	NEW-P	97-03-085	308-29-090	NEW-W	97-09-022	308-56A-670	AMD-S	97-09-038
296-400A-130	NEW	97-11-052	308-29-100	NEW-P	97-07-033	308-56A-680	AMD-P	97-06-028
296-400A-140	NEW-P	97-03-085	308-29-100	NEW-W	97-09-022	308-56A-680	AMD-S	97-09-038
296-400A-140	NEW	97-11-052	308-29-110	NEW-P	97-07-033	308-56A-690	AMD-P	97-06-028
296-400A-300	NEW-P	97-03-085	308-29-110	NEW-W	97-09-022	308-56A-690	AMD-S	97-09-038
296-400A-300	NEW	97-11-052	308-30-170	NEW-P	97-07-029	308-57-005	AMD-P	97-07-069
296-400A-400	NEW-P	97-03-085	308-30-170	NEW	97-10-052	308-57-005	AMD	97-12-015
296-400A-400	NEW	97-11-052	308-30-180	NEW-P	97-07-029	308-57-010	AMD-P	97-07-069
296-400A-425	NEW-P	97-03-085	308-30-180	NEW	97-10-052	308-57-010	AMD	97-12-015
296-400A-425	NEW	97-11-052	308-30-190	NEW-P	97-07-029	308-57-020	AMD-P	97-07-069
296-401	PREP	97-02-095	308-30-190	NEW	97-10-052	308-57-020	AMD	97-12-015
296-401-080	AMD-P	97-03-083	308-32-100	NEW-P	97-07-027	308-57-030	AMD-P	97-07-069
296-401-080	AMD	97-12-016	308-32-100	NEW	97-10-050	308-57-030	AMD	97-12-015
296-401-090	AMD-P	97-03-083	308-32-110	NEW-P	97-07-027	308-57-110	AMD-P	97-07-069
296-401-090	AMD	97-12-016	308-32-110	NEW	97-10-050	308-57-110	AMD	97-12-015
296-401-100	AMD-P	97-03-083	308-32-120	NEW-P	97-07-027	308-57-120	AMD-P	97-07-069
296-401-100	AMD	97-12-016	308-32-120	NEW	97-10-050	308-57-120	AMD	97-12-015
296-401-120	AMD-P	97-03-083	308-33-110	NEW-P	97-07-030	308-57-130	AMD-P	97-07-069
296-401-120	AMD	97-12-016	308-33-110	NEW	97-10-054	308-57-130	AMD	97-12-015
296-401-165	AMD-P	97-03-083	308-33-120	NEW-P	97-07-030	308-57-135	NEW-P	97-07-069
296-401-165	AMD	97-12-016	308-33-120	NEW	97-10-054	308-57-135	NEW	97-12-015
296-401-175	AMD-P	97-03-083	308-33-130	NEW-P	97-07-030	308-57-140	AMD-P	97-07-069
296-401-175	AMD	97-12-016	308-33-130	NEW	97-10-054	308-57-140	AMD	97-12-015
308-11-140	NEW-P	97-07-035	308-56A-060	AMD-P	97-09-002	308-57-210	AMD-P	97-07-069
308-11-140	NEW	97-10-046	308-56A-065	AMD	97-03-076	308-57-210	AMD	97-12-015
308-11-150	NEW-P	97-07-035	308-56A-070	AMD	97-03-076	308-57-220	REP-P	97-07-069
308-11-150	NEW	97-10-046	308-56A-075	AMD	97-03-076	308-57-220	REP	97-12-015
308-11-160	NEW-P	97-07-035	308-56A-150	AMD	97-07-014	308-57-230	AMD-P	97-07-069
308-11-160	NEW	97-10-046	308-56A-160	AMD	97-07-014	308-57-230	AMD	97-12-015
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308-57-250	REP-P	97-07-069	308-330-316	AMD	97-10-068	315-11A-199	NEW-P	97-11-058
308-57-250	REP	97-12-015	308-330-322	AMD-P	97-07-015	315-11A-200	NEW-P	97-11-058
308-57-310	REP-P	97-07-069	308-330-322	AMD	97-10-068	315-11A-201	NEW-P	97-11-058
308-57-310	REP	97-12-015	308-330-329	REP-P	97-07-015	315-11A-202	NEW-P	97-11-058
308-57-320	REP-P	97-07-069	308-330-329	REP	97-10-068	315-11A-203	NEW-P	97-11-058
308-57-320	REP	97-12-015	308-330-370	AMD-P	97-07-015	315-12-020	AMD-P	97-03-123
308-57-410	REP-P	97-07-069	308-330-370	AMD	97-10-068	315-12-020	AMD	97-07-063
308-57-410	REP	97-12-015	308-330-375	REP-P	97-07-015	315-12-030	PREP	97-07-061
308-57-420	REP-P	97-07-069	308-330-375	REP	97-10-068	315-12-030	AMD-P	97-11-058
308-57-420	REP	97-12-015	308-330-400	AMD-P	97-07-015	315-12-080	AMD-P	97-03-123
308-57-430	REP-P	97-07-069	308-330-400	AMD	97-10-068	315-12-080	AMD	97-07-063
308-57-430	REP	97-12-015	308-330-406	AMD-P	97-07-015	315-12-090	AMD-P	97-03-123
308-57-440	REP-P	97-07-069	308-330-406	AMD	97-10-068	315-12-090	AMD	97-07-063
308-57-440	REP	97-12-015	308-330-408	AMD-P	97-07-015	315-34	PREP	97-11-057
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308-58-010	AMD-S	97-08-005	308-330-415	AMD-P	97-07-015	317-31-200	AMD	97-10-097
308-58-010	AMD	97-11-049	308-330-415	AMD	97-10-068	317-31-220	AMD-P	97-07-065
308-58-030	AMD-P	97-03-096	308-330-421	AMD-P	97-07-015	317-31-220	AMD	97-10-097
308-58-030	AMD-S	97-08-005	308-330-421	AMD	97-10-068	317-31-230	AMD-P	97-07-065
308-58-030	AMD	97-11-049	308-330-425	AMD-P	97-07-015	317-31-230	AMD	97-10-097
308-58-040	AMD-P	97-03-096	308-330-425	AMD	97-10-068	317-40	PREP	97-07-066
308-58-040	AMD-S	97-08-005	308-330-425	AMD-E	97-12-043	317-50-010	NEW-P	97-07-064
308-58-040	AMD	97-11-049	308-330-425	AMD-P	97-12-044	317-50-010	NEW	97-10-096
308-58-050	NEW-P	97-03-096	308-330-436	AMD-P	97-07-015	317-50-020	NEW-P	97-07-064
308-58-050	NEW-S	97-08-005	308-330-436	AMD	97-10-068	317-50-020	NEW	97-10-096
308-58-050	NEW	97-11-049	308-330-462	AMD-P	97-07-015	317-50-030	NEW-P	97-07-064
308-93	PREP	97-12-026	308-330-462	AMD	97-10-068	317-50-030	NEW	97-10-096
308-96A	PREP	97-12-067	308-330-800	AMD-P	97-07-015	317-50-040	NEW-P	97-07-064
308-96A-005	AMD-P	97-06-027	308-330-800	AMD	97-10-068	317-50-040	NEW	97-10-096
308-96A-005	AMD	97-10-003	308-330-825	AMD-P	97-07-015	317-50-050	NEW-P	97-07-064
308-96A-046	AMD-P	97-03-028	308-330-825	AMD	97-10-068	317-50-050	NEW	97-10-096
308-96A-046	AMD	97-07-013	308-420-250	NEW-P	97-07-034	317-50-060	NEW-P	97-07-064
308-96A-056	AMD-P	97-03-028	308-420-250	NEW	97-10-048	317-50-060	NEW	97-10-096
308-96A-056	AMD	97-07-013	308-420-260	NEW-P	97-07-034	317-50-070	NEW-P	97-07-064
308-96A-057	AMD-P	97-03-028	308-420-260	NEW	97-10-048	317-50-070	NEW	97-10-096
308-96A-057	AMD	97-07-013	308-420-270	NEW-P	97-07-034	317-50-080	NEW-P	97-07-064
308-96A-072	AMD-P	97-03-028	308-420-270	NEW	97-10-048	317-50-080	NEW	97-10-096
308-96A-072	AMD	97-07-013	315-06	PREP	97-11-057	317-50-900	NEW-P	97-07-064
308-96A-073	AMD	97-07-014	315-10-010	AMD	97-04-047	317-50-900	NEW	97-10-096
308-96A-074	AMD	97-07-014	315-10-020	AMD	97-04-047	326-02-034	AMD-P	97-09-094
308-96A-075	REP	97-07-014	315-10-022	NEW	97-04-047	326-30-041	PREP	97-09-093
308-96A-136	AMD-P	97-03-028	315-10-025	NEW	97-04-047	332-24-221	AMD-P	97-09-065
308-96A-136	AMD	97-07-013	315-10-030	AMD	97-04-047	332-24-221	AMD	97-12-033
308-96A-161	AMD-P	97-06-027	315-10-035	NEW	97-04-047	332-24-720	AMD	97-05-066
308-96A-161	AMD	97-09-003	315-10-055	NEW	97-04-047	332-24-730	AMD	97-05-066
308-96A-162	AMD-P	97-06-027	315-10-060	AMD	97-04-047	352-32-235	PREP	97-06-063
308-96A-162	AMD	97-09-003	315-10-062	NEW	97-04-047	352-32-235	AMD-P	97-09-081
308-125-120	PREP	97-09-082	315-10-065	NEW	97-04-047	352-32-235	AMD-W	97-09-113
308-125-120	PREP	97-09-083	315-10-070	AMD	97-04-047	352-32-235	AMD-P	97-09-114
308-125-120	PREP	97-11-059	315-10-075	NEW	97-04-047	352-32-235	AMD	97-12-042
308-127-310	NEW-P	97-07-028	315-11A-184	AMD-P	97-03-123	356-05-055	AMD-P	97-08-089
308-127-310	NEW	97-10-051	315-11A-184	AMD	97-07-063	356-05-055	AMD-W	97-10-088
308-127-320	NEW-P	97-07-028	315-11A-187	NEW-P	97-03-123	356-05-075	AMD-P	97-12-079
308-127-320	NEW	97-10-051	315-11A-187	NEW	97-07-063	356-05-422	NEW-P	97-12-079
308-127-330	NEW-P	97-07-028	315-11A-188	NEW-P	97-03-123	356-06-020	AMD-P	97-08-089
308-127-330	NEW	97-10-051	315-11A-188	NEW	97-07-063	356-06-020	AMD-W	97-10-088
308-330-121	REP-P	97-07-015	315-11A-189	NEW-P	97-03-123	356-06-060	AMD-P	97-08-089
308-330-121	REP	97-10-068	315-11A-189	NEW	97-07-063	356-06-060	AMD-W	97-10-088
308-330-123	REP-P	97-07-015	315-11A-190	NEW-P	97-03-123	356-06-070	REP-P	97-08-089
308-330-123	REP	97-10-068	315-11A-190	NEW	97-07-063	356-06-070	REP-W	97-10-088
308-330-197	AMD-P	97-07-015	315-11A-191	NEW-P	97-03-123	356-06-080	REP-P	97-08-089
308-330-197	AMD	97-10-068	315-11A-191	NEW	97-07-063	356-06-080	REP-W	97-10-088
308-330-200	AMD-P	97-07-015	315-11A-192	NEW-P	97-07-062	356-06-090	REP-P	97-08-089
308-330-200	AMD	97-10-068	315-11A-192	NEW	97-11-003	356-06-090	REP-W	97-10-088
308-330-300	AMD-P	97-07-015	315-11A-193	NEW-P	97-07-062	356-10-030	AMD-P	97-08-089
308-330-300	AMD	97-10-068	315-11A-193	NEW	97-11-003	356-10-030	AMD-W	97-10-088
308-330-305	AMD-P	97-07-015	315-11A-194	NEW-P	97-07-062	356-14-010	AMD-P	97-12-079
308-330-305	AMD	97-10-068	315-11A-194	NEW	97-11-003	356-14-069	NEW-P	97-12-079
308-330-307	AMD-P	97-07-015	315-11A-195	NEW-P	97-07-062	356-14-110	AMD-P	97-12-079
308-330-307	AMD	97-10-068	315-11A-195	NEW	97-11-003	356-14-120	AMD-P	97-12-079
308-330-307	AMD-E	97-12-043	315-11A-196	NEW-P	97-11-058	356-14-140	AMD-P	97-12-079
308-330-307	AMD-P	97-12-044	315-11A-197	NEW-P	97-11-058	356-14-160	AMD-P	97-12-079

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356-34-020	AMD-P	97-12-079	363-116-083	RECOD	97-08-042	388-14-030	AMD-W	97-10-082
363-11-001	RECOD	97-08-042	363-116-085	RECOD	97-08-042	388-14-260	AMD-P	97-09-020
363-11-003	RECOD	97-08-042	363-116-110	RECOD	97-08-042	388-14-270	AMD-P	97-09-020
363-11-010	RECOD	97-08-042	363-116-115	RECOD	97-08-042	388-14-271	NEW-P	97-09-020
363-11-020	RECOD	97-08-042	363-116-120	RECOD	97-08-042	388-14-272	NEW-P	97-09-020
363-11-030	RECOD	97-08-042	363-116-140	RECOD	97-08-042	388-14-274	NEW-P	97-09-020
363-11-040	RECOD	97-08-042	363-116-150	RECOD	97-08-042	388-14-276	NEW-P	97-09-020
363-11-050	RECOD	97-08-042	363-116-170	RECOD	97-08-042	388-14-300	AMD-P	97-09-020
363-11-060	RECOD	97-08-042	363-116-175	RECOD	97-08-042	388-14-375	NEW-P	97-09-020
363-11-070	RECOD	97-08-042	363-116-185	RECOD	97-08-042	388-14-385	AMD-P	97-09-020
363-11-080	RECOD	97-08-042	363-116-185	AMD-P	97-10-062	388-14-390	AMD-P	97-09-020
363-11-090	RECOD	97-08-042	363-116-200	RECOD	97-08-042	388-14-400	REP-P	97-09-020
363-11-100	RECOD	97-08-042	363-116-205	RECOD	97-08-042	388-14-405	REP-P	97-09-020
363-11-110	RECOD	97-08-042	363-116-2051	RECOD	97-08-042	388-14-415	AMD-P	97-09-020
363-11-120	RECOD	97-08-042	363-116-300	RECOD	97-08-042	388-14-420	AMD-P	97-09-020
363-11-130	RECOD	97-08-042	363-116-300	AMD	97-12-017	388-14-425	REP-P	97-09-020
363-11-140	RECOD	97-08-042	363-116-315	RECOD	97-08-042	388-14-430	REP-P	97-09-020
363-11-150	RECOD	97-08-042	363-116-35001	RECOD	97-08-042	388-14-435	AMD-P	97-09-020
363-11-160	RECOD	97-08-042	363-116-360	RECOD	97-08-042	388-14-440	AMD-P	97-09-020
363-11-170	RECOD	97-08-042	363-116-360	AMD	97-12-018	388-14-445	AMD-P	97-09-020
363-11-180	RECOD	97-08-042	363-116-370	RECOD	97-08-042	388-14-450	AMD-P	97-09-020
363-11-190	RECOD	97-08-042	363-116-400	RECOD	97-08-042	388-14-460	AMD-P	97-09-020
363-11-200	RECOD	97-08-042	363-116-410	RECOD	97-08-042	388-14-495	NEW-P	97-09-020
363-11-210	RECOD	97-08-042	363-116-420	RECOD	97-08-042	388-14-496	NEW-P	97-09-020
363-11-220	RECOD	97-08-042	363-116-500	RECOD	97-08-042	388-14-500	NEW-P	97-09-020
363-11-230	RECOD	97-08-042	365-135-010	AMD	97-02-093	388-15-120	AMD-P	97-11-083
363-11-240	RECOD	97-08-042	365-135-020	AMD	97-02-093	388-15-134	AMD-P	97-09-106
363-11-250	RECOD	97-08-042	365-135-035	NEW	97-02-093	388-15-196	PREP	97-08-072
363-11-260	RECOD	97-08-042	365-135-040	AMD	97-02-093	388-46-110	AMD-P	97-05-070
363-11-270	RECOD	97-08-042	365-135-050	AMD	97-02-093	388-46-110	AMD	97-10-038
363-11-280	RECOD	97-08-042	365-135-060	AMD	97-02-093	388-46-120	NEW-P	97-05-070
363-11-290	RECOD	97-08-042	365-135-070	AMD	97-02-093	388-46-120	NEW	97-10-038
363-11-300	RECOD	97-08-042	371-08-310	AMD-E	97-12-003	388-49-020	AMD	97-06-096
363-11-310	RECOD	97-08-042	371-08-335	AMD-E	97-12-003	388-49-160	AMD-P	97-06-098
363-11-320	RECOD	97-08-042	374-70-020	AMD-P	97-03-113	388-49-160	AMD	97-09-030
363-11-330	RECOD	97-08-042	374-70-020	AMD	97-06-080	388-49-190	AMD-P	97-06-097
363-11-340	RECOD	97-08-042	374-70-020	AMD-E	97-07-049	388-49-190	AMD	97-09-031
363-11-350	RECOD	97-08-042	374-70-030	AMD-P	97-03-113	388-49-310	AMD	97-06-074
363-11-360	RECOD	97-08-042	374-70-030	AMD	97-06-080	388-49-310	AMD-P	97-09-107
363-11-370	RECOD	97-08-042	374-70-030	AMD-E	97-07-049	388-49-310	AMD	97-12-025
363-11-380	RECOD	97-08-042	374-70-060	AMD-P	97-03-113	388-49-355	NEW	97-03-035
363-11-390	RECOD	97-08-042	374-70-060	AMD	97-06-080	388-49-360	AMD-E	97-05-052
363-11-400	RECOD	97-08-042	374-70-060	AMD-E	97-07-049	388-49-360	AMD-P	97-05-053
363-11-410	RECOD	97-08-042	374-70-070	AMD-P	97-03-113	388-49-360	AMD	97-09-012
363-11-420	RECOD	97-08-042	374-70-070	AMD	97-06-080	388-49-362	NEW-E	97-05-052
363-11-430	RECOD	97-08-042	374-70-070	AMD-E	97-07-049	388-49-362	NEW-P	97-05-053
363-11-440	RECOD	97-08-042	374-70-080	AMD-P	97-03-113	388-49-362	NEW	97-09-012
363-11-450	RECOD	97-08-042	374-70-080	AMD	97-06-080	388-49-364	NEW-E	97-05-052
363-11-460	RECOD	97-08-042	374-70-080	AMD-E	97-07-049	388-49-364	NEW-P	97-05-053
363-11-470	RECOD	97-08-042	374-70-090	AMD-P	97-03-113	388-49-364	NEW	97-09-012
363-11-480	RECOD	97-08-042	374-70-090	AMD	97-06-080	388-49-366	NEW-E	97-05-052
363-11-490	RECOD	97-08-042	374-70-090	AMD-E	97-07-049	388-49-366	NEW-P	97-05-053
363-11-500	RECOD	97-08-042	374-70-100	AMD-P	97-03-113	388-49-366	NEW	97-09-012
363-11-510	RECOD	97-08-042	374-70-100	AMD	97-06-080	388-49-368	NEW-E	97-05-052
363-11-520	RECOD	97-08-042	374-70-100	AMD-E	97-07-049	388-49-368	NEW-P	97-05-053
363-11-530	RECOD	97-08-042	374-70-110	REP-P	97-03-113	388-49-368	NEW	97-09-012
363-11-540	RECOD	97-08-042	374-70-110	REP	97-06-080	388-49-369	NEW-E	97-05-052
363-11-550	RECOD	97-08-042	374-70-110	REP-E	97-07-049	388-49-369	NEW-P	97-05-053
363-11-560	RECOD	97-08-042	374-70-120	AMD-P	97-03-113	388-49-369	NEW	97-09-012
363-11-570	RECOD	97-08-042	374-70-120	AMD	97-06-080	388-49-380	AMD-E	97-05-052
363-11-580	RECOD	97-08-042	374-70-120	AMD-E	97-07-049	388-49-380	AMD-P	97-05-053
363-11-590	RECOD	97-08-042	374-70-130	AMD-P	97-03-113	388-49-380	AMD	97-09-012
363-116-010	RECOD	97-08-042	374-70-130	AMD	97-06-080	388-49-385	NEW-E	97-05-052
363-116-020	RECOD	97-08-042	374-70-130	AMD-E	97-07-049	388-49-385	NEW-P	97-05-053
363-116-030	RECOD	97-08-042	388-11	PREP	97-09-109	388-49-385	NEW	97-09-012
363-116-050	RECOD	97-08-042	388-11-032	PREP	97-09-111	388-49-470	AMD	97-05-002
363-116-060	RECOD	97-08-042	388-11-045	PREP	97-09-111	388-49-640	AMD	97-04-024
363-116-070	RECOD	97-08-042	388-11-048	PREP	97-09-111	388-49-670	AMD	97-04-023
363-116-075	RECOD	97-08-042	388-11-285	AMD-P	97-09-019	388-76	PREP	97-12-047
363-116-080	RECOD	97-08-042	388-11-285	AMD-W	97-10-083	388-87-020	AMD	97-04-005
363-116-081	RECOD	97-08-042	388-14-020	AMD-P	97-09-020	388-96-010	PREP	97-06-072
363-116-082	RECOD	97-08-042	388-14-030	AMD-P	97-09-020	388-96-010	AMD-P	97-12-082

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388-96-221	PREP	97-06-072	388-218-1460	PREP	97-11-079	388-550-1300	NEW-P	97-11-008
388-96-224	PREP	97-06-072	388-218-1470	PREP	97-11-079	388-550-1400	NEW-P	97-11-008
388-96-224	AMD-P	97-12-082	388-218-1480	PREP	97-11-079	388-550-1500	NEW-P	97-11-008
388-96-505	PREP	97-06-072	388-218-1530	AMD-E	97-03-047	388-550-1600	NEW-P	97-11-008
388-96-505	AMD-P	97-12-082	388-218-1530	AMD-P	97-03-051	388-550-1700	NEW-P	97-11-008
388-96-534	PREP	97-06-072	388-218-1530	AMD	97-06-078	388-550-1750	NEW-P	97-11-008
388-96-534	AMD-P	97-12-082	388-218-1630	PREP	97-11-079	388-550-1800	NEW-P	97-11-008
388-96-553	PREP	97-06-072	388-218-1710	PREP	97-11-079	388-550-1900	NEW-P	97-11-008
388-96-553	AMD-P	97-12-082	388-218-1730	PREP	97-11-079	388-550-2000	NEW-P	97-11-008
388-96-554	PREP	97-06-072	388-218-1740	PREP	97-11-079	388-550-2100	NEW-P	97-11-008
388-96-554	AMD-P	97-12-082	388-218-1820	AMD-E	97-03-047	388-550-2200	NEW-P	97-11-008
388-96-559	PREP	97-06-072	388-218-1820	AMD-P	97-03-051	388-550-2300	NEW-P	97-11-008
388-96-559	AMD-P	97-12-082	388-218-1820	AMD	97-06-078	388-550-2400	NEW-P	97-11-008
388-96-565	PREP	97-06-072	388-250-1700	AMD-P	97-10-035	388-550-2500	NEW-P	97-11-008
388-96-565	AMD-P	97-12-082	388-250-1700	AMD-E	97-10-036	388-550-2600	NEW-P	97-11-008
388-96-585	PREP	97-06-072	388-265-1350	REP-P	97-05-071	388-550-2700	NEW-P	97-11-008
388-96-585	AMD-P	97-12-082	388-265-1350	REP	97-08-033	388-550-2750	NEW-P	97-11-008
388-96-709	PREP	97-06-072	388-265-1350	REP	97-10-042	388-550-2800	NEW-P	97-11-008
388-96-709	AMD-P	97-12-082	388-265-1750	PREP	97-06-132	388-550-2900	NEW-P	97-11-008
388-96-719	AMD-P	97-12-082	388-265-1750	AMD-E	97-06-133	388-550-3000	NEW-P	97-11-008
388-96-735	AMD-P	97-12-082	388-265-1750	AMD-P	97-10-039	388-550-3100	NEW-P	97-11-008
388-96-745	PREP	97-06-072	388-320-225	AMD-E	97-03-046	388-550-3150	NEW-P	97-11-008
388-96-745	AMD-P	97-12-082	388-320-225	AMD-P	97-03-053	388-550-3200	NEW-P	97-11-008
388-96-754	AMD-P	97-12-082	388-320-225	AMD	97-07-008	388-550-3250	NEW-P	97-11-008
388-96-774	AMD-P	97-12-082	388-330-035	AMD-P	97-09-106	388-550-3300	NEW-P	97-11-008
388-96-776	PREP	97-06-072	388-500-0005	PREP	97-11-075	388-550-3350	NEW-P	97-11-008
388-96-776	AMD-P	97-12-082	388-501-0135	AMD	97-03-038	388-550-3400	NEW-P	97-11-008
388-97-027	PREP	97-06-131	388-503-0310	AMD	97-03-036	388-550-3450	NEW-P	97-11-008
388-110-110	PREP	97-11-043	388-503-0310	PREP	97-11-075	388-550-3500	NEW-P	97-11-008
388-200-1400	NEW-E	97-03-046	388-505-0510	AMD-P	97-11-082	388-550-3600	NEW-P	97-11-008
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388-215-1000	AMD-E	97-04-050	388-505-0540	AMD	97-04-005	388-550-3900	NEW-P	97-11-008
388-215-1000	AMD-P	97-04-051	388-506-0630	AMD	97-10-022	388-550-4000	NEW-P	97-11-008
388-215-1000	AMD	97-07-024	388-507-0710	AMD-P	97-07-023	388-550-4100	NEW-P	97-11-008
388-215-1115	NEW-P	97-05-068	388-507-0710	AMD	97-09-112	388-550-4200	NEW-P	97-11-008
388-215-1115	NEW	97-08-032	388-507-0740	PREP	97-10-034	388-550-4300	NEW-P	97-11-008
388-215-1115	NEW	97-10-041	388-508-0805	AMD-E	97-08-031	388-550-4400	NEW-P	97-11-008
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388-215-1400	AMD-P	97-05-071	388-509-0960	AMD-E	97-08-031	388-550-4600	NEW-P	97-11-008
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388-215-1400	AMD	97-10-042	388-511-1105	AMD	97-03-036	388-550-4800	NEW-P	97-11-008
388-215-1550	NEW-E	97-03-049	388-511-1130	AMD	97-10-022	388-550-4900	NEW-P	97-11-008
388-215-1550	NEW-P	97-03-052	388-511-1140	AMD	97-10-022	388-550-5000	NEW-P	97-11-008
388-215-1550	NEW	97-06-077	388-511-1160	AMD	97-03-034	388-550-5100	NEW-P	97-11-008
388-215-1570	NEW-P	97-05-069	388-511-1160	PREP	97-08-035	388-550-5150	NEW-P	97-11-008
388-215-1570	NEW	97-08-034	388-513-1315	PREP	97-12-023	388-550-5200	NEW-P	97-11-008
388-215-1570	NEW	97-10-040	388-513-1320	AMD-P	97-11-082	388-550-5250	NEW-P	97-11-008
388-215-1650	AMD-E	97-03-054	388-513-1330	AMD	97-10-022	388-550-5300	NEW-P	97-11-008
388-215-1650	AMD-P	97-03-055	388-513-1350	AMD-P	97-07-023	388-550-5350	NEW-P	97-11-008
388-215-1650	AMD	97-06-076	388-513-1350	AMD	97-09-112	388-550-5400	NEW-P	97-11-008
388-215-1660	NEW-P	97-05-072	388-513-1365	AMD	97-05-040	388-550-5500	NEW-P	97-11-008
388-215-1660	NEW-E	97-06-026	388-513-1380	AMD-E	97-08-031	388-550-5600	NEW-P	97-11-008
388-215-1660	NEW-S	97-06-073	388-513-1380	AMD-W	97-12-062	388-550-5700	NEW-P	97-11-008
388-215-1660	NEW	97-09-029	388-517-1720	AMD-E	97-08-031	388-550-5800	NEW-P	97-11-008
388-216-2450	PREP	97-11-077	388-517-1740	AMD-E	97-08-031	388-550-5900	NEW-P	97-11-008
388-216-2500	AMD-E	97-03-048	388-517-1760	AMD-E	97-08-031	388-550-6000	NEW-P	97-11-008
388-216-2500	AMD-P	97-03-050	388-522-2205	AMD-E	97-08-030	388-550-6100	NEW-P	97-11-008
388-216-2500	AMD	97-06-075	388-522-2205	AMD-P	97-12-081	388-550-6150	NEW-P	97-11-008
388-216-2500	PREP	97-11-077	388-524-2405	AMD-E	97-08-030	388-550-6200	NEW-P	97-11-008
388-216-2650	PREP	97-11-077	388-524-2405	AMD-P	97-12-081	388-550-6250	NEW-P	97-11-008
388-216-2800	PREP	97-11-077	388-528-2810	REP	97-03-077	388-550-6300	NEW-P	97-11-008
388-216-2900	AMD-E	97-03-047	388-538-070	PREP	97-11-076	388-550-6350	NEW-P	97-11-008
388-216-2900	AMD-P	97-03-051	388-538-073	NEW-W	97-10-073	388-550-6400	NEW-P	97-11-008
388-216-2900	AMD	97-06-078	388-538-074	NEW-W	97-10-073	388-550-6450	NEW-P	97-11-008
388-218-1210	PREP	97-11-079	388-538-110	AMD	97-04-004	388-550-6500	NEW-P	97-11-008
388-218-1300	PREP	97-11-079	388-540-005	PREP	97-11-081	388-550-6600	NEW-P	97-11-008
388-218-1350	PREP	97-11-079	388-540-030	PREP	97-11-081	388-550-6700	NEW-P	97-11-008
388-218-1410	PREP	97-11-079	388-540-060	PREP	97-11-081	390-16-041	AMD-P	97-03-117
388-218-1420	PREP	97-11-079	388-550-1000	NEW-P	97-11-008	390-16-041	AMD	97-06-085
388-218-1430	PREP	97-11-079	388-550-1050	NEW-P	97-11-008	390-16-313	AMD-P	97-06-086
388-218-1440	PREP	97-11-079	388-550-1100	NEW-P	97-11-008	390-16-313	AMD	97-10-055

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
392-121	PREP	97-09-010	440-22-406	NEW	97-03-062	466-08-010	REP-P	97-12-074
392-123-047	PREP	97-04-035	446-16-010	AMD	97-05-048	466-08-020	REP-P	97-12-074
392-132-010	AMD	97-03-044	446-16-025	AMD	97-05-048	466-08-030	REP-P	97-12-074
392-132-030	AMD	97-03-044	446-16-030	AMD	97-05-048	466-08-040	REP-P	97-12-074
392-132-040	AMD	97-03-044	446-16-040	REP	97-05-048	466-08-050	REP-P	97-12-074
392-134	PREP	97-09-010	446-16-050	REP	97-05-048	466-08-060	REP-P	97-12-074
392-137	PREP	97-09-010	446-16-070	AMD	97-05-048	466-08-070	REP-P	97-12-074
392-142	PREP	97-12-041	446-16-080	AMD	97-05-048	466-08-080	REP-P	97-12-074
392-320	PREP	97-04-022	446-16-100	AMD	97-05-048	466-08-090	REP-P	97-12-074
399-30-032	NEW-E	97-12-077	446-16-110	AMD	97-05-048	468-16-030	AMD-P	97-05-007
399-30-033	NEW-E	97-12-077	446-16-120	AMD	97-05-048	468-16-030	AMD	97-09-045
399-30-034	NEW-E	97-12-077	446-20-050	AMD	97-05-048	468-16-080	AMD-P	97-05-007
415-112-0160	NEW	97-03-016	446-20-090	AMD	97-05-048	468-16-080	AMD	97-09-045
415-112-330	AMD-S	97-05-010	446-20-100	AMD	97-05-048	468-16-090	AMD-P	97-05-007
415-112-330	AMD	97-09-037	446-20-110	REP	97-05-048	468-16-090	AMD	97-09-045
415-112-335	NEW-S	97-05-010	446-20-170	AMD	97-05-048	468-16-100	AMD-P	97-05-007
415-112-335	NEW	97-09-037	446-20-280	AMD	97-05-048	468-16-100	AMD	97-09-045
415-112-410	REP	97-03-016	446-20-285	AMD	97-05-048	468-16-120	AMD-P	97-05-007
415-112-411	REP	97-03-016	446-20-500	AMD	97-05-048	468-16-120	AMD	97-09-045
415-112-414	REP	97-03-016	446-20-510	AMD	97-05-048	468-16-130	AMD-P	97-05-007
415-112-444	NEW	97-03-016	446-20-520	AMD	97-05-048	468-16-130	AMD	97-09-045
415-112-445	NEW	97-03-016	446-20-530	AMD	97-05-048	468-16-140	AMD-P	97-05-007
415-112-450	NEW	97-03-016	458-10-010	NEW	97-08-068	468-16-140	AMD	97-09-045
415-112-460	NEW	97-03-016	458-10-020	NEW	97-08-068	468-16-150	AMD-P	97-05-007
415-112-4601	NEW	97-03-016	458-10-030	NEW	97-08-068	468-16-150	AMD	97-09-045
415-112-4603	NEW	97-03-016	458-10-040	NEW	97-08-068	468-16-160	AMD-P	97-05-007
415-112-4604	NEW	97-03-016	458-10-050	NEW	97-08-068	468-16-160	AMD	97-09-045
415-112-4605	NEW	97-03-016	458-10-060	NEW	97-08-068	468-16-170	AMD-P	97-05-007
415-112-4607	NEW	97-03-016	458-10-070	NEW	97-08-068	468-16-170	AMD	97-09-045
415-112-4608	NEW	97-03-016	458-20-101	AMD	97-08-050	468-16-180	AMD-P	97-05-007
415-112-4609	NEW	97-03-016	458-20-104	AMD	97-08-050	468-16-180	AMD	97-09-045
415-112-470	NEW	97-03-016	458-20-14601	NEW	97-11-033	468-66	PREP	97-09-070
415-112-471	NEW	97-03-016	458-20-174	AMD-P	97-07-079	468-86-010	NEW-P	97-06-005
415-112-473	NEW	97-03-016	458-20-174	AMD	97-11-022	468-86-010	NEW	97-09-046
415-112-475	NEW	97-03-016	458-20-17401	AMD-P	97-07-079	468-86-020	NEW-P	97-06-005
415-112-477	NEW	97-03-016	458-20-17401	AMD	97-11-022	468-86-020	NEW	97-09-046
415-112-480	NEW	97-03-016	458-20-263	NEW	97-03-027	468-86-030	NEW-P	97-06-005
415-112-482	NEW	97-03-016	458-40-540	AMD	97-07-041	468-86-030	NEW	97-09-046
415-112-483	NEW	97-03-016	458-40-540	AMD-W	97-11-060	468-86-040	NEW-P	97-06-005
415-112-485	NEW	97-03-016	458-40-660	PREP	97-06-111	468-86-040	NEW	97-09-046
415-112-487	NEW	97-03-016	458-40-660	AMD-P	97-10-027	468-86-050	NEW-P	97-06-005
415-112-489	NEW	97-03-016	460-21B-050	AMD	97-03-122	468-86-050	NEW	97-09-046
415-112-490	NEW	97-03-016	460-21B-080	REP	97-03-122	468-86-060	NEW-P	97-06-005
415-112-491	NEW	97-03-016	460-22B-070	REP	97-03-122	468-86-060	NEW	97-09-046
415-200-030	NEW-E	97-08-053	460-22B-080	REP	97-03-122	468-86-070	NEW-P	97-06-005
415-200-040	NEW-E	97-08-053	460-24A	PREP	97-08-059	468-86-070	NEW	97-09-046
415-512-090	AMD	97-05-009	460-24A-046	REP	97-03-122	468-86-080	NEW-P	97-06-005
434-24-065	NEW-P	97-09-099	460-44A-300	NEW-P	97-08-061	468-86-080	NEW	97-09-046
434-24-065	NEW-E	97-12-039	460-44A-506	PREP	97-08-057	468-86-090	NEW-P	97-06-005
434-120-040	NEW-P	97-08-076	461-08-310	AMD-E	97-12-004	468-86-090	NEW	97-09-046
434-120-105	AMD-P	97-08-076	466-02-010	REP-P	97-12-074	468-86-100	NEW-P	97-06-005
434-120-130	AMD-P	97-08-076	466-03-010	REP-P	97-12-074	468-86-100	NEW	97-09-046
434-120-215	AMD-P	97-08-076	466-03-020	REP-P	97-12-074	468-86-110	NEW-P	97-06-005
434-120-255	AMD-P	97-08-076	466-03-030	REP-P	97-12-074	468-86-110	NEW	97-09-046
440-22-005	AMD	97-03-062	466-03-040	REP-P	97-12-074	468-86-120	NEW-P	97-06-005
440-22-005	AMD-S	97-08-073	466-03-050	REP-P	97-12-074	468-86-120	NEW	97-09-046
440-22-180	AMD-S	97-08-073	466-03-060	REP-P	97-12-074	468-86-130	NEW-P	97-06-005
440-22-200	AMD-S	97-08-073	466-03-070	REP-P	97-12-074	468-86-130	NEW	97-09-046
440-22-220	AMD-S	97-08-073	466-03-080	REP-P	97-12-074	468-86-140	NEW-P	97-06-005
440-22-225	AMD-S	97-08-073	466-03-090	REP-P	97-12-074	468-86-140	NEW	97-09-046
440-22-230	AMD-S	97-08-073	466-03-100	REP-P	97-12-074	468-86-150	NEW-P	97-06-005
440-22-240	AMD-S	97-08-073	466-03-110	REP-P	97-12-074	468-86-150	NEW	97-09-046
440-22-250	AMD-S	97-08-073	466-03-120	REP-P	97-12-074	468-86-160	NEW-P	97-06-005
440-22-253	NEW-S	97-08-073	466-03-130	REP-P	97-12-074	468-86-160	NEW	97-09-046
440-22-255	NEW-S	97-08-073	466-03-900	REP-P	97-12-074	468-105	PREP	97-08-016
440-22-257	NEW-S	97-08-073	466-04-010	REP-P	97-12-074	468-105-020	AMD-P	97-11-040
440-22-260	AMD-S	97-08-073	466-04-020	REP-P	97-12-074	468-105-040	AMD-P	97-11-040
440-22-280	AMD-S	97-08-073	466-04-030	REP-P	97-12-074	468-105-050	AMD-P	97-11-040
440-22-300	AMD-S	97-08-073	466-04-040	REP-P	97-12-074	468-105-060	AMD-P	97-11-040
440-22-310	AMD-S	97-08-073	466-04-050	REP-P	97-12-074	468-105-070	AMD-P	97-11-040
440-22-320	AMD-S	97-08-073	466-04-060	REP-P	97-12-074	468-105-080	AMD-P	97-11-040
440-22-325	AMD-S	97-08-073	466-04-070	REP-P	97-12-074	468-200-080	AMD	97-03-064
440-22-335	AMD-S	97-08-073	466-07-010	REP-P	97-12-074	468-200-160	AMD	97-03-064

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
468-200-350	AMD	97-03-064	478-116-271	NEW-P	97-09-071	478-160-295	AMD-P	97-08-062
468-300-210	PREP	97-03-118	478-116-280	REP-P	97-09-071	478-160-310	AMD-P	97-08-062
468-300-210	REP-P	97-12-074	478-116-281	NEW-P	97-09-071	478-160-320	AMD-P	97-08-062
468-300-220	NEW-P	97-12-074	478-116-290	REP-P	97-09-071	478-250-050	AMD-P	97-08-062
468-500-001	NEW	97-06-002	478-116-291	NEW-P	97-09-071	478-250-060	AMD-P	97-08-062
478-04-020	AMD-P	97-08-062	478-116-300	REP-P	97-09-071	478-276-030	REP-P	97-08-062
478-108-020	AMD-P	97-08-062	478-116-301	NEW-P	97-09-071	478-276-040	REP-P	97-08-062
478-116-010	AMD-P	97-09-071	478-116-310	REP-P	97-09-071	478-276-060	AMD-P	97-08-062
478-116-020	AMD-P	97-09-071	478-116-311	NEW-P	97-09-071	478-276-070	AMD-P	97-08-062
478-116-030	AMD-P	97-09-071	478-116-320	REP-P	97-09-071	478-276-080	AMD-P	97-08-062
478-116-044	NEW-P	97-09-071	478-116-330	REP-P	97-09-071	478-276-100	AMD-P	97-08-062
478-116-046	NEW-P	97-09-071	478-116-340	REP-P	97-09-071	478-276-105	NEW-P	97-08-062
478-116-050	REP-P	97-09-071	478-116-345	REP-P	97-09-071	478-276-140	AMD-P	97-08-062
478-116-051	NEW-P	97-09-071	478-116-350	REP-P	97-09-071	480-31-010	NEW	97-08-037
478-116-055	REP-P	97-09-071	478-116-355	REP-P	97-09-071	480-31-020	NEW	97-08-037
478-116-060	REP-P	97-09-071	478-116-360	REP-P	97-09-071	480-31-030	NEW	97-08-037
478-116-061	NEW-P	97-09-071	478-116-370	REP-P	97-09-071	480-31-040	NEW	97-08-037
478-116-070	REP-P	97-09-071	478-116-380	REP-P	97-09-071	480-31-050	NEW	97-08-037
478-116-071	NEW-P	97-09-071	478-116-390	REP-P	97-09-071	480-31-060	NEW	97-08-037
478-116-080	REP-P	97-09-071	478-116-400	REP-P	97-09-071	480-31-070	NEW	97-08-037
478-116-088	REP-P	97-09-071	478-116-401	NEW-P	97-09-071	480-31-080	NEW	97-08-037
478-116-090	REP-P	97-09-071	478-116-411	NEW-P	97-09-071	480-31-090	NEW	97-08-037
478-116-095	REP-P	97-09-071	478-116-421	NEW-P	97-09-071	480-31-100	NEW	97-08-037
478-116-100	REP-P	97-09-071	478-116-431	NEW-P	97-09-071	480-31-110	NEW	97-08-037
478-116-101	NEW-P	97-09-071	478-116-440	REP-P	97-09-071	480-31-120	NEW	97-08-037
478-116-110	REP-P	97-09-071	478-116-450	REP-P	97-09-071	480-31-130	NEW	97-08-037
478-116-111	NEW-P	97-09-071	478-116-460	REP-P	97-09-071	480-31-140	NEW	97-08-037
478-116-114	NEW-P	97-09-071	478-116-501	NEW-P	97-09-071	480-75-002	NEW	97-07-042
478-116-116	NEW-P	97-09-071	478-116-520	AMD-P	97-09-071	480-75-005	NEW	97-07-042
478-116-120	REP-P	97-09-071	478-116-531	NEW-P	97-09-071	480-75-230	NEW	97-07-042
478-116-121	NEW-P	97-09-071	478-116-540	REP-P	97-09-071	480-120-042	AMD-P	97-11-072
478-116-125	NEW-P	97-09-071	478-116-541	NEW-P	97-09-071	480-120-106	PREP	97-11-071
478-116-130	REP-P	97-09-071	478-116-550	REP-P	97-09-071	480-120-137	PREP	97-08-036
478-116-131	NEW-P	97-09-071	478-116-551	NEW-P	97-09-071	480-120-138	PREP	97-08-036
478-116-140	REP-P	97-09-071	478-116-561	NEW-P	97-09-071	480-120-139	NEW-P	97-11-072
478-116-141	NEW-P	97-09-071	478-116-570	REP-P	97-09-071	480-120-141	PREP	97-08-036
478-116-145	NEW-P	97-09-071	478-116-580	REP-P	97-09-071	480-120-142	PREP	97-08-036
478-116-147	NEW-P	97-09-071	478-116-582	REP-P	97-09-071	484-20-103	AMD	97-06-013
478-116-151	NEW-P	97-09-071	478-116-584	REP-P	97-09-071	484-20-120	AMD	97-06-013
478-116-160	REP-P	97-09-071	478-116-586	REP-P	97-09-071	495A-120-041	NEW-P	97-07-003
478-116-161	NEW-P	97-09-071	478-116-588	REP-P	97-09-071	495A-120-042	NEW-P	97-07-003
478-116-163	NEW-P	97-09-071	478-116-589	REP-P	97-09-071	495A-120-043	NEW-P	97-07-003
478-116-165	NEW-P	97-09-071	478-116-590	REP-P	97-09-071	495A-141-010	NEW-P	97-07-002
478-116-167	NEW-P	97-09-071	478-116-601	REP-P	97-09-071	495A-141-010	NEW	97-12-038
478-116-170	REP-P	97-09-071	478-116-605	NEW-P	97-09-071	495A-141-011	NEW-P	97-07-002
478-116-171	NEW-P	97-09-071	478-116-610	REP-P	97-09-071	495A-141-011	NEW	97-12-038
478-116-180	REP-P	97-09-071	478-116-611	NEW-P	97-09-071	495A-141-012	NEW-P	97-07-002
478-116-181	NEW-P	97-09-071	478-116-620	NEW-P	97-09-071	495A-141-012	NEW	97-12-038
478-116-184	NEW-P	97-09-071	478-116-630	NEW-P	97-09-071	495A-141-013	NEW-P	97-07-002
478-116-186	NEW-P	97-09-071	478-116-640	NEW-P	97-09-071	495A-141-013	NEW	97-12-038
478-116-190	REP-P	97-09-071	478-116-650	NEW-P	97-09-071	495A-141-014	NEW-P	97-07-002
478-116-191	NEW-P	97-09-071	478-116-660	NEW-P	97-09-071	495A-141-014	NEW	97-12-038
478-116-200	REP-P	97-09-071	478-116-670	NEW-P	97-09-071	495A-141-030	NEW-P	97-07-002
478-116-201	NEW-P	97-09-071	478-136	PREP	97-10-077	495A-141-030	NEW	97-12-038
478-116-210	REP-P	97-09-071	478-160-035	AMD-P	97-08-062	495A-141-035	NEW-P	97-07-002
478-116-211	NEW-P	97-09-071	478-160-040	AMD-P	97-08-062	495A-141-035	NEW	97-12-038
478-116-220	REP-P	97-09-071	478-160-050	AMD-P	97-08-062	495A-141-040	NEW-P	97-07-002
478-116-221	NEW-P	97-09-071	478-160-060	AMD-P	97-08-062	495A-141-040	NEW	97-12-038
478-116-223	NEW-P	97-09-071	478-160-065	AMD-P	97-08-062	495A-141-045	NEW-P	97-07-002
478-116-225	NEW-P	97-09-071	478-160-085	AMD-P	97-08-062	495A-141-045	NEW	97-12-038
478-116-227	NEW-P	97-09-071	478-160-105	AMD-P	97-08-062	495A-141-050	NEW-P	97-07-002
478-116-230	REP-P	97-09-071	478-160-110	AMD-P	97-08-062	495A-141-050	NEW	97-12-038
478-116-231	NEW-P	97-09-071	478-160-120	AMD-P	97-08-062	495A-141-055	NEW-P	97-07-002
478-116-240	REP-P	97-09-071	478-160-125	AMD-P	97-08-062	495A-141-055	NEW	97-12-038
478-116-241	NEW-P	97-09-071	478-160-130	AMD-P	97-08-062	495A-141-060	NEW-P	97-07-002
478-116-245	NEW-P	97-09-071	478-160-140	AMD-P	97-08-062	495A-141-060	NEW	97-12-038
478-116-250	REP-P	97-09-071	478-160-160	AMD-P	97-08-062	495A-141-065	NEW-P	97-07-002
478-116-251	NEW-P	97-09-071	478-160-162	AMD-P	97-08-062	495A-141-065	NEW	97-12-038
478-116-253	NEW-P	97-09-071	478-160-175	AMD-P	97-08-062	495A-141-070	NEW-P	97-07-002
478-116-255	NEW-P	97-09-071	478-160-210	AMD-P	97-08-062	495A-141-070	NEW	97-12-038
478-116-260	REP-P	97-09-071	478-160-230	AMD-P	97-08-062	495A-141-080	NEW-P	97-07-002
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native clams	EMER	97-02-070	moose units	PERM	97-06-057
	<b>EMER</b>	<b>97-12-009</b>	muzzleloader area descriptions	PERM	97-06-060
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	EMER	97-07-051		PROP	97-06-127
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	EMER	97-10-070	Region three	PERM	97-06-049
	EMER	97-11-011	Region four	PERM	97-06-048
	<b>EMER</b>	<b>97-12-037</b>	Region five	PERM	97-06-044
smelt			Region six	PERM	97-06-043
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	PROP	97-10-074		PERM	97-05-074
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	EMER	97-03-039	migratory game birds	PREP	97-10-028
	EMER	97-03-099	moose	PROP	97-06-118
	EMER	97-03-100		<b>PERM</b>	<b>97-12-051</b>
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	PROP	97-01-126	sheep	PREP	97-10-028
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	EMER	97-09-001	special hunts	PROP	97-06-119
	EMER	97-10-063		<b>PERM</b>	<b>97-12-052</b>
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