

**WSR 06-06-014**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Health and Recovery Services Administration)  
 [Filed February 17, 2006, 11:35 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 05-17-191.

Title of Rule and Other Identifying Information: Chapter 388-805 WAC, Certification requirements for chemical dependency service providers.

Purpose: These rules are being revised to establish the level of quality and patient care standards for chemical dependency service providers seeking certification by DSHS/division of alcohol and substance abuse (DASA).

Hearing Location(s): Blake Office Park East, Rose Room, 4500 10th Avenue S.E., Lacey, WA 98503 (one block north of the intersection of Pacific Avenue S.E. and Alhadeff Lane. A map or directions are available at <http://www1.dshs.wa.gov/msa/rpau/docket.html> or by calling (360) 664-6097), on April 25, 2006, at 10:00 a.m.

Date of Intended Adoption: Not earlier than April 26, 2006.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504, delivery 4500 10th Avenue S.E., Lacey, WA 98503, e-mail [fernaax@dshs.wa.gov](mailto:fernaax@dshs.wa.gov), fax (360) 664-6185, by 5:00 p.m., April 25, 2006.

Assistance for Persons with Disabilities: Contact Stephanie Schiller, DSHS Rules Consultant, by April 21, 2006, TTY (360) 664-6178 or (360) 664-6097 or by e-mail at [schilse@dshs.wa.gov](mailto:schilse@dshs.wa.gov).

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: To meet the requirements of chapters 70 and 504, Laws of 2005 and chapter 166, Laws of 2004, the department is amending the sections that refer to clinical manual content, administrative manual, assessment requirements, patient record content, and education, referral, and application criteria for opiate substitution treatment programs, and adding new language as appropriate.

Reasons Supporting Proposal: See Reviser's Note below.

Statutory Authority for Adoption: Chapter 70.96A RCW.

Statute Being Implemented: Chapter 70.96A RCW.

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

Name of Proponent: Department of social and health services, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Deb Cummins, Division of Alcohol and Substance Abuse, P.O. Box 45330, Olympia, WA 98504-5330, (360) 725-3716, toll free (877) 301-4557.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rules cause only a minor cost, if any, to small businesses that are required to comply.

A cost-benefit analysis is required under RCW 34.05.-328. A preliminary cost-benefit analysis may be obtained by contacting Deb Cummins, Certification Policy Manager, Division of Alcohol and Substance Abuse, P.O. Box 45330, Olympia, WA 98504-5330, phone (360) 725-3716, fax (360) 438-8057, e-mail [cummida@dshs.wa.gov](mailto:cummida@dshs.wa.gov).

February 13, 2006

Andy Fernando, 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 06-07 issue of the Register.

**WSR 06-06-038**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Economic Services Administration)  
 [Filed February 23, 2006, 4:28 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-23-106.

Title of Rule and Other Identifying Information: Amendments to chapter 388-14A WAC as follows: WAC 388-14A-3115 The notice and finding of financial responsibility is used to set child support when paternity is not an issue, 388-14A-3120 The notice and finding of parental responsibility is used to set child support when the father's duty of support is based upon an affidavit of paternity which is not a conclusive presumption of paternity, 388-14A-3140 What can happen at a hearing on a support establishment notice?, 388-14A-3320 What happens at a hearing on a notice of support owed?, and 388-14A-6300 Duty of the administrative law judge in a hearing to determine the amount of a support obligation.

Hearing Location(s): Blake Office Park East, Rose Room, 4500 10th Avenue S.E., Lacey, WA 98503 (one block north of the intersection of Pacific Avenue S.E. and Alhadeff Lane, behind Goodyear Tire. A map or directions are available at <http://www1.dshs.wa.gov/msa/rpau/docket.html> or by calling (360) 664-6097), on April 4, 2006, at 10:00 a.m.

Date of Intended Adoption: Not earlier than April 5, 2006.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504, delivery 4500 10th Avenue S.E., Lacey, WA 98503, e-mail [fernaax@dshs.wa.gov](mailto:fernaax@dshs.wa.gov), fax (360) 664-6185, by 5:00 p.m., April 4, 2006.

Assistance for Persons with Disabilities: Contact Stephanie Schiller, DSHS Rules Consultant, by March 31, 2006, TTY (360) 664-6178 or (360) 664-6097 or by e-mail at [schilse@dshs.wa.gov](mailto:schilse@dshs.wa.gov).

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The division of child support (DCS) is amending its rules dealing with administrative support orders to provide that the administrative law judge may set the amount of support arrears, but that DCS sets the monthly repayment schedule for the debt.

Reasons Supporting Proposal: The department is clarifying DCS procedures regarding payment on support arrearages.

Statutory Authority for Adoption: RCW 34.05.220(1), 74.08.090, 74.20A.160.

Statute Being Implemented: RCW 74.20A.160.

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

Name of Proponent: Department of social and health services, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Nancy Koptur, DCS HQ, P.O. Box 9162, Olympia, WA 98507-9162, (360) 664-5065.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule does not have an economic impact on small businesses. It only affects individuals who have support obligations or individuals who are owed child support.

A cost-benefit analysis is not required under RCW 34.05.328. The rule does meet the definition of a significant legislative rule but DSHS/DCS rules relating to the liability for care of dependent children are exempt from preparing further analysis under RCW 34.05.328 (5)(b)(vii).

February 17, 2006

Andy Fernando, Manager

Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 03-17-013, filed 8/12/03, effective 9/12/03)

**WAC 388-14A-3115 The notice and finding of financial responsibility is used to set child support when paternity is not an issue.** (1) A notice and finding of financial responsibility (NFFR) is an administrative notice served by the division of child support (DCS) that can become an enforceable order for support, pursuant to RCW 74.20A.055.

(2) The NFFR:

(a) Advises the noncustodial parent and the custodial parent (who can be either a parent or the physical custodian of the child) of the support obligation for the child or children named in the notice. The NFFR fully and fairly advises the parents of their rights and responsibilities under the NFFR.

(b) Includes the information required by RCW 26.23.050 and 74.20A.055.

(c) Includes the noncustodial parent's health insurance obligation, as required by RCW 26.18.170 and 26.23.050.

(d) May include an obligation to provide support for day care or special child-rearing expenses, pursuant to chapter 26.19 RCW.

(e) Warns the noncustodial parent (NCP) and the custodial parent (CP) that at an administrative hearing, the administrative law judge (ALJ) may set the support obligation in an amount higher or lower than, or different from, the amount stated in the NFFR, if necessary for an accurate support order.

(3) After service of the NFFR, the (~~noncustodial parent~~) NCP and the (~~custodial parent~~) CP must notify DCS of any change of address, or of any changes that may affect the support obligation.

(4) The (~~noncustodial parent~~) NCP must make all support payments to the Washington state support registry after service of the NFFR. DCS does not give the NCP credit for payments made to any other party after service of a NFFR, except as provided by WAC 388-14A-3375.

(5) DCS may take immediate wage withholding action and enforcement action without further notice under chapters 26.18, 26.23, and 74.20A RCW when the NFFR is a final order. WAC 388-14A-3110 describes when the notice becomes a final order.

(6) In most cases, a child support obligation continues until the child reaches the age of eighteen. WAC 388-14A-3810 describes when the obligation under the NFFR can end sooner or later than age eighteen.

(7) If paternity has been established by an affidavit or acknowledgment of paternity, DCS attaches a copy of the acknowledgment, affidavit, or certificate of birth record information to the notice. A party wishing to challenge the acknowledgment or denial of paternity may only bring an action in court to rescind or challenge the acknowledgment or denial of paternity under RCW 26.26.330 and 26.26.335.

(8) If the parents filed a paternity affidavit or acknowledgment of paternity in another state, and by that state's law paternity is therefore conclusively established, DCS may serve a NFFR to establish a support obligation.

(9) A hearing on a NFFR is for the limited purpose of resolving the NCP's accrued support debt and current support obligation. The hearing is not for the purpose of setting a payment schedule on the support debt. The NCP has the burden of proving any defenses to liability.

AMENDATORY SECTION (Amending WSR 05-12-136, filed 6/1/05, effective 7/2/05)

**WAC 388-14A-3120 The notice and finding of parental responsibility is used to set child support when the father's duty of support is based upon an affidavit of paternity which is not a conclusive presumption of paternity.** (1) A notice and finding of parental responsibility (NFPR) is an administrative notice served by the division of child support (DCS) that can become an enforceable order for support, pursuant to RCW 74.20A.056.

(2) The NFPR differs from a notice and finding of financial responsibility (NFFR) (see WAC 388-14A-3115) because the parties may request genetic testing to contest paternity after being served with a NFPR.

(3) DCS serves a NFPR when:

(a) An affidavit acknowledging paternity is on file with the center for health statistics and was filed before July 1, 1997; or

(b) An affidavit acknowledging paternity is on file with the vital records agency of another state and the laws of that state allow the parents to withdraw the affidavit or challenge paternity.

(4) DCS attaches a copy of the acknowledgment of paternity or certification of birth record information to the NFPR.

(5) The NFPR advises the noncustodial parent (NCP) and the custodial parent (who is either the mother or the physical custodian of the child) of the support obligation for the

child or children named in the notice. The NFPR fully and fairly advises the parents of their rights and responsibilities under the NFPR. The NFPR warns the ~~((noncustodial parent))~~ NCP and the custodial parent (CP) that at an administrative hearing on the notice, the administrative law judge (ALJ) may set the support obligation in an amount higher or lower than, or different from, the amount stated in the NFPR, if necessary for an accurate support order.

(6) The NFPR includes the information required by RCW 26.23.050, 74.20A.055, and 74.20A.056.

(7) The NFPR includes the ~~((noncustodial parent's))~~ NCP's health insurance obligation, pursuant to RCW 26.18-170 and 26.23.050.

(8) The NFPR may include an obligation to provide support for day care expenses or special child-rearing expenses, pursuant to chapter 26.19 RCW.

(9) DCS may not assess an accrued support debt for a period longer than five years before the NFPR is served. This limitation does not apply to the extent that the ~~((noncustodial parent))~~ NCP hid or left the state of Washington for the purpose of avoiding service.

(10) After service of the NFPR, the ~~((noncustodial parent))~~ NCP and the ~~((custodial parent))~~ CP must notify DCS of any change of address, or of any changes that may affect the support obligation.

(11) The ~~((noncustodial parent))~~ NCP must make all support payments to the Washington state support registry after service of the NFPR. DCS does not give the NCP credit for payments made to any other party after service of the NFPR, except as provided by 388-14A-3375.

(12) DCS may take immediate wage withholding action and enforcement action without further notice under chapters 26.18, 26.23, and 74.20A RCW when the NFPR is a final order. See WAC 388-14A-3110 for when the notice becomes a final order.

(13) In most cases, a child support obligation continues until the child reaches the age of eighteen. WAC 388-14A-3810 describes when the obligation under the NFPR can end sooner or later than age eighteen.

(14) Either the ~~((noncustodial parent))~~ NCP, or the mother, if she is also the ~~((custodial parent))~~ CP, may request genetic tests. A mother who is not the ~~((custodial parent))~~ CP may at any time request that DCS refer the case for paternity establishment in the superior court.

(15) DCS does not stop enforcement of the order unless DCS receives a timely request for hearing or a timely request for genetic tests. See WAC 388-14A-3110 for time limits. DCS does not refund any money collected under the notice if the ~~((noncustodial parent))~~ NCP is later:

(a) Excluded from being the father by genetic tests; or  
 (b) Found not to be the father by a court of competent jurisdiction.

(16) If the ~~((noncustodial parent))~~ NCP requested genetic tests and was not excluded as the father, he may request within twenty days from the date of service of the genetic tests in Washington, or sixty days from the date of service of the genetic tests outside of Washington:

(a) A hearing on the NFPR.  
 (b) That DCS initiate a parentage action in superior court under chapter 26.26 RCW.

(17) If the ~~((noncustodial parent))~~ NCP was not excluded as the father, the CP (or the mother, if she is also the ~~((custodial parent))~~ CP), may within twenty days of the date of service of the genetic tests request:

(a) A hearing on the NFPR; or  
 (b) That DCS initiate a parentage action in superior court under chapter 26.26 RCW.

(18) If the NCP is excluded by genetic testing, DCS may refer the case for paternity establishment in the superior court.

(19) A hearing on a NFPR is for the limited purpose of resolving the ~~((accrued support debt,))~~ NCP's current support obligation, accrued support debt and amount of reimbursement to DCS for paternity-related costs. The hearing is not for the purpose of setting a payment schedule on the support debt. The NCP has the burden of proving any defenses to liability.

AMENDATORY SECTION (Amending WSR 03-20-072, filed 9/29/03, effective 10/30/03)

**WAC 388-14A-3140 What can happen at a hearing on a support establishment notice?** (1) When a parent requests a hearing on a notice and finding of financial responsibility (NFFR), notice and finding of parental responsibility (NFPR), or notice and finding of medical responsibility (NFMR), the hearing is limited to resolving the ~~((accrued support debt,))~~ NCP's current ~~((support))~~ and future support obligation and the accrued support debt. The hearing is not for the purpose of setting a payment schedule on the support debt.

(2) The noncustodial parent (NCP) has the burden of proving any defenses to liability. See WAC 388-14A-3370.

(3) Both the NCP and the custodial parent (CP) must show cause why the terms in the NFFR, NFPR, or NFMR are incorrect.

(4) The administrative law judge (ALJ) ~~((or review judge))~~ has authority to enter a support obligation that may be higher or lower than the amounts set forth in the NFFR, NFPR, or NFMR, including the support debt, current support, and the future support obligation. The ALJ ~~((or review judge))~~ may enter an order that differs from the terms stated in the notice, including different debt periods, if the obligation is supported by credible evidence presented by any party at the hearing, without further notice to any nonappearing party, if the ALJ ~~((or review judge))~~ finds that due process requirements have been met.

(5) The ALJ has no authority to determine custody or visitation issues, or to set a payment schedule for the arrears debt.

(6) When a party has advised the ALJ that they will participate by telephone, the ALJ attempts to contact that party on the record before beginning the proceeding or rules on a motion. The ALJ may not disclose to the other parties the telephone number of the location of the party appearing by phone.

(7) In certain cases, there is no "custodial parent" because the child or children are in foster care.

(a) If the NCP fails to appear for hearing, see WAC 388-14A-3131.

(b) If the NCP appears for hearing, see WAC 388-14A-3133.

(8) In certain cases, there can be two NCPs, called "joint NCPs." This happens when a husband and wife are jointly served a support establishment notice for a common child who is not residing in their home.

(a) If both NCPs fail to appear for hearing, see WAC 388-14A-3131;

(b) If both NCPs appear for hearing, see WAC 388-14A-3133; or

(c) One joint NCP may appear and represent the other joint NCP.

(9) When the CP asserts good cause level B (see WAC 388-422-0020), DCS notifies the CP that they will continue to receive documents, notices and orders. The CP may choose to participate at any time. Failure to appear at hearing results in a default order but does not result in a sanction for noncooperation under WAC 388-14A-2041.

(10) If any party appears for the hearing and elects to proceed, absent the granting of a continuance the ALJ hears the matter and enters an initial decision and order based on the evidence presented. The ALJ includes a party's failure to appear in the initial decision and order as an order of default against that party. The direct appeal rights of the party who failed to appear shall be limited to an appeal on the record made at the hearing.

AMENDATORY SECTION (Amending WSR 05-07-059, filed 3/11/05, effective 4/11/05)

**WAC 388-14A-3320 What happens at a hearing on a notice of support owed?** (1) A hearing on a notice of support owed is only for interpreting the court order for support and any modifying orders and not for changing or deferring the support provisions of the order.

(2) The hearing is only to determine:

(a) The amount of monthly support as a fixed dollar amount;

(b) Any accrued arrears through the date of hearing; and

(c) If a condition precedent in the court order to begin or adjust the support obligation was met.

(3) The hearing is not for the purpose of setting a payment schedule on the support debt.

~~((2))~~ (4) Either the noncustodial parent (NCP) or ~~((custodial parent (CP)))~~ payee may request a hearing on a notice of support owed. The party who requested the hearing has the burden of proving any defenses to liability that apply under WAC 388-14A-3370 or that the amounts stated in the notice of support owed are incorrect.

~~((3))~~ (5) The office of administrative hearings (OAH) sends a notice of hearing to the ~~((noncustodial parent (NCP)))~~ NCP, to the division of child support (DCS), and to the payee. The NCP and the payee each may participate in the hearing as an independent party.

~~((4))~~ (6) If only one party appears and wishes to proceed with the hearing, the administrative law judge (ALJ) holds a hearing and issues an order based on the evidence presented or continues the hearing. See WAC 388-14A-6110 and 388-14A-6115 to determine if the ALJ enters an initial order or a final order.

(a) An order issued under this subsection includes an order of default against the nonappearing party and limits the appeal rights of the nonappearing party to the record made at the hearing.

(b) If neither the NCP nor the payee appears or wishes to proceed with the hearing, the ALJ issues an order of default against both parties.

~~((5))~~ (7) If the payee requests a late hearing on a notice of support owed, the payee must show good cause for filing the late hearing request.

AMENDATORY SECTION (Amending WSR 05-14-102, filed 6/30/05, effective 7/31/05)

**WAC 388-14A-6300 Duty of the administrative law judge in a hearing to determine the amount of a support obligation.** (1) A support order entered under this chapter must conform to the requirements set forth in RCW 26.23-050(3) and 26.23.050(5).

(2) In hearings held under this chapter to contest a notice and finding of financial responsibility or a notice and finding of parental responsibility or other notice or petition, the administrative law judge (ALJ) must determine:

(a) The noncustodial parent's obligation to provide support under RCW 74.20A.057;

(b) The names and dates of birth of the children covered by the support order;

(c) The net monthly income of the noncustodial parent (NCP) and any custodial parent (CP);

(d) The NCP's share of the basic support obligation and any adjustments to that share, according to his or her circumstances;

(e) If requested by a party, the NCP's share of any special child-rearing expenses in a sum certain amount per month;

(f) The NCP's obligation to provide medical support under RCW 26.18.170;

(g) The NCP's accrued debt and order payments toward the debt in a monthly amount to be determined by the division of child support (DCS);

(h) The NCP's current and future monthly support obligation as a per month per child amount and order payments in that amount; and

(i) The NCP's total current and future support obligation as a sum certain and order payments in that amount.

(3) Having made the determinations required in subsection (2) above, the ALJ must order the NCP to make payments to the Washington state support registry (WSSR).

(4) The ALJ must allow ~~((the division of child support (DCS)))~~ DCS to orally amend the notice at the hearing to conform to the evidence. The ALJ may grant a continuance, when necessary, to allow the NCP or the CP additional time to present rebutting evidence or argument as to the amendment.

(5) The ALJ may not require DCS to produce or obtain information, documents, or witnesses to assist the NCP or CP in proof of defenses to liability. However, this rule does not apply to relevant, nonconfidential information or documents that DCS has in its possession.

**WSR 06-06-048**  
**PROPOSED RULES**  
**GROWTH MANAGEMENT**  
**HEARINGS BOARDS**

[Filed February 24, 2006, 1:57 p.m.]

Original Notice.

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

Title of Rule and Other Identifying Information: Rule changes to chapter 242-02 WAC, Practice and procedure before the growth management hearings boards. Changes are proposed to WAC 242-02-074, 242-02-210, 242-02-230, 242-02-530, 242-02-640, 242-02-831, and 242-02-890. New rules are proposed as WSR 242-02-115, 242-02-515, 242-02-892, and 242-02-899.

Hearing Location(s): The Olympia Country and Golf Club, 3636 Country Club Drive N.W., Olympia, WA 98502, on April 27, 2006, at 9:15 a.m.

Date of Intended Adoption: April 27, 2006.

Submit Written Comments to: Margery Hite, 905 24th Way S.W., Suite B-2, Olympia, WA 98504-0953, e-mail mhite@clearwire.net, fax (360) 664-8975, by April 20, 2006.

Assistance for Persons with Disabilities: Contact Patricia Davis, WWGMHB, by April 17, 2006, TTY (711) (360) 664-8966.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The rule changes are proposed to respond to requests from participants in growth management board proceedings and to issues that have been identified by board members that interfere with the efficacy of board procedures. The proposed rule changes are a continuation of the rules revision process begun in 2004 after publication and public hearings. The following rules are proposed for change: WAC 242-02-074 establishing regular meeting times for all three boards; WAC 242-02-115 a new rule setting forth notice of appearance and substitution obligations of representatives of parties in proceedings before the boards; WAC 242-02-210, requiring complete copies of the appealed enactment to be provided to the board; WAC 242-02-230, requiring four copies of the petition for review; WAC 242-02-515, a new rule expressly allowing the board to consolidate and/or segregate issues from more than one petition for review; WAC 242-02-530, allowing a challenge to a claim of insufficiency of public participation to be brought by motion; WAC 242-02-640, allowing new evidence at a hearing if requested by the board and providing for responses to any such new evidence; WAC 242-02-831, providing that the period of remand on compliance will extend until the board issues its next order on; WAC 242-02-890, requiring the board to set a compliance schedule upon a determination of noncompliance; WAC 242-02-892, a new rule requiring that those intending to participate in a compliance proceeding based on public participation in the adoption of the enactment adopted to achieve compliance provide the board with advance notice of intent to participate; and WAC 242-02-899, a new rule requiring a party seeking judicial review to file a designation of exhibits for certification to the reviewing court.

Statutory Authority for Adoption: RCW 36.70A.270(7).

Statute Being Implemented: Chapter 36.70A RCW.

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

Name of Proponent: Rules committee, joint growth management hearings boards, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Margery Hite, Rules Coordinator, WWGMHB, 905 24th Way S.W., Suite B-2, Olympia, WA 98504-0953, (360) 664-8966.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rule changes only apply to practice and procedure before quasijudicial boards, the growth management hearings boards.

A cost-benefit analysis is not required under RCW 34.05.328. The proposed rule changes only apply to practice and procedure before quasijudicial boards, the growth management hearings boards.

February 24, 2006

Margery Hite

Rules Coordinator

AMENDATORY SECTION (Amending WSR 97-04-008, filed 1/24/97, effective 3/1/97)

**WAC 242-02-074 Regular meetings.** (1) Regular meetings of each board will be held at its principal office or designated location at the following times:

(a) Eastern Washington board - on the first Wednesday of each month at 10:00 a.m. or following any scheduled hearing on that date.

(b) Western Washington board - on the second and fourth Wednesdays of each month at 11:00 a.m. or following any scheduled hearing on that date.

(c) Central Puget Sound board - on the ~~(second Thursday)~~ first Monday of each month at 10:00 a.m. or following any scheduled hearing on that date.

(2) The joint boards shall meet annually at a time and location to be announced.

NEW SECTION

**WAC 242-02-115 Authorized representatives.** (1) Notice of appearance. Any person acting in a representative capacity on behalf of a party or participant shall file a notice of appearance with the board and shall serve a copy on all parties. This requirement shall apply to attorneys as well as to other duly authorized representatives of parties.

(2) Substitution. In the event of a change in representative or attorney, a notice of substitution must be filed with the board and a copy served on all parties before the change in representative shall become effective.

AMENDATORY SECTION (Amending WSR 04-21-046, filed 10/15/04, effective 11/15/04)

**WAC 242-02-210 Petition for review—Forms—Contents.** A petition for review shall substantially contain:

(1) A caption in the following form:

BEFORE THE . . . GROWTH MANAGEMENT  
HEARINGS BOARD  
STATE OF WASHINGTON

Petitioner,

Case No.

v.

PETITION FOR REVIEW

Respondent.

(2) Numbered paragraphs stating:

(a) Petitioner's name, mailing address and telephone number and those of the attorney or other authorized representative, if any;

(b) Date of the challenged order, determination, publication, or other action or, in the case of an alleged failure to act, the date by which the action was required to be taken;

(c) A detailed statement of the issues presented for resolution by the board that specifies the provision of the act or other statute allegedly being violated and, if applicable, the provision of the document that is being appealed;

(d) A statement specifying the type and the basis of the petitioner's standing before the board pursuant to RCW 36.70A.280(2);

(e) The estimated length of the hearing;

(f) The relief sought, including the specific nature and extent;

(g) A statement that the petitioner has read the petition for review and believes the contents to be true, followed by the petitioner's signature or signature of the attorney(s) or other authorized representative(s), if any.

(3) One copy of the applicable provisions of the document being appealed, if any, shall be attached to the petition for review. Petitioner shall provide the board with a copy of the entire document being appealed within thirty days of filing a petition for review.

AMENDATORY SECTION (Amending WSR 04-21-046, filed 10/15/04, effective 11/15/04)

**WAC 242-02-230 Petition for review—Service and filing.** (1) The original and (~~three~~) four copies of the petition for review shall be filed with a board personally, or by first class, certified, or registered mail. Filings may also be made with a board by electronic telefacsimile transmission as provided in WAC 242-02-240. A copy of the petition for review shall be personally served upon all other named parties or deposited in the mail and postmarked on or before the date filed with the board. When a county is a party, the county auditor shall be served in noncharter counties and the agent designated by the legislative authority in charter counties. The mayor, city manager, or city clerk shall be served when a city is a party. When the state of Washington is a party, the office of the attorney general shall be served at its main office in Olympia unless service upon the state is otherwise provided by law. Proof of service may be filed with the board pursuant to WAC 242-02-340.

(2) A board may dismiss a case for failure to substantially comply with subsection (1) of this section.

NEW SECTION

**WAC 242-02-515 Consolidation and segregation of issues.** To avoid duplication and/or to provide efficient adjudication of issues, the presiding officer or board may coordinate, consolidate, or segregate issues from more than one petition for review for hearing in a proceeding on the merits or a compliance proceeding.

AMENDATORY SECTION (Amending WSR 94-23-112, filed 11/22/94, effective 12/23/94)

**WAC 242-02-530 Motions—Requirements.** (1) A motion is an application for an order or ruling. Every motion shall be in writing, unless made during a hearing; shall state with particularity the grounds; and shall set forth the relief or order sought. An original and three copies of the motion shall be filed with a board and a copy served on each opposing party or that party's attorney or other authorized representative.

(2) All motions shall be properly captioned and signed by the moving party or that party's attorney or other authorized representative.

(3) The motion shall specify the amount of time required for argument, whether appearance by telecommunication is requested, and the names and telephone numbers of all parties served with the motion.

(4) Dispositive motions on a limited record, similar to a motion for summary judgment in superior court or a motion on the merits in the appellate courts, are permitted. Time frames for making and responding to such a motion shall be established by the presiding officer.

(5) Motions to disqualify a hearing examiner acting as the presiding officer, or a board member, for bias, prejudice, interest or other cause, with supporting affidavit(s), may be filed with a board.

(6) Any party may bring a motion for the board to decide a challenge to compliance with the public participation requirements of the act raised in the petition for review, provided that the evidence relevant to the challenge is limited. If such a motion is timely brought, the presiding officer or the board shall determine whether to decide the public participation issue(s) on motion or whether to continue those issues to the hearing on the merits.

AMENDATORY SECTION (Amending WSR 98-01-144, filed 12/19/97, effective 1/20/98)

**WAC 242-02-640 Hearing—Procedures at hearing.**

(1) Presiding officer. All hearings shall be conducted by a presiding officer who shall conduct the hearing in an orderly manner and rule on all procedural matters, objections, and motions.

(2) Order of presentation. The presiding officer shall determine the proper order of presentation.

(3) Opening statements. Unless the presiding officer rules otherwise, parties may present oral opening statements

setting out briefly a statement of the basic facts and issues of the case.

(4) Objections. Objection to the admission or exclusion of evidence shall state briefly the legal ground of objection.

(5) Rulings. The presiding officer, on objection or on his/her own motion, shall exclude all irrelevant or unduly repetitious evidence. All rulings upon objections to the admissibility of evidence shall be made in accordance with WAC 242-02-650.

(6) Time. The presiding officer, after consultation with the parties, shall determine the time allotted for presentation.

(7) New evidence submitted at hearing. The board may allow the submission of new evidence at a hearing in response to board questions, upon a showing that the new evidence is necessary or of substantial assistance to the board. If new evidence is thereby introduced, the opposing party shall have the opportunity to respond. The board may require the parties to submit posthearing documents detailing the new evidence, and the opposing party's rebuttal to the new evidence.

AMENDATORY SECTION (Amending WSR 98-01-144, filed 12/19/97, effective 1/20/98)

**WAC 242-02-831 Final decision and order—Compliance, noncompliance, invalidity.** (1) In its final decision and order, a board shall either:

(a) Find that the state agency, county or city is in compliance with the requirements of chapter 36.70A RCW, chapter 90.58 RCW as it relates to the adoption or amendment of shoreline master programs, or chapter 43.21C RCW as it relates to adoption of plans, development regulations, and amendments thereto, under RCW 36.70A.040 or chapter 90.58 RCW; or

(b) Find that the state agency, county or city is not in compliance with the requirements of chapter 36.70A RCW, chapter 90.58 RCW as it relates to the adoption or amendment of shoreline master programs, or chapter 43.21C RCW as it relates to adoption of plans, development regulations, and amendments thereto, under RCW 36.70A.040 or chapter 90.58 RCW, in which case the board shall remand the matter to the state agency, county or city and specify a time for compliance. The period of remand shall extend to the date the board issues its next order on compliance.

(2) In its final decision and order, a board may determine that part or all of a comprehensive plan or development regulations are invalid if the board:

(a) Makes a finding of noncompliance and issues an order of remand;

(b) Includes in its final decision and order a determination, supported by findings of fact and conclusions of law, that the continued validity of part or parts of the plan or regulation would substantially interfere with the fulfillment of the goals of the act; and

(c) Specifies the part or parts, if applicable, of the plan or regulation that are determined to be invalid and the reasons for invalidity.

(3) The effect of a determination of invalidity is as set forth in RCW 36.70A.302.

AMENDATORY SECTION (Amending WSR 98-01-144, filed 12/19/97, effective 1/20/98)

**WAC 242-02-890 Determination of noncompliance—Compliance schedule.** In those cases where a board finds that a state agency, county, or city is not in compliance with the requirements of the act, chapter 90.58 RCW as it relates to the adoption or amendment of shoreline master programs, or chapter 43.21C RCW as it relates to adoption of plans, development regulations, and amendments thereto, under RCW 36.70A.040 or chapter 90.58 RCW, the board shall remand the matter to the affected state agency, county, or city. The board's final decision and order shall specify a reasonable time not in excess of one hundred eighty days, or such longer time as determined by the board in cases of unusual scope or complexity, within which the state agency, county, or city shall comply. In its order the board (~~may~~) shall establish a compliance schedule and may require periodic reports on the progress the jurisdiction is making toward compliance.

NEW SECTION

**WAC 242-02-89201 Intent to participate in compliance hearings.** Any person eligible to participate in a compliance proceeding based upon his or her participation in the proceedings to enact legislation in response to a board order shall abide by any briefing schedule set in the board's compliance order, as amended or extended, and provide the board with written notice of intent to participate no later than two weeks prior to the compliance hearing date set in that order.

NEW SECTION

**WAC 242-02-899 Record on review.** The party seeking review should, within thirty days after the notice of appeal is filed, serve on all other parties and file with the board a designation of those exhibits that the party wants the board to transmit to the superior court. Each party is encouraged to designate only those exhibits needed to review the issues presented to the superior court.

**WSR 06-06-059**

**PROPOSED RULES**

**DEPARTMENT OF LICENSING**

[Filed February 28, 2006, 10:55 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 05-01-143.

Title of Rule and Other Identifying Information: Proposed new chapter 196-34 WAC, Continuing education of licensed professional on-site wastewater treatment system designers and certified inspectors.

Hearing Location(s): At the La Quinta, The Meeting Room, 1905 North Wenatchee Avenue, Wenatchee, WA 98801, on April 19, 2006, at 6:00 p.m.; at the Spokane Airport Ramada, Room 100, 8909 Airport Drive, Spokane, WA 99219, on April 20, 2006, at 6:00 p.m.; and at the La Quinta,

Board Room, 1425 East 27th Street, Tacoma, WA 98421, on April 26, 2006, at 6:00 p.m.

Date of Intended Adoption: May 1, 2006.

Submit Written Comments to: George Twiss, PLS, Executive Director, Board of Registration for Professional Engineers and Land Surveyors, P.O. Box 9025, Olympia, WA 98507-9025, e-mail engineers@dol.wa.gov, fax (360) 664-2551, by April 19, 2006.

Assistance for Persons with Disabilities: Contact Kim King by April 14, 2006, TTY (360) 664-8885 or (360) 664-1564.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: To implement the statutory requirements of chapter 18.210 RCW, requiring continuing education for licensed on-site wastewater treatment system designers and certified local health department inspectors.

Statutory Authority for Adoption: RCW 43.24.086.

Statute Being Implemented: RCW 18.210.170.

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

Name of Proponent: Board of registration for professional engineers and land surveyors, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: George A. Twiss, 405 Black Lake Boulevard, Olympia, WA 98502, (360) 664-1565.

No small business economic impact statement has been prepared under chapter 19.85 RCW. There is no negative economic impact to small businesses. This proposal only affects individual licensees.

A cost-benefit analysis is not required under RCW 34.05.328. See statement regarding the small business economic impact statement.

February 24, 2006  
George A. Twiss  
Executive Director

**NEW  
CHAPTER 196-34 WAC**

**CONTINUING EDUCATION OF LICENSED PROFESSIONAL ON-SITE WASTEWATER TREATMENT SYSTEM DESIGNERS AND CERTIFIED INSPECTORS**

NEW SECTION

**WAC 196-34-100 Purpose and effective date.** The purpose of the continuing education requirement is to encourage licensed on-site wastewater treatment system designers (designers) and certificate of competency holders (inspectors), under Chapter 18.210 RCW, to maintain competency in their practice. On July 1, 2007 and thereafter, all designers and inspectors must meet these requirements as a condition of continued licensure/certification under chapter 18.210 RCW.

NEW SECTION

**WAC 196-34-105 Definitions.** Terms used in this chapter are defined as follows:

1. Professional Development Hour (PDH) - An hour engaged in a qualifying activity.
2. Continuing Education Unit (CEU) - Unit of credit customarily used for continuing education courses. One continuing education unit equals 10 Professional Development Hours.
3. College/Unit Semester/Quarter Hour - Completion of courses in college level curriculums satisfactory to the Board.
4. Qualifying Activity - Any activity that is related to on-site wastewater treatment systems or will help the designer or inspector to maintain their competency as an on-site wastewater treatment system professional.
5. Year - that 12-month period between the renewal and expiration of a credential for a designer or inspector.
6. Board - The Board of Registration for Professional Engineers and Land Surveyors.

NEW SECTION

**WAC 196-34-110 Requirements.** Starting July 1, 2006, all designers and inspectors, wishing to maintain active practice must accumulate 45 PDH for any given three-year period. Starting July 1, 2007 the PDH accumulated by designers and inspectors are subject to audit by the Board. Those individuals, who practice as both a designer and inspector, need only accumulate a total of 45 PDH for the three-year period.

NEW SECTION

**WAC 196-34-115 Qualifying activities.** The Board believes that designers and inspectors under provisions of Chapter 18.210 RCW should have the discretion to make independent choices on what activities help them to be improved practitioners. The Board will not provide advance approvals for selected activities or vendors. The Board expects designers and inspectors to seek out qualifying activities that can be demonstrated to the Board as relevant to his or her continuing education as a designer or inspector.

NEW SECTION

**WAC 196-34-120 Units.** Qualifying activities earned and applied to one of the following categories may not be applied to another category.

1. College hours:
  - a. Completion of 1 college semester hour 45 PDH
  - b. Completion of 1 college quarter hour 30 PDH
2. 1 Continuing Education Unit 10 PDH
3. For publication or presentation of each:
  - a. Authored technical paper or article 10 PDH
  - b. Authored book 30 PDH



- 4. Obtaining a patent 10 PDH
- 5. Membership in professional/technical societies or government committees or boards. 2 1/2 PDH  
(Not to exceed a total of 5 PDH/year)
- 6. For each hour of attendance in a professional or technical society meetings with an informational program. 1 PDH  
(Not to exceed a total of 5 PDH/year)
- 7. For each hour of attendance at meetings or hearings of the Board or On-site Advisory Committee. 1 PDH  
(Not to exceed a total of 7 1/2 PDH/year)
- 8. For each hour of preparation and subsequent presentation (\*) of a professional development program at seminars, professional/technical meetings, conventions or conferences. 1 PDH  
(Not to exceed 10 PDH/year)  
*(\*) This credit does not apply to full-time faculty.*
- 9. Completion of the continuing education requirements for maintaining a credential as a Registered Sanitarian. 10 PDH
- 10. For each hour of participation in committees of organizations whose purpose is to develop codes, standards, examinations and regulations. 1 PDH
- 11. For each hour of participation in an activity involving substantial and organized peer interaction, excluding time spent during regular employment. 1 PDH  
(Not to exceed a total of 5 PDH/year)
- 12. For each hour of participation in organized courses, including employer provided courses, on environmental health topics/first aid/safety, technical or management skills. 1 PDH
- 13. For each hour of participation in sessions or courses, sponsored by technical or professional societies, organizations or the Board. 1 PDH
- 14. For each hour of self-study. 1 PDH  
(Not to exceed a total of 5 PDH/year)
- 15. For each hour of work, outside normal duties of employment that involves participation in other recognized professional activities. 1 PDH  
(i.e. a designer working with a land surveyor)  
(Not to exceed a total of 2 PDH/year)

NEW SECTION

**WAC 196-34-125 Activities that do not qualify for PDH credits.** The following are not considered qualifying activities:

- 1. Taking courses, specialized instruction or meeting performance criteria that were conditions of a board order.
- 2. Attendance or testimony at legislative hearings.
- 3. Attendance or testimony at city or county council meetings/hearings.
- 4. Attendance or testimony at civil or criminal trials.
- 5. Time spent fund raising for scholarships or other society purposes or lobbying for legislation.
- 6. Attendance at gatherings that are primarily social in nature.
- 7. Membership and/or attendance in service club meetings.

NEW SECTION

**WAC 196-34-130 Determination of credit.** The Board is the final authority with respect to claimed qualifying activities and the respective PDH credit. Qualifying activity becomes eligible for credit upon completion of the given activity. Credits gained in excess of the 15 PDH annual requirement may be carried forward to the next renewal period.

NEW SECTION

**WAC 196-34-135 Record keeping and audits.** The designer or inspector is responsible for maintaining records to be used to support credits claimed. Records should include date of activity, instructor's name, description of activity, number of contact hours and location. The designer or inspector is required to keep their records of continuing education covering the cumulative time in the current renewal period plus the three years before the last renewal. All continuing education records and supporting documentation must be furnished to the Board upon request.

If an audit disqualifies credits that were reported to the Board by a designer or inspector and results in the licensee failing to complete the PDH requirements, the Board may require the shortage to be made up over a period of time established by the Board.

NEW SECTION

**WAC 196-34-140 Non-compliance with continuing education.** 1. A designer or inspector who fails to comply with the requirements of this chapter is subject to disciplinary action by the Board.

2. A designer or inspector who, through the course of an audit, is discovered to have falsified continuing education documentation to the Board is subject to disciplinary action by the Board.

NEW SECTION

**WAC 196-34-145 Waiver.** The Board may grant a waiver to the time requirement for collection of continuing education to designers or inspectors who qualify. A request for a waiver must be made in writing and clearly state the justification and include any necessary documentation required by the Board. All waivers expire on the next date of license/certificate renewal unless the Board grants an extension.

The Board may grant waivers for:

- a. Physical disability, prolonged illness, or other extenuating circumstances that pose a personal hardship.
- b. Individuals who have been placed on active military duty for at least 120 days.

#### NEW SECTION

**WAC 196-34-150 Exemption.** Designers or inspectors who have been approved for "Inactive Status" as provided in WAC 196-34-155 are exempt from the requirement of collecting continuing education.

#### NEW SECTION

**WAC 196-34-155 Inactive status.** Any designer or inspector who signs a Board approved affirmation that they are not engaged in the practice as an on-site wastewater treatment system professional is eligible for inactive status. Those with inactive status are prohibited from any practice as an on-site wastewater treatment system professional as provided in chapter 18.210 RCW. A designer or inspector on inactive status may reinstate their license to active status by written request to the Board and payment of any applicable fees. In the first year of reactivated practice the designer or inspector may be required by the Board to collect an additional 15 PDH.

#### NEW SECTION

**WAC 196-34-160 Comity/out-of-jurisdiction resident** The continuing education requirements, as provided for in this chapter, may be satisfied when the Board can verify that a designer or inspector has satisfied continuing education requirements in another jurisdiction recognized by the Board, as being equivalent to the requirements of this chapter.

**WSR 06-06-060  
PROPOSED RULES  
DEPARTMENT OF LICENSING**

[Filed February 28, 2006, 10:58 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 05-17-052.

Title of Rule and Other Identifying Information: Chapter 196-16 WAC, Registered professional land surveyors and chapter 196-27A WAC, Rules of professional conduct.

Hearing Location(s): At the La Quinta, The Meeting Room, 1905 North Wenatchee Avenue, Wenatchee, WA 98801, on April 19, 2006, at 6:30 p.m.; at the Spokane Airport Ramada, Room 100, 8909 Airport Drive, Spokane, WA 99219, on April 20, 2006, at 6:30 p.m.; and at the La Quinta, Board Room, 1425 East 27th Street, Tacoma, WA 98421, on April 26, 2006, at 6:30 p.m.

Date of Intended Adoption: May 1, 2006.

Submit Written Comments to: George A. Twiss, Executive Director, Board of Registration for Professional Engineers and Land Surveyors, P.O. Box 9025, Olympia, WA

98507-9025, e-mail [engineers@dol.wa.gov](mailto:engineers@dol.wa.gov), fax (360) 664-2551, by April 19, 2006.

Assistance for Persons with Disabilities: Contact Kim King by April 14, 2006, TTY (360) 664-8885 or (360) 664-1564.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of amending WAC 196-16-035 is to implement the rule regarding continuing education for professional land surveyors.

The purpose of amending WAC 196-27A-030 is to implement the continuing education rules regarding land surveyors.

Statutory Authority for Adoption: RCW 43.24.086.

Statute Being Implemented: Chapter 18.43 RCW.

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

Name of Proponent: Board of registration for professional engineers and land surveyors, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: George A. Twiss, 405 Black Lake Boulevard, Olympia, WA 98502, (360) 664-1565.

No small business economic impact statement has been prepared under chapter 19.85 RCW. There is no economic impact to businesses in the amendments to these chapters.

A cost-benefit analysis is not required under RCW 34.05.328. See statement regarding the small business economic impact statement.

February 24, 2006

George A. Twiss

Executive Director

AMENDATORY SECTION (Amending 04-04-001, filed 1/21/04, effective 2/21/04)

**WAC 196-16-035 Retired status certificate of registration.** In accordance with RCW 18.43.075, any individual who has been issued a certificate of registration, in accordance with chapter 18.43 RCW, as a professional land surveyor, having reached at least the age of sixty-five and having discontinued active practice as a land surveyor, may be eligible to obtain a "retired certificate of registration." If granted, further certificate of registration renewal fees are waived. For the purpose of this provision, "active practice" is defined as exercising direct supervision and control over the development and production of a land surveying document as provided in RCW 18.43.070 and/or any related activities pertaining to the offer of and/or the providing of professional land surveying services as defined in RCW 18.43.020.

(1) Applications. Those persons wishing to obtain the status of a retired registration shall complete an application on a form as provided by the board. Applications shall be sent to the executive director at the address of the board. Upon receipt of said application and, if deemed eligible by the board, the retired status would become effective on the first scheduled renewal date of the certificate of registration that occurs on or after the applicant reaches the age of sixty-five. It shall not be necessary that an expired certificate of registration be renewed to be eligible for this status. The board will not provide refund of renewal fees if the application for

"retired" status is made and granted before the date of expiration of the certificate of registration.

(2) Privileges. In addition to the waiver of the renewal fee, a retired registrant is permitted to:

(a) Retain the board issued wall certificate of registration;

(b) Use the title professional land surveyor (PLS), provided that it is supplemented by the term retired, or the abbreviation "ret";

(c) Work as a land surveyor in a volunteer capacity, provided that the retired registrant does not create a land surveying document, and does not use their seal, except as provided for in (d) of this subsection;

(d) Provide experience verifications and references for persons seeking registration under chapter 18.43 RCW. If using their professional seal the retired registrant may place the word "retired" in the space designated for the date of expiration;

(e) Serve in an instructional capacity on land surveying topics;

(f) Provide services as a technical expert before a court, or in preparation for pending litigation, on matters directly related to land surveying work performed by the registrant before they were granted a retired registration;

(g) Serve in a function that supports the principles of registration and/or promotes the profession of land surveying, such as members of commissions, boards or committees;

(h) Serve in a land surveying capacity as a "good samaritan," as set forth in RCW 38.52.195 and 38.52.1951, provided said work is otherwise performed in accordance with chapter 18.43 RCW.

(i) A professional land surveyor in retired status is not required to complete continuing professional development as provided in WAC 196-16-110. However, if a retired status land surveyor wishes to return to active status, the licensee will need to complete an additional 15 PDH during their first year of reactivated practice.

(3) Restrictions. A retired registrant is not permitted to:

(a) Perform any land surveying activity, as provided for in RCW 18.43.020, unless said activity is under the direct supervision of a Washington state professional land surveyor who has a valid/active registration in the records of the board;

(b) Act as the designated land surveyor or land surveyor in responsible charge for a Washington land surveying corporation or Washington land surveying limited liability company;

(c) Apply their professional land surveyors seal, as provided for in RCW 18.43.070, to any plan, specification, plat or report, except as provided for in subsection (2)(d) of this section.

(4) Certificate of registration reinstatement. A retired registrant, upon written request to the board and payment of the current renewal fee, may resume active land surveying practice. At that time the retired registrant shall be removed from retired status and placed on valid/active status in the records of the board. All rights and responsibilities of a valid/active registration will be in effect. At the date of expiration of the reinstated certificate of registration, the registrant may elect to either continue active registration or may

again apply for retired registration in accordance with the provisions of this chapter.

(5) Exemptions. Under no circumstances shall a registrant be eligible for a retired registration if their certificate of registration has been revoked, surrendered or in any way permanently terminated by the board under RCW 18.43.110. Registrants who are suspended from practice and/or who are subject to terms of a board order at the time they reach age sixty-five shall not be eligible for a retired registration until such time that the board has removed the restricting conditions.

(6) Penalties for noncompliance. Any violations of this section shall be considered "misconduct and/or malpractice" as defined in RCW 18.43.105. Such violations are subject to penalties as provided for in RCW 18.235.110 and 18.43.120.

AMENDATORY SECTION (Amending WSR 02-23-027, filed 11/12/02, effective 12/13/02)

**WAC 196-27A-030 Explicit acts of misconduct.** In addition to any failure to conform with the requirements of chapter 18.43 or 18.235 RCW, or this chapter, the following acts and any act or condition listed in RCW 18.235.130, are explicitly defined as misconduct in the practice of engineering and/or land surveying.

(1) Aiding or abetting the unsupervised practice of engineering or land surveying in the state by a person or firm that is not registered in accordance with chapter 18.43 RCW, or, aiding or abetting an unlicensed person to practice or operate a business or profession when a license is required.

(2) The practice of engineering or land surveying by a registrant when the registrant's license is retired (see WAC 196-25-100(6)), expired, suspended or revoked.

(3) Failing to comply with the terms and conditions of an order issued by the board.

(4) Failing to provide relevant information on plans and surveys in a clear manner consistent with prudent practice.

(5) Failing to comply with the provisions of the Survey Recording Act, chapter 58.09 RCW and the survey standards, chapter 332-130 WAC.

(6) Failing to respond to inquiries from clients, or other professionals regarding conflicts with the registrant's work, opinions or procedures, in a manner that would be expected from a prudent practitioner.

(7) Failing to correct engineering or land surveying documents or drawings known to contain substantive errors.

(8) Failing to notify a client or employer that a project could not, or would not, be completed once that assessment is made.

(9) Modifying another licensee's work without notifying that licensee, and clearly delineating the modifications and sealing and signing the modifications made; EXCEPT where the plans, maps, or documents are modified by the owner to reflect changes over time for their own purposes and are not used for submittals or bid documents.

(10) Offering or accepting money, goods or other favors as inducement to receive favorable consideration for a professional assignment, or as an inducement to approve, authorize or influence the granting of a professional assignment.

(11) Soliciting or accepting gratuities, directly or indirectly, from contractors, their agents, or other parties dealing with clients or employers in connection with work for which the registrant is responsible.

(12) Using privileged information coming to registrants in the course of their assignments as a means of making personal profit beyond their professional compensation.

(13) Requesting, proposing, or accepting professional commissions on a contingent basis under circumstances in which the registrant's integrity may be compromised.

(14) Willfully attempting to interfere with a board investigation by falsifying records, making false statements and intimidating or influencing witnesses.

(15) Willfully attempting to suborn another person to violate the law or administrative code, public policy or their code of professional ethics.

(16) Willfully making false statements or submitting fraudulent documents when reporting the completion of continuing professional development requirements.

**WSR 06-06-061**  
**PROPOSED RULES**  
**DEPARTMENT OF LICENSING**

[Filed February 28, 2006, 11:00 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 05-17-052.

Title of Rule and Other Identifying Information: Chapter 196-16 WAC, Registered professional land surveyors.

Hearing Location(s): At the La Quinta, The Meeting Room, 1905 North Wenatchee Avenue, Wenatchee, WA 98801, on April 19, 2006, at 6:30 p.m.; at the Spokane Airport Ramada, Room 100, 8909 Airport Drive, Spokane, WA 99219, on April 20, 2006, at 6:30 p.m.; and at the La Quinta, Board Room, 1425 East 27th Street, Tacoma, WA 98421, on April 26, 2006, at 6:30 p.m.

Date of Intended Adoption: May 1, 2006.

Submit Written Comments to: George A. Twiss, PLS, Executive Director, Board of Registration for Professional Engineers and Land Surveyors, P.O. Box 9025, Olympia, WA 98507-9025, e-mail [engineers@dol.wa.gov](mailto:engineers@dol.wa.gov), fax (360) 664-2551, by April 19, 2006.

Assistance for Persons with Disabilities: Contact Kim King by April 14, 2006, TTY (360) 664-8885 or (360) 664-1564.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: To implement legislative requirement land surveyors must complete continuing education credits starting July 2006.

Statutory Authority for Adoption: RCW 43.24.086.

Statute Being Implemented: Chapter 18.43 RCW.

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

Name of Proponent: Board of registration for professional engineers and land surveyors, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: George A. Twiss, 405

Black Lake Boulevard, Olympia, WA 98502, (360) 664-1565.

No small business economic impact statement has been prepared under chapter 19.85 RCW. There is no negative economic impact to small business. This proposal only affects individual licensees.

A cost-benefit analysis is not required under RCW 34.05.328. See statement regarding the small business economic impact statement.

February 24, 2006

George A. Twiss

Executive Director

**AMENDMENTS TO**  
**CHAPTER 196-16 WAC**

**CONTINUING PROFESSIONAL DEVELOPMENT**  
**FOR PROFESSIONAL LAND SURVEYORS**

NEW SECTION

**WAC 196-16-100 Purpose and effective date.** The purpose of the continuing professional development requirement is to encourage licensed professional land surveyors, under chapter 18.43 RCW, to maintain competency in their practice. On July 1, 2007 and thereafter, licensed land surveyors must meet the requirements of this chapter as a condition of continued licensure.

NEW SECTION

**WAC 196-16-105 Definitions.** Terms used in this section are defined as follows:

1. Professional Development Hour (PDH) - An hour engaged in a qualifying activity.
2. Continuing Education Unit (CEU) - Unit of credit customarily used for continuing education courses. One continuing education unit equals 10 Professional Development Hours.
3. College/Unit Semester/Unit Quarter – Completion of courses in college level curriculums satisfactory to the Board.
4. Qualifying activity – Any activity that is related to land surveying or will help the licensee maintain competency in their practice as a professional land surveyor.
5. Year – That 12-month period between the anniversaries of the licensee's birth date.
6. Board – The Board of Registration for Professional Engineers and Land Surveyors.

NEW SECTION

**WAC 196-16-110 Requirements.** Starting on July 1, 2006, all licensed professional land surveyors wishing to maintain lawful practice must accumulate 15 PDH per year of a two-year renewal cycle. All renewals for licensure as a professional land surveyor occurring on or after July 1, 2007 are subject to audit by the Board.

NEW SECTION

**WAC 196-16-115 Qualifying activities.** The Board believes that individuals licensed as professional land surveyors should have the discretion to make independent choices on what activities help them to be improved practitioners. While the Board will not provide advance approvals for selected activities or vendors they do expect licensees to seek out qualifying activities that can be demonstrated to the satisfaction of the Board that they are relevant to the licensee's continuing professional development.

NEW SECTION

**WAC 196-16-120 Units.** Qualifying activities will accrue PDH as follows:

1. College hours:
  - a. Completion of 1 College semester hour 45 PDH
  - b. Completion of 1 College quarter hour 30 PDH
2. 1 Continuing Education Unit 10 PDH
3. For publication or presentation of each:
  - a. Authored technical paper or article 10 PDH
  - b. Authored Book 30 PDH
4. Membership in professional/technical societies or government committees or boards. 2 1/2 PDH  
(Not to exceed 5 PDH/year)
5. For each hour of attendance at professional or technical society meetings with an informational program. 1 PDH  
(Not to exceed 5 PDH/year)
5. For each hour of attendance at meetings or hearings of the Board. 1 PDH  
(Not to exceed 7 1/2 PDH/year)
7. For each hour of preparation and subsequent presentation (\*) of a professional development program at seminars, professional/technical meetings, conventions or conferences. 1 PDH  
(Not to exceed 10 PDH/year)  
(\*) *This credit does not apply to full-time faculty*
8. For each hour of participation in committees of organizations whose purpose is to develop codes, standards, examinations and regulations. 1 PDH
9. For each hour of participation in an activity involving substantial and organized peer interaction, excluding time spent during regular employment. 1 PDH  
(Not to exceed 5 PDH/year)
10. For each hour of participation in organized courses, including employer provided courses, on first aid/safety, technical or management skills. 1 PDH

11. For each hour of participation in sessions, or courses sponsored by technical or professional societies, organizations or the Board. 1 PDH
12. For each hour of self-study. 1 PDH  
(Not to exceed 5 PDH/year)

**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 196-16-125 Activities that do not qualify for PDH credits.** The following are not considered qualifying activities:

1. Taking courses, specialized instruction or meeting performance criteria that were conditions of a Board order.
2. Attendance or testimony at legislative hearings.
3. Attendance or testimony at city or county council meetings/hearings.
4. Attendance or testimony at civil or criminal trials.
5. Time spent fund raising for scholarships or other society purposes or lobbying for legislation.
6. Attendance at gatherings that are primarily social in nature.
7. Membership and/or attendance in service club meetings.

NEW SECTION

**WAC 196-16-130 Determination of credit.** The Board is the final authority with respect to acceptance of claimed qualifying activities and the respective PDH credit. Qualifying activity becomes eligible for credit upon completion of the given activity. Credits gained in excess of the 15 PDH annual requirements may be carried forward to the next renewal period.

NEW SECTION

**WAC 196-16-135 Record keeping and audits.** The licensee is responsible for maintaining records to be used to support credits claimed. Records should include date of activity, instructor's name, description of activity, number of contact hours and location. The licensee is required to keep their records of continuing education covering the cumulative time in the current renewal period and the full two years of the prior renewal period. All continuing professional development records and supporting documentation must be furnished to the Board upon request.

If an audit disqualifies credits that were reported to the Board by a licensee and results in the licensee failing to complete the PDH requirements, the Board may renew the license and require the shortage to be made up in the subsequent renewal period.

NEW SECTION

**WAC 196-16-140 Non-compliance with continuing professional development.** 1. A licensed land surveyor who

fails to comply with the requirements of this chapter is subject to disciplinary action by the Board.

2. A licensed land surveyor who, through the course of an audit, is found to have falsified continuing professional development documentation to the Board is subject to disciplinary action by the Board.

#### NEW SECTION

**WAC 196-16-145 Exemptions.** Individuals who are in "Retired Status" as provided in WAC 196-16-035 or have been approved for "Inactive Status" as provided in WAC 196-16-155 are exempt from the requirements of collecting continuing professional development hours.

#### NEW SECTION

**WAC 196-16-150 Waivers.** The Board may grant a waiver to the time requirement for collection of continuing professional development to individuals who qualify. A request for a waiver must be made in writing and clearly state the justification and include any necessary documentation required by the Board. All waivers expire on the next date of license renewal unless the Board grants an extension.

The Board may grant waivers for:

- a. Physical disability, prolonged illness, or other extenuating circumstances that pose a personal hardship.
- b. Individuals who have been placed on active military duty for at least 120 days.

#### NEW SECTION

**WAC 196-16-155 Inactive license status.** Any licensee who signs a Board approved affirmation that they are not engaged in the practice of land surveying is eligible for inactive license status. Those with inactive status are prohibited from land surveying practice as defined in Chapter 18.43 RCW. A licensee on inactive status may reinstate their license to active status by written request to the Board and payment of any applicable fees. In the first year of reactivated practice the licensee may be required by the Board to collect an additional 15 PDH.

#### NEW SECTION

**WAC 196-16-160 Comity/out-of-jurisdiction resident** The continuing professional development requirements, as provided for in this chapter, may be satisfied when the Board can verify that a licensee has satisfied continuing professional development requirements in another state, which are judged by the Board as equivalent to the requirements of this chapter.

**WSR 06-06-067**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
[Filed February 28, 2006, 1:50 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 06-01-068.

Title of Rule and Other Identifying Information: WAC 296-20-03002 Treatment not authorized, "artificial discs."

Hearing Location(s): Department of Labor and Industries, Room S 117, 7273 Linderson Way S.W., Tumwater, WA 98501, on April 7, 2006, at 1:30 p.m.

Date of Intended Adoption: May 22, 2006.

Submit Written Comments to: Josh Morse, Office of the Medical Director, P.O. Box 44321, Olympia, WA 98504-4321, e-mail [mojo235@lni.wa.gov](mailto:mojo235@lni.wa.gov), fax (360) 902-6315, by April 14, 2006, 5 p.m.

Assistance for Persons with Disabilities: Contact Office of Information and Assistance by March 24, 2006, TTY (360) 902-5797 or (360) 902-4941.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This rule making is being proposed to put into rule an existing medical coverage decision to not cover lumbar artificial discs. The purpose is to supervise the care and treatment of injured workers and victims of crime. The anticipated effect would be safer and more efficacious treatment. The Charite III disc, the only artificial disc approved by the Food and Drug Administration (FDA), was approved for marketing in 2004. Since that time, more than seventy serious adverse events have been reported to the FDA from its use.

Reasons Supporting Proposal: Lumbar artificial disc replacement is intended to address pain due to degenerative disc disease. The department reviewed the best scientific evidence on artificial discs and made a noncoverage decision because there was not substantial scientific support and thus the device has not been proven to be safe and efficacious. Putting this noncoverage decision in rule will give the department more legal support when challenged and ensure the safety of workers.

Statutory Authority for Adoption: RCW 51.04.020, 51.04.030.

Statute Being Implemented: RCW 51.04.020, 51.04.030.

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

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: This proposed language focuses on the only artificial disc currently approved by the federal FDA, lumbar artificial discs.

Name of Proponent: Department of labor and industries, governmental.

Name of Agency Personnel Responsible for Drafting: Jamie Lifka, 7273 Linderson Way S.W., Tumwater, (360) 902-4941; Implementation: Gary Franklin, MD, MPH, Medical Director, (360) 902-5020; and Enforcement: Bob Malooly, Assistant Director for Insurance Services, (360) 902-4209.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This administrative rule codifies current department policy. The policy is to not cover a particular medical device. The rule relates only to internal governmental operations, and the rule is not subject to violation by a nongovernment party.

Additionally, a small business economic impact statement is unnecessary because the rule is a mere codification of existing policy and no small businesses would be impacted by the adoption of this rule. Currently, by policy, the department does not pay for this treatment, providers have already been informed through a provider bulletin of department policy that this treatment is not covered, and putting this policy into rule does not affect any provider's revenue vis a vis the department.

A cost-benefit analysis is not required under RCW 34.05.328. This administrative rule codifies current department policy. The policy is to not cover a particular medical device. The rule relates only to internal governmental operations, and the rule is not subject to violation by a nongovernment party.

Additionally, a cost-benefit analysis is unnecessary. Currently, by policy, the department does not pay for this treatment, providers have already been informed through a provider bulletin of department policy that this treatment is not covered, and putting this policy into rule does not affect any provider's revenue vis a vis the department.

February 28, 2006

Gary Weeks

Director

AMENDATORY SECTION (Amending Order 86-19, filed 2/28/86, effective 4/1/86)

**WAC 296-20-03002 Treatment not authorized.** The department or self-insurer will not allow nor pay for following treatment:

(1) **Use of diapulse, thermatic (standard model only), spectrowave and superpulse machines on workers entitled to benefits under the Industrial Insurance Act.**

(2) Iontophoresis; prolotherapy; acupuncture; injections of colchicine; injections of fibrosing or sclerosing agents; and injections of substances other than anesthetic or contrast into the subarachnoid space (intra-theal injections).

(3) Lumbar artificial disc replacement with Charite lumbar artificial disc.

(4) Treatment to improve or maintain general health (i.e., prescriptions and/or injection of vitamins or referrals to special programs such as health spas, swim programs, exercise programs, athletic-fitness clubs, diet programs, social counseling).

~~((4))~~ (5) Continued treatment beyond stabilization of the industrial condition(s), i.e., maintenance care, except where necessary to monitor prescription of medication necessary to maintain stabilization i.e., anti-convulsive, anti-spasmodic, etc.

~~((5))~~ (6) After consultation and advice to the department or self-insurer, any treatment measure deemed to be dangerous or inappropriate for the injured worker in question.

~~((6))~~ (7) Treatment measures of an unusual, controversial, obsolete, or experimental nature (see WAC 296-20-045). Under certain conditions, treatment in this category may be approved by the department or self-insurer. Approval must be obtained prior to treatment. Requests must contain a description of the treatment, reason for the request with benefits and results expected.

## WSR 06-06-068

### PROPOSED RULES

#### DEPARTMENT OF ECOLOGY

[Order 05-13—Filed February 28, 2006, 1:54 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 05-22-120.

Title of Rule and Other Identifying Information: Chapter 173-300 WAC, Certification of operators of solid waste incinerator and landfill facilities.

This chapter establishes requirements for certifying solid waste landfill and solid waste incinerator operators. The requirements include inspectors of these facilities for regulatory compliance.

Hearing Location(s): Ecology Headquarters Building, 300 Desmond Drive S.E., Lacey, WA 98503, on April 4, 2006, at 2:00 p.m.

Date of Intended Adoption: May 1, 2006.

Submit Written Comments to: Randy Martin, P.O. Box 47600, Olympia, WA 98504-7600, e-mail rama461@ecy.wa.gov, fax (360) 407-7157, by April 11, 2006.

Assistance for Persons with Disabilities: Contact Solid Waste and Financial Assistance Program, by March 20, 2006, TTY (800) 833-6388 or (360) 407-6900.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The chapter provides a process and criteria for certifying solid waste landfill and incinerator operators. Inspectors who inspect these facilities for regulatory compliance must also be certified in a like manner. This amendment clarifies existing language, specifically stating that ecology may enter into agreements for those certifications to be carried out by other governmental or nongovernmental organizations under agreements or contracts with ecology.

Reasons Supporting Proposal: Existing rule language is not clear that ecology could enter into agreements with other governmental or nongovernmental entities. This amendment clarifies that ecology does have the authority to enter into agreement. This change would avoid potential confusion.

Statutory Authority for Adoption: Chapter 70.95D RCW, Solid waste incinerator and landfill operators, authorizes ecology to adopt rules to implement a certification program.

Statute Being Implemented: Chapter 70.95D RCW.

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

Name of Proponent: Washington department of ecology, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Randy Martin, Headquarters, Olympia, (360) 407-6136.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The department has determined that the proposed rule has de minimus effect on business. The certification requirements do not change. The amendment clarifies ecology's authority to contract out services, if or when ecology determines it would be appropriate.

### Small Business Economic Impact Statement

The proposed changes to the existing rule (chapter 173-300 WAC) will include a provision that allows ecology to enter into agreements with outside organizations or parties for the testing and certification of landfill and incinerator operators and inspectors in Washington. The cost of the proposed amendment has a minor and negligible impact on those affected. Cost changes of the rule are estimated at \$50 for the minor increase in certification fees for inspectors/operators. Disproportionalities between the largest businesses and smallest businesses will exist if any costs exist. Because the costs are below the minor impact threshold for SIC code 4953 "Refuse Systems" no disproportionalities will be calculated.

Any organization providing these services would still be required to meet the standards of state law. This flexibility is expected to increase the access to meaningful training and testing in Washington.

Mitigation of costs was not necessary for this rule amendment as it has a minor and negligible impact on those affected.

Those that are affected were involved in the rule-making process. A subcommittee of the state solid waste advisory committee (SWAC) assisted ecology in the development of the rule amendment. The SWAC is a statutorily created committee to advise ecology on solid waste issues. The committee is made up of local government, solid waste industry representatives, representatives from the recycling industry, and citizens. The subcommittee was made up of SWAC committee members and ecology rule development staff. All subcommittee members represented groups (landfill operators or inspectors) that could be impacted by any rule changes. The subcommittee concurred with the proposed rule changes. The SWAC concurred with the proposed rule amendment and recommended to ecology that it proceed with the rule amendment process.

A cost-benefit analysis is not required under RCW 34.05.328. The department has determined this is an interpretative rule, not requiring a cost-benefit analysis.

February 22, 2006

Polly Zehm

Deputy Director

AMENDATORY SECTION (Amending Order 00-16, filed 9/8/00, effective 10/9/00)

**WAC 173-300-020 Definitions.** (1) "Ash" means the residue and includes any air pollution flue dusts from combustion or incineration of material including solid wastes.

Note: Please see definition for "special incinerator ash."

(2) "Biomedical waste" means solid waste of the following types:

(a) "Animal waste," which includes waste animal carcasses, body parts, and bedding of animals that were known to have been deliberately infected or inoculated with human pathogenic microorganisms during research.

(b) "Liquid human body fluids" means waste that includes waste liquid emanating or derived from humans including but not limited to human blood and blood products, serum and plasma, sputum, drainage secretions, cerebrospinal fluid, synovial fluid, pleural fluid, peritoneal fluid, pericardial fluid and amniotic fluid that exceeds fifty milliliters per container, storage vessel, or plastic bag and cannot be and has not been directly discarded into a sanitary sewage system.

(c) "Cultures and stocks" means waste that includes waste cultures and stocks of microbiological agents infectious to humans, human serums and discarded live and attenuated vaccines infectious to humans, human blood specimens, and laboratory wastes that are contaminated with these agents or specimens.

(d) "Biosafety level 4 disease waste," which includes wastes contaminated with blood, excretions, exudates, or secretions from humans or animals who are isolated to protect others from highly communicable infectious diseases that are identified as viruses assigned to Biosafety Level 4 by the Centers for Disease Control, National Institute of Health, Biosafety in Microbiological and Biomedical Laboratories, 2nd Edition, 1988. These viruses include, but are not limited to, Congo-Crimean hemorrhagic fever, tick-borne encephalitis virus complex (Absettarov, Hanzalova, Hypr, Kumlinge, Kyasanur Forest disease, Omsk hemorrhagic fever, and Russian spring-summer encephalitis), Marburg, Ebola, Junin, Lassa, and Machupo.

(e) "Pathological waste," which includes waste human source biopsy materials, tissues, and anatomical parts that emanate from surgery, obstetrical procedures, autopsy, and laboratory procedures. "Pathological waste" does not include teeth or formaldehyde or other preservative agents, human corpses, remains, and anatomical parts that are intended for interment or cremation.

(f) "Sharps waste," which includes waste hypodermic needles, syringes, IV tubing with needles attached, scalpel blades, and lancets that have been used in animal or human patient care or treatment in medical research.

(3) "Biomedical waste treatment" means incineration, steam sterilization, or any method, technique, or process that changes the biological character or composition of biomedical waste to render it noninfectious. Any waste, except sharps, that has been treated is not considered to be biohazardous or biomedical.

(4) "Board" means the board of advisors for solid waste incinerator and landfill certification established by RCW 70.95D.050.

(5) "Certificate" means the certificate of competency issued by the director stating that the operator has met the requirements for the operation and maintenance of a specific classification of solid waste incinerator or landfill facility.

(6) "Certificate holder" means the individual to whom a certificate is issued.



(7) "Commercial waste" means nonhazardous solid waste that is generated by the commercial business sector.

(8) "Contractor" means any other state, federal, or interstate agencies, municipalities, educational institutions, or other organizations or individuals with whom the department has an agreement, contract or cooperative agreement.

(9) "Department" means the Washington state department of ecology.

~~((9))~~ (10) "Director" means the director of the department of ecology or the director's designee.

~~((10))~~ (11) "Fee" means only those monies to be paid for examinations, certification, or renewal.

Note: Fees do not include the costs of training or other educational opportunities.

~~((11))~~ (12) "Hog fuel" means woodwaste that is reduced in size to facilitate burning.

~~((12))~~ (13) "Incineration" means reducing the volume of solid wastes by use of an enclosed device using controlled flame combustion.

~~((13))~~ (14) "Incinerator" means an enclosed mechanical combustion device that has as its primary purpose the burning and reduction of the volume of solid waste or solid waste-derived fuel. Crematoria facilities that have combustion devices which burn human corpses, or burn animal bodies exclusively, in a manner that is not a solid waste reduction measure, or burn primarily hog fuel waste are not included in this definition. NOTE: Crematoria facilities that burn any kind of biomedical, treated or untreated medical waste, human or animal, or other solid waste, in their incinerator are subject to this rule.

~~((14))~~ (15) "Incineration facility" means any municipal or private activity that has as part of its operations a solid waste incinerator. It may also include means for storage, preparation, and conveyance of the solid waste fuel, and air pollution control equipment.

~~((15))~~ (16) "Incinerator operator in responsible charge" means an individual who is the owner or who is designated as the on-site operator in responsible charge of operation and maintenance duties at a solid waste incineration facility.

~~((16))~~ (17) "Inspector" means any person employed by any public agency that inspects the operation of solid waste incinerators, or the operation of solid waste landfills, to determine the compliance of the facility with state and local laws or rules.

~~((17))~~ (18) "Institutional waste" means nonhazardous solid waste that is generated by any commercial or noncommercial service establishment.

~~((18))~~ (19) "Landfill" means an operating disposal facility or part of a facility at which solid waste is placed in or on land and which is not a land treatment.

~~((19))~~ (20) "Landfill operator in responsible charge" means an individual who is the owner or who is designated as the on-site or on-call operator in responsible charge of operation and maintenance duties at a landfill facility.

~~((20))~~ (21) "Limited purpose landfill" means a landfill that receives solid waste of a limited type or types of known and consistent composition.

~~((21))~~ (22) "Monofill" means a disposal facility or part of a facility that is not a land treatment facility, at which only a single, specific substance is deposited in or on.

~~((22))~~ (23) "Municipal solid waste" means any combination of nonhazardous solid waste generated by residential sources, and any institutional waste, commercial waste, and industrial waste. NOTE: Household hazardous wastes are an excluded waste under WAC 173-303-071 and therefore may be disposed of in a municipal or incinerated landfill or incinerated. Small quantities of hazardous waste may also be landfilled if the waste complies with WAC 173-303-070 (8)(a) and (b).

~~((23))~~ (24) "Owner" means:

(a) In the case of a town or city, the city or town acting through its chief executive officer or the lessee if operated under a lease or contract;

(b) In the case of a county, the chief elected official of the county legislative authority or the chief elected official's designee;

(c) In the case of a board of public utilities, association, municipality, or other public body, the president or chief elected official of the body or the president's or chief elected official's designee;

(d) In the case of a privately owned landfill or incinerator, the legal owner.

~~((24))~~ (25) "Reciprocity" means the automatic recognition of comparable training from another state, the federal government, a local government, or a professional association. NOTE: Correction of deficiencies such as a lack of training in Washington state solid waste law is required for certification.

~~((25))~~ (26) "Reserved" is a note to the regulated community that means a section that has no requirements and which is set aside for future possible rule-making.

~~((26))~~ (27) "Solid waste" or "wastes" as defined in RCW 70.95.030 (1989 ed.) means all putrescible and nonputrescible solid and semisolid wastes including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and recyclable materials. NOTE: Treated biomedical waste or medical waste not defined as biomedical waste is considered to be solid waste. Woodwaste is also considered solid waste.

~~((27))~~ (28) "Special incinerator ash" means ash residues that results from the operation of incineration or energy recovery facilities which manage municipal solid waste from residential, commercial, and industrial establishments, if the ash residues are:

(a) Not otherwise regulated as hazardous wastes under chapter 70.105 RCW; and

(b) Are not regulated as a hazardous waste under the federal Resource Conservation and Recovery Act, 42 U.S.C. Sec. 6901 et seq.

~~((28))~~ (29) "Woodwaste" means solid waste that consists of wood pieces or particles generated as a by-product or waste from the manufacturing of wood products, and the handling and storage of raw materials, trees, and stumps. This includes but is not limited to sawdust, chips, shavings, bark, pulp, and log sort yard waste, but does not include wood pieces or particles containing chemical preservatives such as creosote, pentachlorophenol, or copper-chrome-arsenate.

Note: All applicable terms not defined above have the same meaning as those defined in chapter 173-304 WAC.

AMENDATORY SECTION (Amending Order 00-16, filed 9/8/00, effective 10/9/00)

**WAC 173-300-030 Duties of the board of advisors.**

(1) ~~((As a standing subcommittee of))~~ The state's solid waste advisory committee may establish a standing committee or act as a committee of the whole to serve as a board of advisors created under RCW 70.95D.050~~((, the board of advisors shall report to the solid waste advisory committee four times a year or as directed in accordance with RCW 70.95D.040.~~

~~(2) The board shall act as an advisory committee to the department and shall assist in the development and review of the rules adopted under this chapter.~~

~~(3) The board shall assist in the development and evaluation of the training and testing material required for certification.~~

~~(4) On matters of revocation of certification, the board shall hold a hearing and make recommendations to the director.~~

~~(5) The board shall encourage operating personnel other than those who are required to be certified in chapter 70.95D RCW to become certified on a voluntary basis).~~

Duties of the board of advisors may include:

(a) Act as an advisory committee to the department and shall assist the department with review of the rules adopted under this chapter.

(b) Assist in the development and evaluation of the training and testing material required for certification.

(c) Hold hearings and make recommendations to the director on matters of revocation of certification.

(d) Encourage operating personnel other than those required to be certified under chapter 70.95D RCW to become certified on a voluntary basis.

~~((6))~~ (2) Members shall receive no compensation for their services but must be reimbursed for their travel expenses while engaged in business of the committee in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

AMENDATORY SECTION (Amending Order 00-16, filed 9/8/00, effective 10/9/00)

**WAC 173-300-050 Operator certification required at incineration facilities.** (1) ~~((After January 1, 1992,))~~ It is unlawful to operate a solid waste incineration facility without a certified operator in responsible charge on-site during all hours of operation.

(2) All other operational employees are to be encouraged to become certified on a voluntary basis.

AMENDATORY SECTION (Amending Order 00-16, filed 9/8/00, effective 10/9/00)

**WAC 173-300-060 Operator certification required at landfill facilities.** (1) ~~((After January 1, 1992,))~~ It is unlawful to operate the following types of landfills without an on-site certified landfill operator in responsible charge during all hours of operation when accepting waste, and during the closure phase of the facility. The operator's specific role in the closure phase must be specified in the closure plan. However, the certified operator may be away from the facility on offi-

cial business or personal emergencies for periods of one day or less if they are on-call and available to respond in case of an emergency at the facility.

(a) All municipal waste landfills.

(b) All problem waste landfills. NOTE: Problem waste landfills are presently reserved per chapter 173-350 WAC and WAC 173-304-463.

(c) All special incinerator ash landfills or monofills. NOTE: In a case where a monofill is a separate cell at a municipal waste landfill, the responsible operator in charge of the complete facility may assume responsibility of the operation of the monofills.

(d) All inert waste and demolition waste landfills.

(e) All limited purpose solid waste landfills.

(2) These standards do not apply to:

(a) Dangerous waste landfills;

(b) Drop box facilities;

(c) Interim solid waste handling sites;

(d) Landspreading disposal facilities;

(e) Piles;

(f) Transfer stations;

(g) Waste recycling facilities; and

(h) Composting facilities.

(3) Owners of small landfills with a total capacity at closure of two hundred thousand cubic yards of solid waste or less, may apply to the department to have their facility operated and maintained by a certified operator who is in responsible charge on an on-call basis at all times the landfill is operating: Provided, That a certified operator visit the site once each working day. The department shall consider all applications on a case-by-case basis. The department shall base its decision on the following requirements:

(a) A physical inspection of the facility by the department to determine whether the facility is being operated in a manner that is protective of human health and the environment;

(b) That the facility has an up-to-date approved facility operating plan and is in compliance with all other sections of chapters 173-350 and 173-304 WAC;

(c) That the status of all facility variances, compliance schedules, and related grants are current as required; and

(d) That the facility strictly adheres to all other applicable laws and rules.

(4) All landfills that have on-call designations shall reapply for the designation every five years from the date of issuance. This designation may be revoked at any time the facility does not meet the minimum requirements.

(5) When a position required to be filled by an on-site certified landfill operator is vacated for a period of not longer than a maximum of thirty calendar days due to an emergency such as a short-term illness, the landfill owner may apply to the department for a variance that allows the facility be operated and maintained by a certified operator on an on-call basis as outlined in this section. These requirements may be waived temporarily at the director's discretion.

(6) All other operational employees are to be encouraged to become certified on a voluntary basis.

AMENDATORY SECTION (Amending Order 00-16, filed 9/8/00, effective 10/9/00)

**WAC 173-300-070 Certification of inspectors.** (1) Any person who is employed by a public agency to inspect the operation of a landfill or incinerator described under this chapter to determine the compliance of the facility with state or local laws or rules shall receive, in addition to the successful completion of the training and examination process as an operator under this chapter, training relevant to the inspection procedure.

(2) Inspectors are exempt from ~~((all))~~ certification fees administered by the department.

NEW SECTION

**WAC 173-300-075 Contracting for certification.** Notwithstanding any provision of this chapter, the department may enter into contracts with any individual, firm, association, or corporation to conduct certification, training, testing, and recertification under this chapter. Provided, that such individual, firm, association or corporation, and the certification, training, testing and recertification conducted under such contract, comply with chapter 70.95D RCW and this chapter, and any other applicable state or federal laws.

AMENDATORY SECTION (Amending Order 00-16, filed 9/8/00, effective 10/9/00)

**WAC 173-300-080 Applications and certification requirements.** (1) An application for incineration, landfill operator, or inspector certification must be filed with the department or its designee. ~~((An application fee shall accompany each application.))~~ The department or its designee shall make application forms available upon request.

(2) Upon receipt of the completed application and application fee, the department or its designee shall determine:

(a) If the applicant has successfully completed the required training and examinations;

(b) The status of a reciprocal certification; and

(c) That the facility at which the applicant is employed is in compliance with local and state laws or rules.

(3) Upon successful determination of all requirements and the payment of the certification fees provided for in WAC 173-300-110 and 173-300-120, the appropriate operator or inspector certificate will be issued.

(4) An owner may apply for a variance for a temporary certificate without an examination to fill a vacated position required by WAC 173-300-050 and 173-300-060 to have a certified operator, or 173-300-070, in the case of a certified inspector. A temporary certificate must be valid for a period of not more than twelve months from date of issue.

~~((5) Persons who hold a current operators certificate from any national organization, educational institution, the federal government, other states, or a province may be granted an interim certification if the applicant meets the requirements of WAC 173-300-140.~~

~~(a) No interim certification may be issued or be valid after January 1, 1992.~~

~~(b) Interim certification may not automatically qualify an operator for certification.)~~

AMENDATORY SECTION (Amending Order 00-16, filed 9/8/00, effective 10/9/00)

**WAC 173-300-090 Training and examinations.** (1) The department or its designee shall prepare or cause to be prepared educational materials and opportunities to fulfill requirements of WAC 173-300-080(2) to help develop the skills necessary to operate a solid waste incinerator or solid waste landfill according to state and federal laws.

~~(2) ((The board of advisors shall assist in the development of written examinations to be used in determining the competency of operators. Incinerator operators are also required to successfully complete an examination to determine the competency needed to operate and maintain the facility for which the operator is responsible.~~

~~(3) Examinations must be held immediately at the end of all required operator training courses. Additional examinations must be held at places and times set by the board.~~

~~(4))~~ All examinations must be graded by the department or the department's designee and the applicant must be notified by mail of the score attained. Examinations may not be returned to the applicant.

~~((5))~~ (3) An applicant who fails to pass an examination must be reexamined at the next scheduled examination. An additional application form and examination fee is required. No individual will be allowed to retake the same examination.

~~((6))~~ (4) An applicant who fails to pass a second examination is required to repeat the certification training.

~~((7) The board shall forward the recommendations for certification of those examined to the director.)~~

AMENDATORY SECTION (Amending Order 00-16, filed 9/8/00, effective 10/9/00)

**WAC 173-300-100 Certificate term.** Except as provided for in WAC 173-300-080(4), the term for any certificate or renewal thereof is ~~((from the first of January of the year))~~ three years from the date of issuance ~~((until the thirty-first of December three years thereafter)).~~

AMENDATORY SECTION (Amending Order 00-16, filed 9/8/00, effective 10/9/00)

**WAC 173-300-110 Renewal of certificate.** (1) Except as provided in WAC 173-300-080(4), all certificates held by incinerator operators, landfill operators, and inspectors are renewable upon presentation of evidence that the certificate holder successfully completed ~~((a refresher course administered by the department, and successfully attended other professional educational opportunities approved by the department))~~ renewal requirements.

(2) The department or its designee shall mail renewal notices and refresher course information to all certificate holders eligible for renewal four months before the date the certificate expires.

AMENDATORY SECTION (Amending Order 00-16, filed 9/8/00, effective 10/9/00)

**WAC 173-300-120 Fees.** (1) For examinations, certifications, or renewals administered by the department:

(a) A fee of \$50.00 for each examination administered by the department shall accompany the application for examination.

~~((2))~~ (b) After an applicant successfully completes the examination and is notified by the department of the results, the applicant shall pay a certification fee of \$200.00 to the department within thirty days of the date of the results notification.

~~((3))~~ (c) A \$200.00 renewal fee must accompany an application for certificate renewal.

(d) A fee of \$50.00 is required to apply for consideration of certification through reciprocity under WAC 173-300-140. After determining that the reciprocal criteria has been met, the department will notify the applicant:

~~((a))~~ (i) That the applicant is deficient in a required area, and the process to correct the deficiency; or

~~((b))~~ (ii) That the applicant has successfully completed all requirements for certification and that the applicant must pay a certification fee of \$200.00 to the department within thirty days of the date of notification.

~~((4))~~ (2) A \$200.00 renewal fee must accompany an application for certificate renewal.

AMENDATORY SECTION (Amending Order 00-16, filed 9/8/00, effective 10/9/00)

**WAC 173-300-130 Revocation.** (1) When a certificate is not renewed, the certificate, upon notice by the director or its designee, must be suspended for sixty days.

(a) If renewal of the certificate is not completed during the suspension period, the director or its designee shall mail a written notice of revocation by certified mail to the certificate holder's employer as last known by the department and to the certificate holder at the address last known by the department.

(b) If, during the revocation notice period, the certificate is not renewed, the certificate must be revoked ten days after the notice is mailed.

(2) Certificates may also be revoked when a majority of the board so recommends to the director, and the director agrees, upon finding:

(a) Fraud or deceit in obtaining the certificate;

(b) Gross negligence in the operation or inspection of an incineration or landfill facility;

(c) Violation of the requirements of chapter 70.95D RCW, this chapter or of any lawful rule or order of the department; or if

(d) The facility operated by the certified employee is operated in violation of local, state, or federal environmental laws.

(3) No revocation may be made under subsection (2) of this section unless the operator has been notified that revocation is proposed, has been advised of the grounds therefore, and has been given an opportunity to appear before the board and be heard on the matter.

(4) A person whose certificate is revoked under this section is eligible to apply for a certificate for one year from the effective date of the final order of revocation.

(5) Whenever an individual's certificate is revoked, the individual may not be certified again until:

(a) He or she has repeated all required training for certification or has completed other requirements recommended by the board and approved by the department;

(b) Has applied for certification under WAC 173-300-090;

(c) Paid the application fees; and

(d) Upon notification, paid the certification fee within thirty days of notification.

AMENDATORY SECTION (Amending Order 00-16, filed 9/8/00, effective 10/9/00)

**WAC 173-300-150 Unlawful acts—Variance from requirements.** ~~((After January 1, 1992,))~~ It is unlawful for any person, firm, corporation, municipal corporation, or other governmental subdivision or agency to operate a solid waste incineration or landfill facility unless an operator in responsible charge is duly certified by the director under this chapter or any lawful rule or order of the department. The department shall allow the owner or operator of a landfill or solid waste incineration facility to request a variance from this requirement under emergency conditions. Emergency conditions may include but are not limited to unexpected health related problems that incapacitate the operator or an unexpected termination of employment of the operator. The department may impose conditions that may be necessary to protect human health and the environment during the term of the variance.

## WSR 06-06-075

### PROPOSED RULES

### DEPARTMENT OF

### SOCIAL AND HEALTH SERVICES

(Aging and Disability Services Administration)

[Filed February 28, 2006, 4:23 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 05-07-132.

Title of Rule and Other Identifying Information: Chapter 388-101 WAC, Certified community residential services and support, vulnerable adult abuse and neglect reporting requirements in certified supported living programs, including due process and appeal rights.

Hearing Location(s): Blake Office Park East, Rose Room, 4500 10th Avenue S.E., Lacey, WA 98503 (one block north of the intersection of Pacific Avenue S.E. and Alhadeff Lane. A map or directions are available at <http://www1.dshs.wa.gov/msa/rpau/docket.html> or by calling (360) 664-6097), on April 4, 2006, at 10:00 a.m.

Date of Intended Adoption: Not earlier than April 5, 2006.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504-5850, delivery

4500 10th Avenue S.E., Lacey, WA 98503, e-mail fernaax@dshs.wa.gov, fax (360) 664-6185, by 5:00 p.m., April 4, 2006.

Assistance for Persons with Disabilities: Contact Stephanie Schiller, DSHS Rules Consultant, by March 31, 2006, TTY (360) 664-6178 or (360) 664-6097 or by e-mail at schilse@dshs.wa.gov.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Residential care services division recently assumed responsibility for conducting investigations of entities and alleged perpetrators where allegations of abandonment, abuse, neglect, and financial exploitation in certified supported living programs are reported. Portions of WAC 388-71-0100 through 388-71-1280, adult protective services and WAC 388-97-077 Resident protection program, are being incorporated without material change into chapter 388-101 WAC to reflect this change in responsibility.

No substantive changes are being made to any existing requirements including those governing: (1) Vulnerable adult abuse and neglect reporting, (2) abuse and neglect investigations and notification, and (3) due process and appeal rights.

The only change for certified supported living providers is that they will be required to call a different phone number to make mandated reports regarding vulnerable adult abandonment, abuse, neglect, and financial exploitation.

These proposed rules only address some of the elements identified in preproposal statement of inquiry WSR 05-07-132. The department plans to propose additional changes to chapter 388-101 WAC under WSR 05-07-132.

Reasons Supporting Proposal: The proposed WAC amendments reflect an internal change of responsibility for conducting investigations of alleged abandonment, abuse, neglect, and financial exploitation in certified supported living programs. Chapter 388-101 WAC needs to indicate that ADSA-residential care services division is conducting certain investigations previously done by ADSA-adult protective services.

Statutory Authority for Adoption: RCW 71A.12.030 and 71A.12.080.

Statute Being Implemented: Chapter 71A.12 RCW.

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

Name of Proponent: Department of social and health services, aging and disability services administration, residential care services division, governmental.

Name of Agency Personnel Responsible for Drafting: John Gaskell, P.O. Box 45600, Olympia, WA 98504-5600, (360) 725-3210; Implementation and Enforcement: Joyce Stockwell, Director, P.O. Box 45600, Olympia, WA 98504-5600, (360) 725-2401.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The department has analyzed the proposed rules and determined that they will not result in more than minor costs to small businesses or non-profits required to comply with the rules. A comprehensive small business economic impact statement is not required.

A cost-benefit analysis is not required under RCW 34.05.328. Under RCW 34.05.328 (5)(b)(iii) the proposed

changes to chapter 388-101 WAC are exempt from a cost-benefit analysis because the rule is incorporating language from other state regulations without material change.

February 23, 2006

Andy Fernando, Manager

Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 04-23-070 [05-05-077], filed 2/15/05, effective 2/15/05)

**WAC 388-101-1100 (~~What~~) Abuse and neglect reporting requirements (~~must service providers meet?~~).**

(1) (~~Under chapter 74.34 RCW,~~) All administrators, owners, staff and volunteers are mandated (~~(to)~~) reporters and must report instances of (~~suspected client~~) abandonment, abuse, neglect, or financial exploitation(~~(, or mistreatment)~~) of vulnerable adults as defined in, and in accordance with chapter 74.34 RCW.

(2) Reports must be made to (~~one of two different areas at DSHS:~~

(a) ~~Service providers giving supported living services must report to adult protective services (APS); and~~

(b) ~~Service providers giving services through group homes must report to residential care services (RCS))~~ the centralized toll free telephone number for reporting abandonment, abuse, neglect or financial exploitation of vulnerable adults, provided by the department.

(3) Reports must be made to law enforcement agencies, (~~when appropriate~~) as required under chapter 74.34 RCW.

(4) Service providers must have policies and procedures complying with state law that specify reporting requirements for client abandonment, abuse, neglect, and financial exploitation(~~(, or mistreatment)~~).

(5) Each administrator, owner, staff person, and volunteer must read and sign the policy about reporting requirements. The service provider must retain the signed policy for staff and volunteers.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

#### NEW SECTION

**WAC 388-101-1105 Investigation of mandated reports.**

(1) The department will determine whether a mandated report of client abandonment, abuse, neglect, or financial exploitation needs to be investigated, in accordance with established procedures.

(2) The department investigation will include an investigation of allegations about one or more of the following:

- A service provider;
- Anyone associated with a service provider; or
- A client receiving services under this chapter.

(3) If, after completing an investigation under this chapter, the department concludes that it is more likely than not that a specific individual abandoned, abused, neglected, or financially exploited a client, the department will make an initial finding against the individual.

NEW SECTION**WAC 388-101-1110 Notice of an initial finding.** (1)

The department will notify the individual in writing within ten working days of making an initial finding of abandonment, abuse, neglect or financial exploitation of a client. The written notice will not include the identities of the alleged victim, reporter and witnesses.

(2) The department shall make a reasonable, good faith effort to determine the last known address of the individual.

(3) The time frame for notification can be extended beyond ten working days to include the time needed to translate the notification letter or make provisions for the safety of the alleged victim.

(4) Notice of the initial finding will be served as provided in chapter 388-02 WAC.

NEW SECTION**WAC 388-101-1115 Reporting initial findings.** (1) In

a manner consistent with confidentiality requirements concerning the client, witnesses, and reporter, the department may provide notification of an initial finding to:

(a) Other divisions within the department;

(b) The agency or program identified under RCW 74.34.068 with which the individual is associated as an employee, volunteer or contractor;

(c) Law enforcement; and

(d) Other investigative authorities consistent with chapter 74.34 RCW.

(2) The notification will identify the finding as an initial finding.

NEW SECTION**WAC 388-101-1120 Disputing an initial finding.** (1)

An individual alleged to have abandoned, abused, neglected, or financially exploited a client may request an administrative hearing to challenge an initial finding made by the department.

(2) The request must be made in writing to the office of administrative hearings.

(3) The office of administrative hearings must receive the individual's written request for a hearing within thirty calendar days of the date the individual was served with notice of the initial finding.

(4) The written request for a hearing must include:

(a) The full legal name, current address and phone number of the individual;

(b) A brief explanation of why the individual disagrees with the initial finding;

(c) A description of any assistance needed in the administrative appeal process by the individual, including a foreign or sign language interpreter or any accommodation for a disability; and

(d) The individual's signature.

NEW SECTION**WAC 388-101-1125 Disclosure of investigative and finding information.** (1) The individual may only use confi-

dential information provided by the department as needed to challenge initial findings through the appeal process.

(2) Confidential information such as the name and other personal identifying information of the reporter, witnesses, or the client will be redacted from documents unless otherwise ordered by the administrative law judge consistent with chapter 74.34 RCW and other applicable state and federal laws.

NEW SECTION**WAC 388-101-1130 Hearing procedures to dispute an initial finding.** (1) Chapters 34.05 and 74.34 RCW, chapter 388-02 WAC, and the provisions of this chapter govern any appeal regarding an initial finding. In the event of a conflict between the provisions of this chapter and chapter 388-02 WAC, the provisions of this chapter shall prevail.

(2) The administrative law judge shall determine whether a preponderance of the evidence supports the initial finding that the individual abandoned, abused, neglected, or financially exploited a vulnerable adult, and shall issue an initial order.

(2) The administrative law judge shall determine whether a preponderance of the evidence supports the initial finding that the individual abandoned, abused, neglected, or financially exploited a vulnerable adult, and shall issue an initial order.

NEW SECTION**WAC 388-101-1135 Appeal of the administrative law judge's initial order on a finding.** (1) If the individual or the department disagrees with the administrative law judge's decision, either party may challenge this decision by filing a petition for review with the department's board of appeals under chapter 34.05 RCW and chapter 388-02 WAC.

(2) If the department appeals the administrative law judge's decision, the department will not modify the finding in the department's records until a final hearing decision is issued.

(2) If the department appeals the administrative law judge's decision, the department will not modify the finding in the department's records until a final hearing decision is issued.

NEW SECTION**WAC 388-101-1140 Finalizing an initial finding.** (1)

An initial finding becomes a final finding when:

(a) The department gives the individual notice of the initial finding pursuant to WAC 388-101-1110 and the individual does not request an administrative hearing;

(b) The administrative law judge:

(i) Dismisses the hearing following withdrawal of the appeal or default; or

(ii) Issues an initial order upholding the finding and the individual fails to appeal the initial order to the department's board of appeals; or

(c) The board of appeals issues a final order upholding the finding.

(2) The final finding is permanent and will not be removed from the department's records unless:

(a) It is rescinded following judicial review; or

(b) The department decides to remove a single finding of neglect from its records based upon a written petition by the individual provided that at least one calendar year has passed since the finding was finalized and recorded.

NEW SECTION

**WAC 388-101-1145 Reporting final findings.** The department will report a final finding of abandonment, abuse, neglect and financial exploitation within ten working days to the following:

- (1) The individual;
- (2) The service provider that was associated with the individual during the time of the incident;
- (3) The service provider that is currently associated with the individual, if known;
- (4) The appropriate licensing authority; and
- (5) The department's registry of findings of abandonment, abuse, neglect and financial exploitation. The findings may be disclosed to the public upon request.

**WSR 06-06-079****PROPOSED RULES****HEALTH CARE AUTHORITY**

(Public Employees' Benefits Board)

[Order 06-02—Filed March 1, 2006, 7:50 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 06-02-091.

Title of Rule and Other Identifying Information: Sections in chapters 182-08 and 182-12 WAC that relate to employee health plan enrollment provisions, employee eligibility for the PEBB medical flexible spending account plan, and retiree eligibility.

Hearing Location(s): Health Care Authority, the Center Conference Room, 676 Woodland Square Loop S.E., Olympia, WA, on April 20, 2006, at 1:00 p.m.

Date of Intended Adoption: April 28, 2006.

Submit Written Comments to: Barbara Scott, 676 Woodland Square Loop S.E., P.O. Box 42684, Olympia, WA 98504-2684, e-mail [bsco107@hca.wa.gov](mailto:bsco107@hca.wa.gov), fax (360) 923-2602, by April 20, 2006.

Assistance for Persons with Disabilities: Contact Nikki Johnson by April 12, 2006, TTY (888) 923-5622 or (360) 923-2805.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The health care authority is proposing amendments to chapters 182-08 and 182-12 WAC to clarify the provision for an employee to postpone or interrupt the public employees' benefits board (PEBB) health plan enrollment for their self or a dependent; to clarify employee eligibility for participation in the PEBB medical flexible spending account plan; and to update PEBB retiree eligibility to include the new public safety employees' retirement system (PSERS). In addition WAC 182-12-133 is amended to replace the term "military service" with the broader term "uniformed service" as defined under the Uniformed Services Employment and Reemployment Act (USERRA). The use of the broader term will make it clearer that PEBB rules are compliant with the federal act. PEBB eligibility under the current rule extends continuation coverage to employees on any approved leave of absence for up to

twenty-nine months which exceeds the minimum twenty-five month extension required by the federal act.

Reasons Supporting Proposal: These amendments are necessary to ensure that PEBB rules are clear and compliant with federal law.

Statutory Authority for Adoption: RCW 41.05.160.

Statute Being Implemented: RCW 41.05.065.

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

Name of Proponent: Health care authority, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Barbara Scott, 676 Woodland Square Loop, Lacey, WA, (360) 923-2642; and Enforcement: Mary Fliss, 676 Woodland Square Loop, Lacey, WA, (360) 923-2640.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The joint administrative rules review committee has not requested the filing of a small business economic impact statement, and there will be no costs to small businesses.

A cost-benefit analysis is not required under RCW 34.05.328. RCW 34.05.328 does not apply to the health care authority rules unless requested by the joint administrative rules review committee or applied voluntarily.

March 1, 2006

Pete Cutler

Rules Coordinator

AMENDATORY SECTION (Amending WSR 04-18-039, filed 8/26/04, effective 1/1/05)

**WAC 182-08-015 Definitions.** The following definitions apply throughout this chapter unless the context clearly indicates other meaning:

"Administrator" means the administrator of the health care authority (HCA) or designee.

"Board" means the public employees' benefits board established under provisions of RCW 41.05.055.

"Decline" means to interrupt enrollment or postpone enrollment in a PEBB sponsored health plan by an employee (as defined in WAC 182-12-115) or a dependent who meets eligibility requirements set forth in WAC 182-12-260.

"Defer" means to postpone enrollment or interrupt enrollment in PEBB sponsored medical insurance by a retiree or surviving dependent.

"Dependent" means a person who meets eligibility requirements set forth in WAC 182-12-260.

"Enrollee" means a person who meets all eligibility requirements defined in chapter 182-12 WAC, who is enrolled in PEBB benefits, and for whom applicable premium payments have been made.

"Effective date of enrollment" means the first date on which an enrollee is entitled to receive covered benefits.

"Extended dependent" means a dependent child who is not the child of an enrollee through birth, adoption, marriage, or a qualified same sex domestic partnership. Some examples of extended dependents include, but are not limited to, a grandchild or a niece or nephew for whom the enrollee is the legal guardian or the enrollee has legal custody.

"Health carrier" has the meaning set forth at RCW 48.43.005(18) for purposes of administering this Title 182 WAC only, it includes the uniform medical plan and uniform dental plan.

"Health plan" or "plan" means medical and dental coverage.

"Insurance coverage" means any health plan, life or long-term disability insurance plan administered as a PEBB benefit.

"LTD insurance" includes basic long-term disability insurance paid for by the employer and long-term disability insurance offered to employees on an optional basis.

"Life insurance" includes basic life insurance paid for by the employer and life insurance offered to employees on an optional basis.

"Open enrollment" means a time period designated by the administrator during which enrollees may apply to transfer their enrollment from one health carrier to another, enroll in medical coverage if the enrollee had previously (~~waived~~) declined such coverage, or add dependents.

"PEBB plan" or "PEBB benefits" means one or more insurance coverages approved by the public employees' benefits board for eligible enrollees and their dependents.

"Subscriber" or "insured" means the employee, retiree, COBRA beneficiary or surviving dependent who has been designated by the HCA as the individual to whom the HCA and the health carrier will issue all notices, information, requests and premium bills on behalf of enrolled dependents.

~~("Waive" means to interrupt enrollment or postpone enrollment in a PEBB sponsored health plan by an employee (as defined in WAC 182-12-115) or a dependent who meets eligibility requirements set forth in WAC 182-12-260.)~~

AMENDATORY SECTION (Amending WSR 04-18-039, filed 8/26/04, effective 1/1/05)

**WAC 182-08-190 The employer contribution shall be set by the HCA and paid to the HCA for all eligible employees.** Every department, division, or agency of state government, and such county, municipal or other political subdivision, K-12 school district or educational service district that are covered under PEBB insurance coverage, shall pay premium contributions to the HCA for insurance coverage for all eligible employees and their dependents.

(1) Employer contributions shall be set by the HCA and are subject to the approval of the governor.

(2) Employer contributions shall include an amount determined by the HCA to pay administrative costs to administer insurance coverage for employees of these groups.

(3) Each eligible employee in pay status eight or more hours during a calendar month or each eligible employee on leave under the federal Family and Medical Leave Act (FMLA) shall be eligible for the employer contribution. The entire employer contribution is due and payable to HCA even if medical coverage is (~~waived~~) declined.

(4) PEBB insurance coverage for any county, municipality or other political subdivision or any K-12 school district or educational service district may be terminated by HCA if the premium contributions are delinquent more than ninety days.

AMENDATORY SECTION (Amending Order 05-01, filed 7/27/05, effective 8/27/05)

**WAC 182-08-197 Newly eligible employees must select insurance coverages within thirty-one days of the date they become eligible to apply for coverage.** Newly eligible employees must select a medical and dental plan (if dental is available based on employer participation in PEBB insurance coverages) no later than thirty-one days after they become eligible to apply for coverage. Employees who do not select a medical and dental plan will be defaulted to Uniform Medical Plan Preferred Provider Organization and Uniform Dental Plan (~~(with existing dependent enrollment)~~).

AMENDATORY SECTION (Amending WSR 04-18-039, filed 8/26/04, effective 1/1/05)

**WAC 182-08-230 Employer groups.** This section applies to all employer groups, K-12 school districts and educational service districts participating in PEBB insurance coverages.

(1) For purposes of this section, "employer group" means those employee organizations representing state civil service employees, blind vendors, county, municipality, and political subdivisions that meet the participation requirements of WAC 182-12-111 (2), (3) and (4) and that participate in PEBB insurance coverages.

(2)(a) Each employer group shall determine an employee's eligibility for PEBB insurance coverage in accordance with the applicable sections of chapter 182-12 WAC, RCW 41.04.205, and chapter 41.05 RCW.

(b) Each employer group, K-12 school district and educational service district applying for participation in PEBB insurance coverage shall submit required documentation and meet all participation requirements set forth in the then-current *Introduction to PEBB Coverage K-12 and Employer Groups* booklet(s).

(3)(a) Each employer group, K-12 school district or educational service district applying for participation in PEBB insurance coverage shall sign an interlocal agreement with the HCA.

(b) Each interlocal agreement shall be renewed no less frequently than once in every two-year period.

(4) At least twenty days prior to the premium due date, the HCA shall cause each employer group, K-12 school district or educational service district to be sent a monthly billing statement. The statement of premium due will be based upon the enrollment information provided by the employer group, K-12 school district or educational service district.

(a) Changes in enrollment status shall be submitted to the HCA prior to the twentieth day of the month during which the change occurs. Changes submitted after the twentieth day of each month may not be reflected on the billing statement until the following month.

(b) Changes submitted more than one month late shall be accompanied by a full explanation of the circumstances of the late notification.

(5) An employer group, K-12 school district or educational service district shall remit the monthly premium as billed or as reconciled by it.



(a) If an employer group, K-12 school district or educational service district determines that the invoiced amount requires one or more changes, they may adjust the remittance only if an insurance eligibility adjustment form detailing the adjustment accompanies the remittance. The proper form for reporting adjustments will be attached to the interlocal agreement as Exhibit A.

(b) Each employer group, K-12 school district or educational service district is solely responsible for the accuracy of the amount remitted and the completeness and accuracy of the insurance eligibility adjustment form.

(6) Each employer group, K-12 school district or educational service district shall remit the entire monthly premium due including the employee share, if any. The employer group, K-12 school district or educational service district is solely responsible for the collection of any employee share of the premium. The employer shall not withhold portions of the monthly premium due because it has failed to collect the entire employee share.

(7) Nonpayment of the full premium when due will subject the employer group, K-12 school district or educational service district to disenrollment and termination of each employee of the group.

(a) Prior to termination for nonpayment of premium, the HCA shall cause a notice of overdue premium to be sent to the employer group, K-12 school district or educational service district which notice will provide a one-month grace period for payment of all overdue premium.

(b) An employer group, K-12 school district or educational service district that does not remit the entirety of its overdue premium no later than the last day of the grace period will be disenrolled effective the last day of the last month for which premium has been paid in full.

(c) Upon disenrollment, notification will be sent to both the employer group, K-12 school district or educational service district and each affected employee.

(d) Employer groups, K-12 school districts or educational service districts disenrolled due to nonpayment of premium shall have the right to a dispute resolution hearing in accordance with the terms of the interlocal agreement.

(e) Employees terminated due to the nonpayment of premium by the employer group, K-12 school district or educational service district are not eligible for continuation of group health plan coverage according to the terms of the Consolidated Omnibus Budget Reconciliation Act (COBRA). Terminated employees shall have conversion rights to an individual insurance policy as provided for by the employer group, K-12 school district or educational service district.

(f) Claims incurred by terminated employees of a disenrolled group after the effective date of disenrollment will not be covered.

(g) The employer group, K-12 school district or educational service district is solely responsible for refunding any employee share paid by the employee to the employer group, K-12 school district or educational service district and not remitted to the HCA.

(8) A disenrolled employer group, K-12 school district or educational service district may apply for reinstatement in PEBB insurance coverages under the following conditions:

(a) Reinstatement must be requested and all delinquent premium paid in full no later than ninety days after the date the delinquent premium was first due, as well as a reinstatement fee of one thousand dollars.

(b) Reinstatement requested more than ninety days after the effective date of disenrollment will be denied.

(c) Employer groups, K-12 school districts or educational service districts may be reinstated only once in any two-year period and will be subject to immediate disenrollment if, after the effective date of any such reinstatement, subsequent premiums become more than thirty days delinquent.

(9) Upon written petition by the employer group, K-12 school district or educational service district disenrollment of an employer group, K-12 school district or educational service district or denial of reinstatement may be (~~waived~~) declined by the administrator upon a showing of good cause.

AMENDATORY SECTION (Amending WSR 04-18-039, filed 8/26/04, effective 1/1/05)

**WAC 182-12-109 Definitions.** The following definitions apply throughout this chapter unless the context clearly indicates another meaning:

"Administrator" means the administrator of the HCA or designee.

"Board" means the public employees' benefits board established under provisions of RCW 41.05.055.

"Decline" means to interrupt enrollment or postpone enrollment in a PEBB sponsored health plan by an employee (as set forth in WAC 182-12-115) or a dependent who meets eligibility requirements set forth in WAC 182-12-260.

"Defer" means to postpone enrollment or interrupt enrollment in PEBB sponsored medical coverage by a retiree or surviving dependent.

"Dependent" means a person who meets eligibility requirements set forth in WAC 182-12-260.

"Effective date of enrollment" means the first date on which an enrollee is entitled to receive covered benefits.

"Enrollee" means a person who meets all eligibility requirements defined in chapter 182-12 WAC, who is enrolled in PEBB benefits, and for whom applicable premium payments have been made.

"Extended dependent" means a dependent child who is not the child of an enrollee through birth, adoption, marriage, or a qualified same sex domestic partnership. Some examples of extended dependents include, but are not limited to, a grandchild or a niece or nephew for whom the enrollee is the legal guardian or the enrollee has legal custody.

"Health carrier" has the meaning set forth at RCW 43.43.005(18) for purposes of administering this Title 182 WAC only, it includes the uniform medical plan and the uniform dental plan.

"Health plan" or "plan" means medical and dental coverages.

"Insurance coverage" means any health plan, life, or long-term disability insurance plan administered as a PEBB benefit.

"LTD insurance" includes basic long-term disability insurance paid for by the employer and long-term disability insurance offered to employees on an optional basis.

"Life insurance" includes basic life insurance paid for by the employer and life insurance offered to employees on an optional basis.

"Open enrollment" means a time period designated by the administrator during which enrollees may apply to transfer their enrollment from one health carrier to another, enroll in medical coverage if the enrollee had previously (~~waived~~) declined such coverage or add dependents.

"PEBB plan" or "PEBB benefits" means one or more insurance coverages approved by the public employees' benefits board for eligible enrollees and their dependents.

"Subscriber" or "insured" means the employee, retiree, COBRA beneficiary or surviving dependent who has been designated by the HCA as the individual to whom the HCA and the health carrier will issue all notices, information, requests and premium bills on behalf of enrolled dependents.

~~("Waive" means to interrupt enrollment or postpone enrollment in a PEBB sponsored health plan by an employee (as set forth in WAC 182-12-115) or a dependent who meets eligibility requirements set forth in WAC 182-12-260.))~~

AMENDATORY SECTION (Amending Order 05-01, filed 7/27/05, effective 8/27/05)

**WAC 182-12-116 Who is eligible to participate in the PEBB flexible spending account (~~(program)~~ plan?** ~~((State agency employees, including those employed by))~~ Beginning January 1, 2006, all (state) employees of public four-year institutions of higher education ((institutions)), of the state community and technical colleges and of the ((higher education coordinating board, and the)) state board for community and technical colleges(;) who are eligible for PEBB insurance benefits, as defined in WAC 182-12-115, are eligible to participate in the PEBB medical flexible spending account ((program) plan. Beginning July 1, 2006, all employees of state agencies who are eligible for PEBB insurance benefits, are eligible to participate in the PEBB medical flexible spending account plan.

If an employee terminates employment after becoming a plan participant and later on in the same plan year is hired into a new position that is eligible for PEBB insurance benefits, the employee may not resume participation in the PEBB medical flexible spending account until the beginning of the next plan year.

AMENDATORY SECTION (Amending WSR 04-18-039, filed 8/26/04, effective 1/1/05)

**WAC 182-12-123 Dual eligibility is prohibited.** Health plan coverage is limited to a single enrollment per individual.

(1) Effective January 1, 2002, individuals that have more than one source of eligibility for enrollment in PEBB health coverage (called "dual eligibility") are limited to one enrollment.

(2) One insurance-eligible employee may (~~waive~~) decline medical coverage for himself or herself and enroll as a spouse or dependent on the coverage of his or her eligible

spouse. This waiver option is not available for other insurance coverages.

(3) The following examples describe typical situations of dual eligibility. These are not the only situations where dual eligibility may arise. These examples are provided as illustrations only.

(a) A husband and wife who are both insurance-eligible and employed by PEBB-participating employers, such as state agencies, may enroll only in a health plan as an employee but not also as a dependent. That is, the husband may enroll only under his employing agency and the wife may enroll only under her employing agency but not also as dependents of each other. In the alternative, one spouse may (~~waive~~) decline medical coverage as an employee and enroll as a dependent on the medical coverage of the other spouse.

(b) A dependent child that is eligible for coverage under two or more parents or stepparents who are employed by PEBB-participating employers, may be enrolled as a dependent under the health plan coverage of one parent or stepparent, but not more than one.

(c) An employee employed in an insurance-eligible position by more than one PEBB-participating employer may enroll only under one employer. The employee may choose to enroll in a health plan under the employer that:

- (i) Offers the most favorable cost-sharing arrangement;
- or
- (ii) Employed the employee for the longer period of time.

AMENDATORY SECTION (Amending WSR 04-18-039, filed 8/26/04, effective 1/1/05)

**WAC 182-12-128 When may an employee (~~waive enrollment in~~) decline PEBB (~~insurance~~) coverage and later enroll?** ~~((1) Employees eligible for PEBB insurance coverage have the option of waiving health plan coverage if they are covered by other health plan coverage. If an employee waives health plan coverage, such coverage is automatically waived for all eligible dependents. An employee may choose to enroll only himself or herself, and waive either the medical or dental portion of the health plan coverage, or both, for any or all dependents. In order to waive enrollment, the employee must complete an enrollment form and list all enrollees for whom coverage is being waived.~~

~~(2) An employee may only waive the medical portion of health plan coverage. The employee must remain enrolled in the dental, life and LTD insurance coverages.~~

~~(3) If the medical portion of the health plan coverage is waived, an otherwise eligible enrollee may not rescind the waiver and reenroll in the medical portion of the health plan coverage except during the following times:~~

- ~~(a) The next open enrollment period; or~~
- ~~(b) Within sixty days of loss of other medical coverage if proof of enrollment in other comprehensive group medical coverage is submitted and demonstrates that:~~
  - ~~(i) Enrollment in other medical coverage was continuous from the most recent open enrollment period for which PEBB medical coverage was waived; and~~

~~(ii) The period between loss of the other medical coverage and application for PEBB medical coverage is sixty days or less.~~

~~(4) If the dental portion of the health plan coverage is waived, an otherwise eligible dependent may not enroll in PEBB dental coverage except during the following times:~~

~~(a) The next open enrollment period; or~~

~~(b) Within sixty days after loss of other dental coverage if proof of enrollment in other dental coverage is submitted and demonstrates that:~~

~~(i) Enrollment in the other dental coverage was continuous from the most recent open enrollment period for which dental was waived; and~~

~~(ii) The period between loss of the other dental and application for PEBB dental coverage is sixty days or less.~~

~~(5) The employee and eligible dependents may have an additional opportunity to reenroll only as a result of addition of a new dependent due to marriage, birth, adoption, or placement for adoption, provided that advice of such enrollment is provided to HCA within thirty-one days after the marriage or within sixty days after the birth, adoption or placement for adoption of a child.)~~ (1) Employees may decline PEBB medical coverage if they have other comprehensive, group medical coverage. To decline medical coverage, the employee must complete an enrollment form. If an employee declines medical coverage, then medical coverage is automatically declined for all eligible dependents.

(2) An employee may only decline PEBB medical coverage. The employee must remain enrolled in dental, life, and long term disability.

(3) An employee can decline medical and/or dental coverage for any or all dependents.

(4) Once coverage is declined, enrollment is only allowed during the following times:

(a) The next open enrollment period; or

(b) After losing other coverage. The employee must submit proof:

(i) Coverage was comprehensive, group coverage;

(ii) Enrollment was continuous from the most recent PEBB open enrollment period; and

(iii) Of the date coverage was lost. Application to enroll in PEBB coverage must be made no later than sixty days after the date coverage was lost.

(c) As a result of addition of a new dependent due to marriage, birth, adoption, or placement for adoption. Application for enrollment must be made no later than sixty days after the change in family status.

AMENDATORY SECTION (Amending WSR 04-18-039, filed 8/26/04, effective 1/1/05)

**WAC 182-12-133 What options for continuing coverage are available to employees when they are no longer eligible for PEBB insurance coverage paid for by their employer?** Eligible employees covered by PEBB insurance coverage have options for providing continued coverage for themselves and their dependents during temporary or permanent loss of eligibility. Except in the case of approved family and medical leave, and except as otherwise provided, only

employees in pay status eight or more hours per month are eligible to receive the employer contribution.

(1) When an employee is on leave without pay due to an event described in (a) through (f) of this subsection, insurance coverage may be continued at the group rate by self-paying premiums. Employees may self-pay for a maximum of twenty-nine months. The number of months that an employee self-pays premium during a period of leave without pay will count toward the total months of continuation coverage allowed under the federal Consolidated Omnibus Budget Reconciliation Act (COBRA). Employees may continue any combination of medical, dental and life insurance; however, only employees on approved educational leave may continue long term disability insurance. The following types of leave qualify to continue coverage under this provision:

(a) The employee is on authorized leave without pay;

(b) The employee is laid off because of a reduction in force (RIF);

(c) The employee is receiving time-loss benefits under workers' compensation;

(d) The employee is applying for disability retirement;

(e) The employee is called to active ~~((military))~~ in the uniformed services as defined under the Uniformed Services Employment and Reemployment Rights Act (USERRA); however, self-payment of life insurance is limited to twelve months from the date the employee is called to active duty;

(f) The employee is on approved educational leave.

(2) Part-time faculty may self-pay premium at the group rate between periods of eligibility for a maximum of eighteen months. Part-time faculty may continue any combination of medical, dental and life insurance.

(3) The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives enrollees the right to continue group medical and dental coverage for a period of eighteen to thirty-six months when they lose eligibility due to one of the following qualifying events.

(a) Termination of employment.

(b) The employee's hours are reduced to the extent of losing eligibility.

(4) Employees who are approved for leave under the federal Family and Medical Leave Act (FMLA) are eligible to receive the employer contribution toward premium for up to twelve weeks, as provided in WAC 182-12-138.

AMENDATORY SECTION (Amending WSR 04-18-039, filed 8/26/04, effective 1/1/05)

**WAC 182-12-136 May an employee on approved educational leave ~~((waive))~~ decline PEBB health plan coverage?** In order to avoid duplication of group health plan coverage, the following shall apply to employees during any period of approved educational leave. Employees eligible for coverage provided in WAC 182-12-133 who obtain comprehensive health plan coverage under another group plan may ~~((waive))~~ decline continuance of such coverage for each full calendar month in which they maintain coverage under the other comprehensive group health plan. These employees have the right to reenroll in PEBB health plan coverage effective the first day of the month after the date the other compre-

hensive group health plan coverage terminates, provided proof of such other comprehensive group health plan coverage is provided to the HCA upon application for reenrollment.

AMENDATORY SECTION (Amending Order 05-01, filed 7/27/05, effective 8/27/05)

**WAC 182-12-171 Eligible retirees.** (1) Eligible employees who terminate public employment after becoming vested in a Washington state sponsored retirement system are eligible to continue PEBB sponsored insurance coverage as a retiree provided the following requirements in (a) and (b) of this subsection as well as one of (c) through (g) of this subsection are met:

(a) If the retiree or enrolled dependent(s) is entitled to Medicare and the retiree retired after July 1, 1991, the Medicare-entitled retiree or Medicare-entitled dependent must enroll in both Medicare Parts A and B; and

(b) The retiring employee must submit an election form to enroll or defer health plan coverage within sixty days after their employer paid or continuous Consolidated Omnibus Budget Reconciliation Act (COBRA) coverage ends and is eligible for retiree benefits under one or more of the programs described in (c), (d), (e), (f), or (g) of this subsection;

(c) Except as provided in (c)(vii) of this subsection, the person immediately upon termination begins receiving a monthly retirement income benefit from one or more of the following retirement systems:

(i) Law enforcement officers' and fire fighters' retirement system Plan 1 or 2;

(ii) Public employees' retirement system Plan 1 or 2;

(iii) Public safety employees' retirement system;

~~(iv)~~ (iv) School employees' retirement system Plan 2;

~~((iv))~~ (v) State judges/judicial retirement system;

~~((v))~~ (vi) Teachers' retirement system Plan 1 or 2; or

~~((vi))~~ (vii) Washington state patrol retirement system.

~~((vii))~~ (viii) Provided, however, that a lump-sum payment may be received in lieu of a monthly retiree income benefit payment under RCW 41.26.425(1), 41.32.762(1), 41.32.870(1), 41.35.410(1), 41.35.670(1), 41.37.200(1), 41.40.625(1) or 41.40.815(1).

(d) The person is at least fifty-five years of age with at least ten years of state of Washington service credit and a member of one of the following retirement systems:

(i) Public employees' retirement system Plan 3;

(ii) School employees' retirement system Plan 3; or

(iii) Teachers' retirement system Plan 3.

(e) The person is a member of a state of Washington higher education retirement plan, and is:

(i) At least fifty-five years of age with at least ten years service; or

(ii) At least sixty-two years of age; or

(iii) Immediately begins receiving a monthly retirement income benefit.

(f) If not retiring under the public employees' retirement system, the person would have been eligible for a monthly retirement income benefit because of age and years of service had the person been employed under the provisions of public

employees' retirement system Plan 1 or Plan 2 for the same period of employment.

(g) The person is an elected official as defined under WAC 182-12-115(6) who has voluntarily or involuntarily left a public office, whether or not the person receives a benefit from a state retirement system.

(2) Eligible employees who participate in PEBB sponsored life insurance as an active employee and meet qualifications for retiree insurance coverage as provided in subsection (1) of this section are eligible for PEBB sponsored retiree life insurance if they submit an election form no later than sixty days after the date their PEBB employee life insurance terminates, providing their employee life insurance premium is not being waived by the life insurance carrier at the time they elect retiree life insurance.

(3) The following retired and disabled school district and educational service district employees are eligible to participate in health plan coverage only, provided they meet all of the enrollment criteria stated below and, if they are entitled to Medicare, are also enrolled in both Medicare Parts A and B:

(a) Persons receiving a retirement allowance under chapter 41.32, 41.35 or 41.40 RCW as of September 30, 1993, and who enroll in PEBB health plan coverage not later than the end of the open enrollment period established by the authority for the plan year beginning January 1, 1995;

(b) Persons who separate from employment with a school district or educational service district due to a total and permanent disability and are eligible to receive a deferred retirement allowance under chapter 41.32, 41.35 or 41.40 RCW. Such persons must enroll in PEBB health plan coverage not later than the end of the open enrollment period established by the HCA for the plan year beginning January 1, 1995, or sixty days following retirement, whichever is later.

(4) With the exception of the Washington state patrol, retirees and disabled employees are not eligible for an employer premium contribution.

(5) The two federal retirement systems, Civil Service Retirement System and Federal Employees Retirement System, shall be considered a Washington state sponsored retirement system for Washington State University Extension employees who are covered under the PEBB insurance coverage at the time of retirement or disability.

(6) Employees who do not elect enrollment in PEBB retiree insurance coverage no later than sixty days immediately after termination of employment for retirement, or immediately after continuous Consolidated Omnibus Budget Reconciliation Act (COBRA) coverage ends, or who terminate PEBB retiree coverage no later than sixty days after retirement, or who terminate PEBB retiree coverage after retirement, are not eligible to reenroll in PEBB retiree insurance coverage unless they retired and deferred PEBB retiree coverage pursuant to WAC 182-12-205 or retired and deferred PEBB retiree coverage pursuant to WAC 182-12-200.

(7)(a) If a retiree's insurance coverage terminates for any reason, coverage will not be reinstated at a later date. Examples of termination include, but are not limited to, any one or more of the following:

(i) Failure to continue to meet eligibility requirements;

(ii) Fraud, intentional misrepresentation or withholding of information the enrollee knew or should have known was material or necessary to accurately determine eligibility or the correct premium;

(iii) Failure to provide information requested by the due date or knowingly providing false information;

(iv) Abusive or offensive conduct repeatedly directed to an HCA employee, a health plan or other HCA contractor providing coverage on behalf of the PEBB program, its employees, or other persons; or

(v) Intentional misconduct.

(b) If a retiree fails to pay the premium when due or an underpayment of premium is made, PEBB sponsored insurance coverage will terminate on the last day of the month for which the last full premium was received.

(c) Notwithstanding (a) of this subsection, the PEBB assistant administrator or designee may approve reinstatement of insurance coverage if the retiree or their dependent or beneficiary submits a written appeal and provides proof that extraordinary circumstances made it virtually impossible to make the payment and the retiree agrees to make payment in accordance with the terms of an agreement with the HCA. No insurance coverage will be reinstated more than three times.

(8) Enrollees may not enroll in retiree dental coverage unless they also enroll in retiree medical coverage.

(9) In order to continue retiree term life insurance, an election must be made within sixty days after retirement and premiums must be paid whether or not the retiree is otherwise employed. Election of retiree term life insurance may not be (~~waived or~~) deferred during periods of other coverage or otherwise.

AMENDATORY SECTION (Amending Order 05-01, filed 7/27/05, effective 8/27/05)

**WAC 182-12-205 Retirees may defer enrollment in PEBB health plan coverage at or following retirement.** (1) Beginning January 1, 2001, retirees may defer enrollment in health plan coverage at or following retirement if they are continuously covered under:

(a) Comprehensive employer sponsored medical coverage as an employee or as the spouse or same sex domestic partner of an employee; or

(b) As a retiree or as the spouse or as the same sex domestic partner of a retiree's retirement insurance from a federal retiree plan.

(2) If a retiree defers enrollment in PEBB health plan coverage, coverage is automatically (~~waived~~) declined for all eligible dependents.

(3) Election of retiree term life insurance coverage may not be deferred during periods of other coverage or otherwise.

(4) In order to defer health plan coverage, a retiree must submit the appropriate form to the PEBB program requesting deferment of coverage. The notice of deferral must be received by PEBB benefit services prior to the date coverage is deferred or within sixty days after the date the retiree is eligible to apply for PEBB sponsored retiree benefits.

(5) Retirees may reenroll in PEBB coverage following the end of a deferral period under conditions listed below.

(a) Retirees who defer PEBB health plan coverage while enrolled in employer sponsored medical coverage, may reenroll in PEBB health plan coverage by submitting the appropriate form(s) and satisfactory evidence of continuous enrollment in comprehensive employer sponsored coverage to the PEBB program:

(i) During an annual open enrollment period; or

(ii) No later than sixty days after the last day of the employer sponsored coverage.

(b) Retirees who defer PEBB health plan coverage while enrolled as a retiree or dependent of a retiree in a federal retiree plan will have a one-time opportunity to reenroll in PEBB health plan coverage by submitting the appropriate form(s) and satisfactory evidence of continuous enrollment in a federal retiree medical plan to the PEBB program:

(i) During an annual open enrollment period; or

(ii) No later than sixty days after the date their federal retiree coverage ends.

(c) PEBB health plan enrollment will be effective the first day of the month following the date employer sponsored coverage or coverage under a federal retiree plan ended, except that reenrollment in PEBB insurance coverage during the annual open enrollment will become effective the first day of January following the open enrollment period.

AMENDATORY SECTION (Amending Order 05-01, filed 7/27/05, effective 8/27/05)

**WAC 182-12-265 What options for continuing health plan coverage are available to widows, widowers and dependent children if the employee or retiree dies?** (1) Dependents that lose eligibility due to the death of an eligible employee may continue health plan coverage under a retiree plan provided they immediately begin receiving a monthly retirement benefit from any state of Washington sponsored retirement system.

(a) The employee's spouse or qualified same sex domestic partner may continue coverage until death.

(b) Other dependents may continue coverage until they lose eligibility under PEBB rules.

(c) If a surviving dependent of an eligible employee is not eligible for a monthly retirement benefit or a lump-sum payment because the monthly pension payment would be less than the minimum amount established by the department of retirement systems, the dependent may continue health plan coverage under provisions of the federal Consolidated Omnibus Budget Reconciliation Act (COBRA) or WAC 182-12-270.

(d) The two federal retirement systems, Civil Service Retirement System and Federal Employees Retirement System, shall be considered a Washington sponsored retirement system for Washington State University extension service employees who were covered under PEBB insurance coverage at the time of death.

(2) Dependents that lose eligibility due to the death of a PEBB eligible retiree may continue health plan coverage under a retiree plan.

(a) The retiree's spouse or qualified same sex domestic partner may continue coverage until death.

(b) Other dependents may continue coverage until they lose eligibility under PEBB rules.

(c) Dependents that are ((~~waiving~~) declining) PEBB health plan coverage at the time of the retiree's death are eligible to enroll or defer PEBB retiree coverage. A form to enroll or defer PEBB health plan coverage must be hand-delivered or mailed to PEBB benefit services no later than sixty days after the retiree's death. To enroll in PEBB health plan coverage, the dependent must provide satisfactory evidence that enrollment in other health plan coverage was continuous from the most recent open enrollment period for which PEBB coverage was waived.

(3) Surviving spouses or eligible dependent children of a deceased school district or educational service district employee who were not enrolled in PEBB insurance coverage at the time of the subscriber's death may enroll in PEBB sponsored health plan coverage provided the employee died on or after October 1, 1993, and the dependent(s) immediately began receiving a retirement benefit allowance under chapter 41.32, 41.35 or 41.40 RCW.

(a) The employee's spouse or qualified same-sex domestic partner may continue health plan coverage until death.

(b) Other dependents may continue coverage until they lose eligibility under PEBB rules.

(4) Application for surviving dependent coverage must be made in writing on an election form approved by PEBB no later than sixty days after the date of death of the employee or retiree. Coverage is retroactive to the date the employee or retiree insurance coverage terminated subject to the payment of premium. In order to avoid duplication of group medical coverage, surviving dependents may defer enrollment in PEBB health plan coverage for each full calendar month in which they maintain coverage under other employer sponsored comprehensive medical coverage. Notice of intent to defer PEBB coverage must be sent in writing to PEBB benefit services no later than sixty days after the date of death of the subscriber.

(5) Surviving dependents that defer coverage while enrolled in an employer sponsored comprehensive medical plan must submit an application to reenroll in PEBB coverage no later than sixty days after the last day of coverage under the employer sponsored medical plan. Satisfactory evidence of continuous enrollment in an employer sponsored comprehensive medical coverage will be required by the PEBB program prior to reenrollment in a PEBB health plan.

### WSR 06-06-080

#### PROPOSED RULES

#### HEALTH CARE AUTHORITY

(Public Employees' Benefits Board)

[Order 06-01—Filed March 1, 2006, 7:51 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 06-02-092.

Title of Rule and Other Identifying Information: WAC 182-12-115 Eligible employees.

Hearing Location(s): Health Care Authority, the Center Conference Room, 676 Woodland Square Loop S.E., Olympia, WA, on April 20, 2006, at 1:00 p.m.

Date of Intended Adoption: April 28, 2006.

Submit Written Comments to: Barbara Scott, 676 Woodland Square Loop S.E., P.O. Box 42684, Olympia, WA 98504-2684, e-mail [bsco107@hca.wa.gov](mailto:bsco107@hca.wa.gov), fax (360) 923-2602, by April 20, 2006.

Assistance for Persons with Disabilities: Contact Nikki Johnson by April 12, 2006, TTY (888) 923-5622 or (360) 923-2805.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of the proposed amendment is to address summer coverage for part-time academic employees of community and technical colleges for summer 2006 and into the future (the current rule only addresses summer coverage through April 2006). In addition the health care authority is proposing amendments that clarify which subsection of the rule applies to what type of employment situation, as well as technical corrections removing outdated language that is no longer accurate. Language allowing the use of school district and educational service district approved bargaining unit language for determination of employee eligibility for the public employees' benefits board benefits is removed so the rule does not conflict with statutory language in RCW 41.05.065(3).

Reasons Supporting Proposal: These amendments are necessary to provide greater clarity regarding: (1) Summer coverage for certain part-time academic employees of community and technical colleges; and (2) which employees who work on a seasonal or instructional year basis are eligible for employer paid benefits during the period between work seasons or instructional years.

Statutory Authority for Adoption: RCW 41.05.160.

Statute Being Implemented: RCW 41.05.065.

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

Name of Proponent: Health care authority, governmental.

Name of Agency Personnel Responsible for Drafting: Pete Cutler, 676 Woodland Square Loop, Lacey, WA, (360) 923-2720; Implementation: Barbara Scott, 676 Woodland Square Loop, Lacey, WA, (360) 923-2642; and Enforcement: Mary Fliss, 676 Woodland Square Loop, Lacey, WA, (360) 923-2640.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The joint administrative rules review committee has not requested the filing of a small business economic impact statement, and there will be no costs to small businesses.

A cost-benefit analysis is not required under RCW 34.05.328. RCW 34.05.328 does not apply to the health care authority rules unless requested by the joint administrative rules review committee or applied voluntarily.

March 1, 2006

Pete Cutler

Rules Coordinator

AMENDATORY SECTION (Amending Order 04-04, filed 8/19/05, effective 9/2/05)

**WAC 182-12-115 Eligible employees.** The following employees of state government, higher education, participating K-12 school districts, educational service districts, political subdivisions and employee organizations representing state civil service workers are eligible ~~((to apply))~~ for PEBB insurance coverage. ~~((For purposes of defining eligible employees of school districts and educational service districts, a collective bargaining agreement will supersede all definitions provided under this chapter 182-12 WAC only if approved by the HCA.))~~ Subsections (1), (2), and (3) of this section apply to all employees except:

Those employees of state four-year institutions of higher education, school districts, educational service districts, the state schools for the blind and deaf, and other similar state agency institutions, who are employed on an instructional year basis, for whom only subsection (4) of this section shall apply;

All part-time academic employees of community and technical colleges, for whom only subsection (5) of this section shall apply;

Appointed and elected officials, for whom only subsection (6) of this section shall apply; and

Justices of the supreme court, and judges of the courts of appeal and of superior court, for whom only subsection (7) of this section shall apply.

(1) "Permanent employees." Those who work ~~((at least))~~ half-time per month and are expected to be employed for more than six consecutive months. Coverage begins on the first day of the month following the date of employment. If the date of employment is the first working day of a month, coverage begins on the date of employment.

(2) "Nonpermanent employees." Those who work ~~((at least))~~ half-time per month and are expected to be employed for no more than six consecutive months. Coverage begins on the first day of the seventh consecutive month following the date of employment.

(3) "Career seasonal employees." Those who work ~~((at least))~~ half-time per month during a designated season for a minimum of three months but less than ~~((nine))~~ twelve months per year and who have an understanding of continued employment season after season. Coverage begins on the first day of the month following the date of employment. If the date of employment is the first working day of a month, coverage begins on the date of employment. Career seasonal employees who work half-time per month for a season that extends for nine or more months are eligible for the employer contribution during the break between seasons of employment. However, career seasonal employees who work half-time per month for less than nine months in a season are not eligible for the employer contribution during the break between seasons of employment but may be eligible to continue coverage by self-paying premiums.

(4) "~~((Career seasonal))~~Instructional year employees." Those employees of state four-year institutions of higher education, school districts, educational service districts, the state schools for the blind and deaf, and other similar state agency institutions who work half-time or more on an instructional year (school year) or equivalent nine-month ~~((seasonal))~~

basis. Coverage begins on the first day of the month following the date of employment. If the date of employment is the first working day of the month, coverage begins on the date of employment. These employees are eligible to receive the employer contribution for insurance during the off-season following each instructional year period of ~~((seasonal))~~ employment.

(5)(a) "~~((faculty" and "part-time))~~ Part-time academic employees of community and technical colleges." Employees who are employed on a quarter/semester to quarter/semester basis are eligible ~~((to apply))~~ for coverage beginning with the second consecutive quarter/semester of half-time or more employment ~~((at one or more state institutions of higher education including one or more college districts))~~. Concurrent employment at more than one state institution of higher education may be combined by an employee to establish and maintain eligibility. Coverage begins on the first day of the month following the beginning of the second quarter/semester of half-time or more employment. If the first day of the second consecutive quarter/semester is the first working day of the month, coverage begins at the beginning of the second consecutive quarter/semester.

For the purpose of determining eligibility for part-time faculty and part-time academic employees, employers must:

(i) Consider spring and fall as consecutive quarters/semesters when ~~((determining))~~ first establishing eligibility; and

(ii) Determine "half-time or more employment" based on each institution's definition of "full-time"; and

(iii) At the beginning of each quarter/semester notify, in writing, all current and newly hired part-time ~~((faculty and part-time))~~ academic employees of their potential right to benefits under this ~~((section))~~ subsection.

(iv) Part-time ~~((faculty and part-time))~~ academic employees employed at more than one state institution of higher education are responsible for notifying each employer quarterly, in writing, of the employee's multiple employment. In no case will retroactive coverage be permitted or employer contribution paid to HCA if an employee fails to inform all of his/her employing institutions about employment at all institutions within the current quarter; and

(v) Where concurrent employment at more than one state higher education institution is used to determine total employment of half-time or more, the employing institutions will arrange to prorate the cost of the employer insurance contribution based on the employment at each institution. However, if the employee would be eligible by virtue of employment at one institution, that institution will pay the entire cost of the employer contribution regardless of other higher education employment. In cases where the cost of the contribution is prorated between institutions, one institution will forward the entire contribution monthly to HCA; and

(vi) Once enrolled, if a ~~((part-time faculty or))~~ part-time academic employee does not work ~~((at least a total of))~~ half-time in one or more state institutions of higher education, eligibility for the employer contribution ceases.

(b) Part-time academic employees of community and technical colleges ~~((—eligibility for summer or off-season benefits when the employee has))~~ who have a reasonable expectation of continued employment at ~~((a single))~~ one or

more college ((district or multiple college)) districts shall be eligible to receive the employer contribution for benefits during the summer break if they meet the conditions provided in this subsection (5)(b).

~~((Effective May 1, 2005, through April 2006.))~~

(i) Part-time academic employees who work half-time or more in each instructional year quarter ~~((or equivalent nine-month season))~~ for ~~((one or more))~~ an academic year ~~((s-in))~~ for a single college district or multiple college districts as determined from the payroll records of the employing community or technical college district(s), are eligible for the employer contribution for health benefits during the quarter or off season period immediately following the end of ~~((one))~~ the academic year ~~((or equivalent nine-month season. Eligibility for summer or off season health benefits continues each summer quarter or off season thereafter following employment in an instructional year or equivalent nine-month period of employment in a single college district or multiple college districts))~~.

~~((ii))~~ (c) For the purposes of this ~~((section))~~ subsection:

~~((A))~~ (i) "Academic employee" has the meaning set forth in RCW 28B.50.489(3).

~~((B))~~ (ii) "Academic year" means fall, winter, and spring quarters in a community or technical college, as determined from the payroll records of the employing college district or college districts.

~~((C))~~ "Equivalent nine-month seasonal basis" means a nine consecutive month period of employment at half-time or more by a single college district or multiple college districts, as determined from the payroll records of the employing college district(s).

~~((D))~~ (iii) "Health benefits" means the particular medical and/or dental coverage in place at the end of the academic year or equivalent nine-month season. Changes to health benefits may be made only as set forth in chapter 182-08 WAC or during an annual open enrollment period.

(6) "Appointed and elected officials." Legislators are eligible to apply for coverage on the date their term begins. All other elected and full-time appointed officials of the legislative and executive branches of state government are eligible to apply for coverage on the date their term begins or they take the oath of office, whichever occurs first. Coverage for legislators begins on the first day of the month following the date their term begins. If the term begins on the first working day of the month, coverage begins on the first day of their term. Coverage begins for all other elected and full-time appointed officials of the legislative and executive branches of state government on the first day of the month following the date their term begins, or the first day of the month following the date they take the oath of office, whichever occurs first. If the term begins, or oath of office is taken, on the first working day of the month, coverage begins on the date the term begins, or the oath of office is taken.

(7) "Judges." Justices of the supreme court and judges of courts of appeals and the superior courts become eligible to apply for coverage on the date they take the oath of office. Coverage begins on the first day of the month following the date their term begins, or the first day of the month following the date they take oath of office, whichever occurs first. If the term begins, or oath of office is taken, on the first working

day of a month, coverage begins on the date the term begins, or the oath of office is taken.

## WSR 06-06-081

### PROPOSED RULES

#### DEPARTMENT OF REVENUE

[Filed March 1, 2006, 8:07 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 05-21-006.

Title of Rule and Other Identifying Information: WAC 458-20-250 ~~((Refuse-))~~ Solid waste collection ~~((business—Core deposits and credits, battery core charges, and tires))~~ tax and 458-20-272 Tire fee—Core deposits or credits.

Hearing Location(s): Capital Plaza Building, 4th Floor, Large L&P Conference Room, 1025 Union Avenue S.E., Olympia, WA, on April 6, 2006, at 9:30 a.m.

Date of Intended Adoption: April 13, 2006.

Submit Written Comments to: Nathan Schreiner, P.O. Box 47453, Olympia, WA 98504-7453, e-mail nathans@dor.wa.gov, fax (360) 586-5543, by April 6, 2006.

Assistance for Persons with Disabilities: Contact Sandy Davis at (360) 725-7499 no later than ten days before the hearing date. Deaf and hard of hearing individuals may call 1-800-451-7985 (TTY users).

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: SHB 2085, 2005 regular session, imposed a tire fee on the retail sale of new replacement tires. The department previously adopted a new WAC 458-20-272 (Rule 272) on an emergency basis to explain the fee and its interaction with state excise taxes. A revised WAC 458-20-250 (Rule 250) was also adopted on an emergency basis to remove language addressing a previous tire fee.

Reasons Supporting Proposal: The department plans to adopt this proposed Rule 272 as the permanent rule. It explains the seller's responsibility for collecting the fee from the buyer, how the fee is reported, and what tires are subject to the fee. The proposed rule incorporates information about special provisions in law for battery core charges and core deposits, which are currently addressed in Rule 250. The department plans to adopt the proposed Rule 250 to update the information about the solid waste collection tax and to remove information that will be addressed in Rule 272. The updating and reorganization of this information will make the information more accessible to affected taxpayers.

Statutory Authority for Adoption: RCW 82.32.300 and 82.01.060(2).

Statute Being Implemented: RCW 70.95.510, 82.08-036, 82.12.038, and chapter 82.18 RCW.

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

Name of Proponent: Department of revenue, governmental.

Name of Agency Personnel Responsible for Drafting: Nathan Schreiner, 1025 Union Avenue S.E., Suite #544, Olympia, WA, (360) 570-6136; Implementation: Alan R. Lynn, 1025 Union Avenue S.E., Suite #544, Olympia, WA,



(360) 570-6125; and Enforcement: Janis P. Bianchi, 1025 Union Avenue S.E., Suite #544, Olympia, WA, (360) 570-6147.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule imposes no new or additional administrative burdens on businesses that are not already imposed by the law.

A cost-benefit analysis is not required under RCW 34.05.328. This is not a significant legislative rule as defined in RCW 34.05.328.

March 1, 2006  
 Alan R. Lynn  
 Rules Coordinator  
 Interpretation and  
 Technical Advice Unit

## NEW SECTION

### **WAC 458-20-272 Tire fee—Core deposits or credits.**

(1) **Introduction.** This section describes the tire fee imposed under RCW 70.95.510 and the business and occupation (B&O), sales, and use tax consequences related to battery core charges and core deposits or credits, including the exemptions described in RCW 82.08.036 and 82.12.038.

#### **(2) Tire fee.**

(a) **What is the tire fee?** Beginning July 1, 2005, sellers must collect a one-dollar fee on every retail sale of each new replacement vehicle tire. If new tires are leased, the fee must be collected once at the beginning of the lease. The tire fee is effective until June 30, 2010.

(b) **How do I report the tire fee?** A seller must report on the excise tax return the number of new replacement vehicle tires sold. Tire sellers may retain ten percent of the fee and must remit the remainder to the department of revenue (department). As a result, the amount that must be reported and paid to the department is the number of new replacement vehicle tires sold during the tax reporting period multiplied by ninety cents.

(c) **What if the seller fails to collect the fee or does not pay the fee on time?** The seller is personally liable for payment of the fee, whether or not the fee is collected from the buyer. Any seller who appropriates or converts the fee collected to his or her own use or to any use other than the payment of the fee by the due date, minus the ten percent retained, is guilty of a gross misdemeanor. Interest and penalties apply to late payments. Refer to WAC 458-20-228 (Returns, remittances, penalties, extensions, interest, stay of collection) for more information.

(d) **What happens if a buyer fails to pay the fee?** The tire fee, until paid by the buyer to the seller or the department, is considered a debt from the buyer to the seller. Any buyer who refuses to pay the fee is guilty of a misdemeanor.

(e) **Is sales tax imposed on the tire fee?** No. The measure of the sales tax does not include the tire fee. See RCW 82.08.036.

(f) **Is the ten percent amount retained by the seller taxed?** Yes. The seller must report the retained amount as gross income under the service and other activities tax classification on the excise tax return.

(g) **What tires are subject to the tire fee?** All new replacement vehicle tires are subject to the tire fee. Refer to RCW 70.95.030 for the definition of "vehicle."

(i) Examples of vehicles for which new replacement tires are subject to the fee include:

- (A) Automobiles;
  - (B) Trucks;
  - (C) Recreational vehicles;
  - (D) Trailers;
  - (E) All-terrain vehicles (ATVs);
  - (F) Agricultural vehicles, such as tractors or combines;
  - (G) Industrial vehicles, such as forklifts;
  - (H) Construction vehicles, such as loaders or graders;
- and
- (I) Golf carts.

(ii) Bicycles, wheelbarrows, and hand trucks are examples of devices to which the new replacement tire fee does not apply.

(iii) The tire fee does not apply to the sale of retreaded vehicle tires. Nor does it apply to tires provided free of charge under the terms of a recall or warranty.

(h) **May I refund the fee if a tire is returned?** If a customer returns the purchased new tire and the entire selling price is refunded to the customer, the one-dollar tire fee is likewise refundable. The refunded amount may be claimed on the excise tax return in the same manner as refunded sales tax. If the seller does not refund the full sales price to the customer, the one-dollar fee is not refundable. Refer to WAC 458-20-108 (Returned goods, allowances, cash discounts) for more information.

(i) **Does the tire fee apply on sales to the federal government or Indians and Indian tribes?** The tire fee is not imposed on sales to the federal government and need not be collected by the seller. The tire fee does not apply to sales of tires delivered to enrolled members or tribes in "Indian country." Refer to WAC 458-20-190 and 458-20-192 for more information.

(j) **If the sale is exempt from sales tax, is the tire fee due?** Statutory exemptions from sales tax do not apply to the tire fee. The tire fee is due on every retail sale of a new replacement tire whether or not sales tax is due.

#### **(3) Core deposits or credits - Battery core charges.**

(a) **Definitions.** For purposes of this section, the following definitions apply:

(i) "Core deposits or credits" means the amount representing the value of returnable products such as batteries, starters, brakes, and other products with returnable value added for purposes of recycling or remanufacturing.

(ii) "Battery core charge" refers to a core deposit, not less than five dollars, which must by law be retained by the seller when a retail purchaser has no used battery to exchange or trade in. A buyer may return within thirty days of the purchase with a used battery of equivalent size and claim the core charge amount. See RCW 70.95.630 and 70.95.640.

(b) **How is tax calculated when the buyer receives a core deposit or credit?** Retail sales and use taxes do not apply to consideration received in the form of core deposits or credits when a purchaser exchanges or trades in a core for recycling or remanufacturing. Therefore, the measure of the sales or use tax may be reduced by the amount of the core

deposit or credit. See RCW 82.08.036 and 82.12.038. The core deposit and credit exemptions apply only to the retail sales and use taxes. There is no equivalent exemption or deduction for B&O tax purposes. Therefore, the amount reported under the appropriate B&O tax classification must include the value of core deposits or credits.

(c) **Examples.** This subsection provides examples that identify a number of facts and then state a conclusion. These examples should be used only as a general guide. The tax results of other situations must be determined after a review of all of the facts and circumstances.

(i) **Example 1.** A customer purchases at retail a new replacement battery and reconditioned starter, providing the seller with a battery core and a starter core in exchange. The selling price of the new battery, including the battery core charge, is \$60.00. The customer is allowed a \$5.00 credit because a battery core is exchanged, meaning the cost of the battery to the customer, excluding sales tax, is \$55.00. The selling price of the starter is \$50.00. The seller allows a \$3.00 credit for the starter core, meaning the cost to the customer, excluding sales tax, is \$47.00. Retailing B&O tax is due upon the total value of cash plus core value, in this case \$110.00, or \$60.00 plus \$50.00. However, the \$8.00 of core deposits or credits may be deducted from the measure of the retail sales tax under RCW 82.08.036. Thus, retail sales tax is due on \$102.00, or \$55.00 plus \$47.00.

(ii) **Example 2.** The seller delivers the starter and battery cores accepted in the exchange to wholesalers. A starter wholesaler issues a refund and a battery wholesaler issues a credit memorandum to be applied against future wholesale battery purchases. The return of the used products by the auto parts store for recycling or remanufacturing and subsequent receipt of a refund or credit for the core deposit or credit is not considered taxable consideration for purposes of the B&O tax.

AMENDATORY SECTION (Amending Order 89-11, filed 8/2/89, effective 9/2/89)

**WAC 458-20-250 ((Refuse solid) Solid waste collection ((business—Core deposits and credits, battery core charges, and tires)) tax. ((+)) (1) Introduction.** This section ((administers the taxes on solid waste collection and the special provisions for core deposits and credits, battery core charges, and tires.

(a) Chapter 282, Laws of 1986 established the specific business activity of the "refuse collection business" and imposed a "refuse collection tax" similar in nature to retail sales tax. The burden of this tax is upon the ultimate consumer of the refuse collection service. The tax rate is three and six tenths percent (.036), and the tax measure is the total consideration charged to the consumer-customer for the services. Chapter 431, Laws of 1989 changes the name of this tax from a refuse collection tax to a solid waste collection tax.

(b) Chapter 431, Laws of 1989, imposes, effective July 1, 1989, an additional tax of 1 percent of the consideration charged for the service. Generally, the tax is imposed in addition to and is similar to the refuse collection tax enacted in 1986. However, unlike the refuse collection tax, the measure of the new 1 percent tax is limited to the charges for the actual

solid waste collection services that are provided and a maximum tax measure is provided for residential collection service charges.

(c) For ease of administration and accounting, the 3.6 percent tax shall retain its former name and be called for purposes of this section the "refuse collection tax," and, the tax imposed in 1989, the 1 percent tax, shall be called the "solid waste collection tax."

(2) Neither the 1986 law or the 1989 law expressly establishes a specific business tax classification for the gross receipts of persons engaged in the refuse solid waste collection business. Thus, because of the provisions of RCW 82.04.290, such persons are subject to the service or other activities classification of business and occupation tax.

(3) For purposes of this section the following terms will apply:

(a) "Refuse collection business"—"solid waste collection business" means every person who receives waste for transfer, storage, or disposal including but not limited to all collection services, public or private dumps, transfer stations, and similar operations.

(b) "Person" shall have the meaning given in RCW 82.04.030 or any later, superseding section.

(c) "Waste"—"solid waste" means garbage, trash, rubbish, or other material discarded as worthless or not economically viable for further use. The term does not include hazardous or toxic waste nor does it include material collected primarily for recycling or salvage.

(d) "Taxpayer" means that person upon whom the refuse solid waste collection tax is imposed, that is, the private or commercial consumer-customer.

(e) "Department" means the department of revenue.

(f) "Consideration charged for the services" means the total amount billed to a taxpayer as compensation for refuse solid waste collection services, without any deduction for any costs of doing business or any other expense whatsoever, paid or accrued, provided, that the term does not include any amount included in the charges for materials collected primarily for recycling, nor the refuse solid waste collection tax itself whether separately itemized or not, nor any similar utility taxes or consumer taxes, imposed by the state or any political subdivision thereof or any municipal corporation, directly upon the consumer taxpayer and separately itemized on the taxpayer's billing. Also, the term does not include late charges or penalties which may be imposed for nontimely payment by taxpayers.

(4) Refuse and solid waste collection tax measure:

(a) The refuse collection tax applies to the consideration paid for refuse solid waste collection services. The rate of the tax is 3.6 percent of the amount charged for garbage collection and disposal services.

(b) For purposes of the solid waste collection tax, the following terms will apply:

(i) "Standby," "availability," or "base" charges mean those charges to a residential customer who receives no actual garbage pickup service.

(ii) "Residential collection service" has its ordinary meaning and is per can garbage collection service other than commercial or industrial service. For purposes of this section, a residential collection service is that service provided for

each housing unit. In the case of multiple housing units in a single structure such as apartments, condominiums, or duplexes, or, an association of housing units such as a mobile home park or retirement village, the service is deemed commercial unless each occupier of a housing unit is individually provided can service and is individually billed for such service.

(iii) "Can" or "can equivalent" has its ordinary meaning and shall include a receptacle for waste collection made of durable, corrosion resistant material, watertight with a close fitting cover, with two handles, and does not exceed 32 gallons, 4 cubic feet or 65 lbs. (including contents), nor weigh more than 12 lbs. when empty. (This definition comports with the definition of "unit" by the utilities and transportation commission.) For purposes of this section, containers of 60 gallon or more capacity, commonly called "toters," are considered more than 2 cans.

(e) The solid waste collection tax applies to the consideration paid for actual solid waste collection services provided and utilized by the customer and does not apply to amounts charged by a solid waste collection business for "standby," "availability," or "base" charges where no actual garbage collection occurs. Additionally, the tax does not apply to amounts charged for materials primarily collected for recycling.

(d) For a residential customer, the tax measure is the consideration paid, but not more than \$8.00 of the monthly charge for garbage pickup service of less than 2 cans, or, not more than \$12.00 of the monthly charge for 2 cans or more.

(i) Example. City X provides residential garbage collection service to a customer and the customer has subscribed to less than two can service. The monthly charge is \$11.00 for the service which includes a charge of \$2.00 for special pickup of recyclables. After adjustment for the recycling charges of \$2.00, the refuse collection tax measure is \$9.00 and the solid waste collection tax measure is \$8.00. The tax measure for solid waste residential pickup is limited to not more than \$8.00 of monthly charge paid. The refuse collection tax is 32 cents ( $\$9.00 \times .036$ ), and, the solid waste collection tax is 8 cents ( $\$8.00 \times .01$ ), for a total refuse-solid waste collection tax of 40 cents.

(e) For computation of the maximum solid waste collection tax due for residential customers, extra solid waste collected effects the tax base only for a residential customer with less than 2 can service. The tax measure for a customer with 2 or more can service will never exceed \$12.00. The tax measure for a customer with less than 2 can service does not exceed \$8.00 unless the extras collected are an additional can equivalent sufficient to change the less than 2 can customer to a 2 can or more customer. A less than 2 can customer becomes a 2 can or more customer when, over a reasonable period of time, i.e., 6 months, charges for less than 2 can service plus extras equals or exceeds the customary charges for 2 can service.

(i) Example. Residential customer Z has less than 2 can service for which Z is charged \$9.00 per month and results in a refuse tax of 32 cents ( $\$9.00 \times .036$ ) and a solid waste tax of 8 cents ( $\$8.00 \times .01$ ) for a total tax of 40 cents. For 7 consecutive months Z has extra trash bags picked up each month. The monthly charge including extras is \$11.00 and the cus-

tomary 2 can or more charge is \$12.00. The refuse tax for each month is 40 cents ( $\$11.00 \times .036$ ) and the solid waste tax is 8 cents ( $\$8.00 \times .01$ ) for a total tax of 48 cents. Z remains a less than 2 can customer during the period as the monthly charge, including the charge for extras, is less than the customary 2 can or more rate. The solid waste tax measure is limited to the consideration paid up to \$8.00, while the refuse tax is not so limited.

(ii) Example. Residential customer X has 2 or more can service for which X is charged \$9.00 per month resulting in a refuse tax of 32 cents ( $\$9.00 \times .036$ ) and a solid waste tax of 9 cents ( $\$9.00 \times .01$ ) for a total tax of 41 cents. One month X has several trash bags picked up and the charge for this month is \$13.00. The refuse tax is 47 cents ( $\$13.00 \times .036$ ) and the solid waste tax is 12 cents ( $\$12.00 \times .01$ ) for a total tax of 59 cents. The solid waste tax measure for 2 can or more service is limited to the consideration paid up to \$12.00 while the refuse collection tax measure is not so limited.

(iii) Example. A city provides residential garbage collection for which the city charges a \$5.00 base fee and a total charge of \$9.00 for less than 2 can service and \$13.00 for 2 can or more service. A customer chooses to deliver his garbage by his own means to the local disposal site for which the customer is charged \$10.00 per month. The city charges the customer on his monthly utility bill the \$5.00 base fee. The refuse tax collected at the disposal site is 36 cents ( $\$10.00 \times .036$ ) and the solid waste tax collected at the disposal site is 10 cents ( $\$10.00 \times .01$ ) for a total collection at the disposal site of 46 cents. The refuse tax collected by the city is 18 cents ( $\$5.00 \times .036$ ) and no solid waste tax is collected by the city because no actual garbage collection services were provided the customer. As the per can limitations apply only to residential pick up service, any garbage delivered to disposal site by anyone other than another refuse-solid waste collection business will always incur a combined refuse-solid waste tax of 4.6 per cent of the consideration paid.

(5)) explains how the solid waste collection tax imposed under chapter 82.18 RCW applies; who is required to collect the tax; and the B&O, sales, and use tax obligations of persons providing solid waste collection services. The tax imposed under chapter 82.18 RCW was previously known as the "refuse collection tax." For the purposes of this section, the tax is referred to by its statutory name, the "solid waste collection tax."

(2)(a) What is "solid waste"? "Solid waste" or "waste" means garbage, trash, rubbish, or other material discarded as worthless or not economically viable for further use. The term does not include hazardous or toxic waste nor does it include material collected primarily for recycling or salvage.

(b) Who is the taxpayer for purposes of the solid waste collection tax? "Taxpayer" means that person upon whom the solid waste collection tax is imposed, that is, the private or commercial consumer.

(c) Who is required to collect the solid waste collection tax? Every person who receives waste for transfer, storage, or disposal including, but not limited to, all collection services, public or private dumps, transfer stations, and similar operations, must collect the solid waste collection tax from the private or commercial consumer.

(d) What is the measure of the tax? The solid waste collection tax applies to the consideration charged for solid waste collection services.

"Consideration charged for the services" is the total amount billed as compensation for solid waste collection services, without any deduction for any costs of doing business or any other expense whatsoever, paid or accrued. The term does not include:

(i) Any amount included in the charges for materials collected primarily for recycling;

(ii) The solid waste collection tax itself, whether separately itemized or not;

(iii) Any utility taxes or consumer taxes, imposed by the state or any political subdivision thereof or any municipal corporation, directly upon the consumer and separately itemized on the taxpayer's billing; or

(iv) Late charges or penalties which may be imposed for nontimely payment.

(3) Reporting and collection obligations. The person who collects the charges for ~~((refuse-solid))~~ solid waste collection services from the taxpayer is responsible for collecting the ~~((refuse-solid))~~ solid waste collection tax and remitting it to the state.

~~((6))~~ The law provides that) (a) Failure to collect tax. If any person charged with collecting the tax fails to bill the taxpayer for it, or to notify the taxpayer in writing that the tax is due, then that person shall be personally liable for the tax. Thus, unlike the retail sales tax, the ~~((refuse-solid))~~ solid waste collection tax may be included within the gross ~~((refuse))~~ fee or charge billed to taxpayers and need not be separately itemized on such billings, but only if such taxpayers are notified in writing that the tax has been imposed and is being collected. Nothing prevents any ~~((refuse-solid))~~ solid waste collection business from separately itemizing the tax on customer billings, at its option.

~~((7))~~ Furthermore,) (b) Failure to remit collected tax. If any person collects ~~((that))~~ the tax ~~((from the taxpayer))~~ and fails to pay it to the department in the manner provided in this section, for any reason ~~((whatever))~~ whatsoever, ~~((that))~~ the person shall be personally liable for the tax.

~~((8))~~ (4) Due date. The ~~((refuse-solid))~~ solid waste collection tax is due from the taxpayer within twenty-five days from the date the taxpayer is billed for the ~~((refuse-solid))~~ solid waste collection services. The ~~((refuse-collection tax and the))~~ solid waste collection tax ~~((shall))~~ must be separately reported upon lines provided on the ~~((combined))~~ excise tax return.

~~((9))~~ The tax is due to be remitted to the department by the person collecting it at the end of the tax reporting period in which the tax is received by that person.

~~((10))~~ (5) Partial payments. If a taxpayer makes only a partial payment of the amount billed for the services and tax, the amount paid must first be used to remit the ~~((refuse-solid))~~ solid waste collection tax to the department. ~~((This))~~ The tax has first priority over all other claims against the amount paid by the taxpayer.

~~((11))~~ (6) Sales to the federal government, Indians and Indian tribes. The federal government, its agencies and instrumentalities, and all ~~((refuse))~~ solid waste collection service contracts with such federal entities are not subject to the

~~((refuse-solid))~~ solid waste collection tax. ~~((There are no other taxpayers expressly exempted from paying the refuse-solid waste collection tax. Any other taxpayer claiming exemption of this tax for any reason whatsoever must provide the refuse-solid waste collection business with proof of its entitlement to exemption. The department will verify such claims upon request.~~

~~(12))~~ Similarly, Indians and Indian tribes may be exempt from the tax. Refer to WAC 458-20-190 and 458-20-192 for more information about tax reporting and record-keeping obligations relating to sales to the federal government and Indians or Indian tribes.

(7) Transactions with multiple collection businesses. To prevent pyramiding or multiple taxation of single transactions, the ~~((refuse-solid))~~ solid waste collection tax does not apply to any person other than ~~((the taxpayer. It is a tax upon))~~ the ultimate ~~((consumer-customer))~~ consumer of the ~~((refuse-solid))~~ solid waste service.

~~((13))~~ (a) Exemption certificate. Persons engaged in the solid waste collection business by operating facilities for the transfer, storage, or disposal of waste, including public and private dumps, and who provide such services directly to taxpayers for a charge, are liable for the collection of the solid waste collection tax on such charges. However, persons who collect the ~~((refuse-solid))~~ solid waste collection tax and who, themselves, utilize the further services of others for the transfer, storage, or disposal of the waste collected are not required to again pay the tax to such other service providers. ~~((However,))~~ In order to be exempt ~~((of))~~ from such tax payment a ~~((refuse-solid))~~ solid waste collection business must provide other ~~((refuse-solid))~~ solid waste service providers with a ~~((refuse-solid))~~ solid waste collector's exemption certificate in the following form:

~~((a))~~ We hereby certify that we are engaged in the ~~((refuse-solid))~~ solid waste collection business and are registered with the state department of revenue to collect and report the ~~((refuse))~~ solid waste collection tax imposed under chapter ~~((282, Laws of 1986 and chapter 431, Laws of 1989))~~ 82.18 RCW. We certify further that the ~~((refuse-solid))~~ solid waste collection tax due with respect to the ~~((refuse-solid))~~ solid waste collection business being performed under this certificate has been or will be collected and paid and that we are exempt ~~((of))~~ from further payment of such tax on charges for any ~~((refuse-solid))~~ solid waste collection services being procured by us.

Business Name ..... Authorized Signature .....  
Business Address ..... Date .....  
Revenue Registration No. ....  
U.T.C. Certificate of Public Necessity No. ....  
If not regulated by U.T.C., please check here .....

(b) Blanket exemption certificates. Blanket certificates may be provided in advance by ~~((refuse-solid))~~ solid waste collectors or other persons who collect the customer charges for ~~((refuse-solid))~~ solid waste collection and who are liable for collecting and remitting the ~~((refuse-solid))~~ solid waste collection tax. A blanket certificate must be renewed every four years.

(c) ~~((Refuse-solid))~~ **Good faith acceptance of certificates.** Solid waste collection businesses which provide services for the transfer, storage, or disposal of waste, and who accept completed certifications in good faith are not required to collect and remit the ~~((refuse-solid))~~ **solid** waste collection tax and will not be held personally liable for it.

~~((14))~~ Persons engaged in the refuse-solid waste collection business by operating facilities for the transfer, storage, or disposal of waste, including public and private dumps, and who provide such services directly to taxpayers for a charge, are liable for the collection of the refuse collection tax on such charges.

~~(15))~~ **(d) Examples.** Examples of taxable and tax exempt transactions are:

~~((a))~~ **(i)** A private person or commercial customer hauls its own waste to a dump site for disposal and pays a fee - the fee is subject to the ~~((3.6 percent refuse collection tax and the 1 percent))~~ **solid waste collection tax.**

~~((b))~~ **(ii)** A ~~((refuse-solid))~~ **solid** waste collection company picks up and hauls residential or commercial waste to a dump for disposal - this company bills the customer for the tax and need not pay the tax upon any further charge made by the dump site operator, by providing ~~((a refuse-solid waste collector's))~~ **an exemption certificate.**

~~((c))~~ **(iii)** A city provides ~~((refuse-solid))~~ **solid** waste collection services to its residents through an independent hauler under a negotiated contract, and uses a county operated land fill. The city bills the residents on their utility bills. The ~~((3.6 percent and 1 percent taxes apply))~~ **tax applies** to the ~~((refuse-solid))~~ **solid** waste portion of the utility bill adjusted as provided in this section. These taxes do not apply to any charge paid by the city to the hauling company, nor to any charge made by the county to the city for dumping services. The city must provide the hauler and the county with ~~((a refuse-solid waste collector's))~~ **an exemption certificate.**

~~((16))~~ The refuse-solid waste collection tax is imposed in much the same manner as retail sales tax; that is, it is payable by the refuse-solid waste consumer to the refuse-solid waste service provider who does the customer billing. Likewise, other refuse-solid waste service providers up the chain of transactions from the billing provider are treated in the same manner as wholesalers and need not collect the tax if the appropriate certificate is taken.

(17) **Business and occupation tax.** There is no exemption from business and occupation tax measured by gross income of any person engaged in the refuse-solid waste collection business. Such persons are subject to the service classification of business and occupation tax measured by their gross receipts. (See RCW 82.04.290.) Also, there is no general provision under the law for the nonpyramiding effect of the business and occupation tax. Thus, each refuse-solid waste collection business is separately liable for this tax on its total gross receipts without any deduction for any costs of doing business or any amounts paid over to other refuse-solid waste service providers. Also, all amounts designated as late charges or penalties are included within this business tax measure.

(18) The refuse-solid waste collection business is an "enterprise activity," as defined in WAC 458-20-189, when it is funded over fifty percent by user fees. Thus, the amounts

derived from this activity are not exempt of business and occupation tax even though they may be charged by governmental entities. (See RCW 82.04.419.)

(19) The exemption of refuse-solid waste collection tax for the federal government, its agencies and instrumentalities, does not apply for business and occupation tax. Thus, refuse-solid waste collection businesses who charge such federal entities for services, under contract or otherwise, must pay the business and occupation tax upon such gross receipts.

(20) Persons engaged in the refuse-solid waste collection business may be entitled to certain express deductions or exemptions from business and occupation tax for specific reasons unrelated to the nature of their refuse-solid waste business activity. (See RCW 82.04.419 and 82.04.4291.)

~~(21) Refuse-solid))~~ **(8) Business and occupation tax.** A solid waste collection business is subject to service and other activities B&O tax on the gross income from solid waste collection activities. There is no deduction for any cost of doing business or any amounts paid over to other solid waste collection businesses. Late charges or penalties are subject to the service and other activities B&O tax.

**Solid waste collection is an "enterprise activity," when funded over fifty percent by user fees. Amounts derived from this activity by a local governmental entity are subject to service and other activities B&O tax. See RCW 82.04.419, 82.04.4291, and WAC 458-20-189.**

(9) **Sales of containers.** Solid waste collection businesses which provide waste receptacles, containers, dumpsters, and the like to their customers for a charge, separate from any charge for collection of the waste, are engaged in the business of renting tangible personal property taxable separate and apart from the ~~((refuse-solid))~~ **solid** waste collection business. Charges for such rentals, however designated, are subject to retailing ~~((business and occupation tax))~~ **B&O and retail sales taxes** when they are billed separately or are line itemized on customer billings. ~~((Such businesses are engaged in more than one taxable kind of business activity and are separately taxable on each. (See RCW 82.04.440.)~~

(22) **Retail sales tax.** Persons who separately charge and bill customers for waste receptacles, as explained earlier, must collect and remit the retail sales tax on the itemized rental price, fee, or other consideration, however designated, charged for the receptacles.

~~(23) Refuse-solid))~~ **(10) Sales and use tax obligations for the use of property.** Solid waste collection businesses are themselves the consumers of all tangible personal property purchased for their own use in conducting such business, other than items for resale or renting to ~~((customer[s]))~~ **customers**, e.g., rented receptacles. Retail sales tax must be paid to materials suppliers and providers of such tangible consumables. (See RCW 82.04.050.) **If the seller does not collect retail sales tax, the solid waste collection business must remit the retail sales tax (commonly referred to as "deferred sales tax") or use tax directly to the department unless specifically exempt by law. Deferred sales or use tax should be reported on the buyer's excise tax return. However, the excise tax return does not have a separate line for reporting deferred sales tax. Consequently, deferred sales tax liability should be reported on the use tax line of the buyer's excise tax return.**

For detailed information regarding the use tax, refer to WAC 458-20-178 (Use tax).

~~((24) Use tax. The use tax is due upon all tangible personal property used as consumers by refuse-solid waste collection businesses, upon which the retail sales tax has not been paid. (See RCW 82.12.020.)~~

~~(25) Core deposits and credits—Battery core charges.~~

~~(a) For purposes of this section the following terms apply:~~

~~(i) "Core deposits or credits" means the amount representing the value of returnable products such as batteries, starters, brakes, and other products with returnable value added for purposes of recycling or remanufacturing.~~

~~(ii) "Battery core charge" means that amount of the retail selling price of a vehicle battery, not less than \$5.00, which is retained by the seller when the purchaser has no used battery to exchange or trade in.~~

~~(b) Retail sales tax.~~

~~(i) The retail sales tax does not apply to the consideration received as core deposits or credits in a retail or wholesale sale when a purchaser exchanges or trades in a core to the seller. (RCW 82.08.010, WAC 458-20-247, and chapter 431, Laws of 1989). Therefore, when a purchaser of a vehicle battery, starter, etc., exchanges or trades in a used battery, starter, etc., to the seller, retail sales tax does not apply to the value of the used property exchanged or traded in.~~

~~(ii) Chapter 431, Laws of 1989, effective July 23, 1989, requires the retail selling price of a vehicle battery to include a core charge of not less than \$5.00. The core charge must be omitted from the sales price when the purchaser offers to the seller a used battery of equivalent size. The retail sales tax does apply to the core charge amount included in the sales price of a vehicle battery when the purchaser does not offer to the seller a used battery for exchange or trade in. The exemption for "core deposits or credits" applies only when an article of tangible personal property is returned by the purchaser to the seller for the purpose of recycling or remanufacturing. Upon the offer by the purchaser to the seller of a used battery of equivalent size for exchange or trade in within 30 days after the purchase date of the battery, the seller shall refund to the purchaser the core charge amount and the retail sales tax paid on such core charge.~~

~~(c) Use tax. The use tax does not apply to the value of core deposits or credits in a retail or wholesale sale.~~

~~(d) Business and occupation tax. The core deposit and credit exemptions apply only to the amount of retail sales tax and use tax to be collected and paid. There is no core deposit or credit exclusion for B&O tax. It is important to note that the base for B&O tax and retail sales tax may be different amounts. Thus, the gross receipts under the appropriate classification of B&O tax, retailing, wholesaling, manufacturing, etc., continues to include the value of core deposits and credits. Battery core charges are included as gross receipts in the retailing classification of the B&O tax.~~

~~(e) Examples:~~

~~(i) A customer wishes to purchase from an auto parts store a new replacement battery and a reconditioned starter. He brings with him a battery core and a starter core. The purchase price of the new battery is \$60.00 less \$3.00 for the value of the core exchanged; and, the purchase price of the~~

~~starter is \$50.00 less \$5.00 for the starter core. Retailing B&O tax is due upon the total value of cash plus core value, in this case \$110.00 (\$60.00 + 50.00). However, retail sales tax is due only on \$102 (\$57.00 + 45.00), which is the purchase price less the core deposits. The customer pays \$102.00 plus sales tax for the battery and the starter.~~

~~(ii) A customer wishes to purchase a new replacement battery which sells for \$62.00. The customer has no returnable battery core to exchange. Thus, a battery core charge of \$5.00 or more must be added to the sales price for a total of \$67.00 or more. Both retail sales tax and B&O tax apply to the actual price paid by the customer.~~

~~(iii) In example (ii) above, the customer returns to the store within 30 days with a proof of purchase and a used battery of equivalent size. The seller must refund the \$5.00 or more battery core charge plus the sales tax paid the \$5.00 or more. B&O tax is due upon the value of the battery, \$62.00.~~

~~(26) Tires. Chapter 431, Laws of 1989 amends RCW 70.95.510 and, effective October 1, 1989, levies a \$1 per tire fee on the retail sale of new replacement tires. The \$1 per tire fee levied replaces the .012 percent tax imposed in 1985. The fee imposed shall be paid by the buyer and collected by the seller. The fee collected from the buyer by the seller shall be paid to the department in accordance with RCW 82.32.045 less 10 percent retained by the seller.~~

~~(a) Retail sales tax—Use tax—Business and occupation tax. Chapter 431, Laws of 1989 exempts the fee from retail sales tax and use tax. Neither the fee nor the part of the fee retained by the seller is subject to business and occupation tax. The seller is only the state's collecting and reporting agent for the portion paid to the department. The 10 percent retained portion is expressly authorized for use by the seller to defray costs associated with the proper management of waste tires.)~~

## WSR 06-06-084

### PROPOSED RULES

### DEPARTMENT OF

### SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed March 1, 2006, 9:39 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 05-22-099.

Title of Rule and Other Identifying Information: Non-compliance sanction changes—Part 2 of 2. Amending WAC 388-406-0010 How do I apply for benefits?, 388-406-0065 Can I still get benefits even after my application is denied?, 388-460-0020 Who is a protective payee?, 388-460-0055 What are the protective payee's responsibilities?, 388-484-0005 There is a five-year (sixty-month) time limit for TANF, SFA and GA-S cash assistance, and 388-484-0006 TANF-SFA time limit extensions, and repealing WAC 388-460-0045 Are clients in WorkFirst sanction status assigned protective payees?

Hearing Location(s): Blake Office Park East, Rose Room, 4500 10th Avenue S.E., Lacey, WA 98503 (one block

north of the intersection of Pacific Avenue S.E. and Alhadeff Lane. A map or directions are available at <http://www1.dshs.wa.gov/msa/rpau/docket.html> or by calling (360) 664-6097, on April 4, 2006, at 10:00 a.m.

Date of Intended Adoption: Not earlier than April 5, 2006.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504, delivery 4500 10th Avenue S.E., Lacey, WA 98503, e-mail [fernaax@dshs.wa.gov](mailto:fernaax@dshs.wa.gov), fax (360) 664-6185, by 5:00 p.m., April 4, 2006.

Assistance for Persons with Disabilities: Contact Stephanie Schiller, DSHS Rules Consultant, by March 31, 2006, TTY (360) 664-6178 or (360) 664-6097 or by e-mail at [schilse@dshs.wa.gov](mailto:schilse@dshs.wa.gov).

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: These proposed rules will implement changes to the noncompliance sanction policy for WorkFirst clients by: (1) Terminating cash assistance after a person fails to participate for six months in a row without good cause; (2) upon closure and reapplication, requiring participation for four weeks in a row before cash assistance is authorized; (3) ending child SafetyNet payments; and (4) no longer requiring protective payees for failure to participate as required.

Reasons Supporting Proposal: These amended rules implement the recommendations of the WorkFirst reexamination workgroup as endorsed by Governor Gregoire. They are being filed under the authority of RCW 74.08.090 which directs the department to ensure uniform statewide application of rules. RCW 74.08.090 also directs the department to ensure that the spirit and purpose of Title 74 RCW is complied with.

In addition, RCW 74.08.090 provides the department with authority to compel compliance with the rules and regulations that it has established.

It is the intent of the legislature that all applicants for and recipients of the WorkFirst program be moved into self-sustaining employment. Further, the legislative intent of the WorkFirst program is to focus on work and on personal responsibility for recipients. See RCW 74.08A.200, 74.08A.280(1), and 74.08A.400.

RCW 74.08A.260(3), directs the department to reduce a family's grant for failure to engage in work or work activities. The department is authorized to terminate a family's grant when determined appropriate by the department.

RCW 74.08A.260(4), provides the department with the authority to waive a sanction when a recipient demonstrates good cause for refusing to engage in work and work activities.

Under these circumstances, the department has the authority to adopt rules by virtue of RCW 74.08.090. The department has determined, based upon recommendations of the WorkFirst reexamination workgroup, that it is appropriate to terminate a family's grant for failure to engage in work or work activities as allowed under RCW 74.08A.260(3). These adopted rules will compel compliance with requirements to engage in work or work activities as recommended by the WorkFirst reexamination workgroup and endorsed by Governor Gregoire.

There will be subsequent changes under this CR-101 filing authority, WSR 05-22-099, which was filed on November 1, 2005.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090.

Statute Being Implemented: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, chapter 74.08A RCW.

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

Name of Proponent: Department of social and health services, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Sandy Jsames, 1009 College S.E., Lacey, WA 98504, (360) 725-4648.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This proposed rule does not have an economic impact on small businesses, it only affects DSHS clients by outlining the rules clients must meet in order to be eligible for the department's cash assistance or food benefit programs.

A cost-benefit analysis is not required under RCW 34.05.328. These amendments are exempt as allowed under RCW 34.05.328 (5)(b)(vii) which states in-part, "[t]his section does not apply to...rules of the department of social and health services relating only to client medical or financial eligibility and rules concerning liability for care of dependents."

February 28, 2006

Andy Fernando, Manager

Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 03-22-039, filed 10/28/03, effective 12/1/03)

**WAC 388-406-0010 How do I apply for benefits? (1)**

You can apply for cash assistance, medical assistance, or Basic Food by giving us an application form in person, by mail, by fax, or by completing an online application.

(2) If your entire assistance unit (AU) gets or is applying for Supplemental Security Income (SSI), your AU can file an application for Basic Food at the local Social Security Administration District Office (SSADO).

(3) If you are incapacitated, a dependent child, or cannot apply for benefits on your own for some other reason, a legal guardian, caretaker, or authorized representative can apply for you.

(4) You can apply for cash assistance, medical assistance, or Basic Food with just one application form.

(5) If you apply for benefits at a local office, we accept your application on the same day you come in. If you apply at an office that does not serve the area where you live, we send your application to the appropriate office by the next business day so that office receives your application on the same day we send it.

(6) We accept your application for benefits if it has at least:

(a) For cash or medical assistance, the name, address, and signatures of the responsible adult AU members or person applying for you. A minor child may sign if there is no adult in the AU. Signatures must be either handwritten, elec-

tronic or digital as defined by the department, or a mark if witnessed by another person; or

(b) For Basic Food, the name, address, and signature of a responsible member of your AU or person applying for you as an authorized representative under WAC 388-460-0005.

(7) As a part of the application process, we may require you to:

(a) Complete an interview if one is required under WAC 388-452-0005;

(b) Meet WorkFirst participation requirements for four weeks in a row if required under WAC 388-310-1600(12);

(c) Give us the information we need to decide if you are eligible as required under WAC 388-406-0030; and

~~((e))~~ (d) Give us proof of information as required under WAC 388-490-0005 so we can determine if you are eligible.

(8) If you are eligible for necessary supplemental accommodation (NSA) services under chapter 388-472 WAC, we help you meet the requirements of this section.

AMENDATORY SECTION (Amending WSR 03-22-039, filed 10/28/03, effective 12/1/03)

**WAC 388-406-0065 Can I still get benefits even after my application is denied?** (1) If we (the department) deny your application for benefits, we can redetermine your eligibility for benefits without a new application if:

(a) For cash or medical assistance, you give us the information we need within thirty days from the date we denied your application;

(b) You stop participating as required to reopen cash assistance under WAC 388-310-1600(12) due to one of the good reasons described in WAC 388-310-1600(3) or because you get an excused absence, as described in WAC 388-310-0500(5);

(c) For Basic Food:

(i) You give us the information we need within sixty days of the date you applied for benefits; or

(ii) You become categorically eligible for Basic Food under WAC 388-414-0001 within sixty days of the date you applied for benefits.

(2) For medical assistance, if the thirty days to reconsider your application under subsection (1) of this section has ended you can still get benefits without a new application if:

(a) You request a fair hearing timely; and

(b) You give us the information needed to determine eligibility and you are eligible.

(3) If you are eligible for cash or Basic Food, we decide the date your benefits start according to WAC 388-406-0055. If you are eligible for medical assistance, we decide the date your benefits start according to chapter 388-416 WAC. For all programs the eligibility date is based on the date of your original application that was denied.

AMENDATORY SECTION (Amending WSR 02-14-083, filed 6/28/02, effective 7/1/02)

**WAC 388-460-0020 Who is a protective payee?** (1) A protective payee is a person or an employee of an agency who manages client cash benefits to provide for basic needs - housing, utilities, clothing, child care, and food. They may

also provide services such as training clients how to manage money.

(2) Clients are assigned to protective payees for the following reasons:

(a) Emergency or temporary situations where a child is left without a caretaker (TANF/SFA) per WAC 388-460-0030;

(b) Mismanagement of money (TANF/SFA, GA, or WCCC) per WAC 388-460-0035; or

(c) ~~((Noncooperation with WorkFirst program requirements per WAC 388-310-1600 or 388-310-1650; or~~

~~(d)))~~ Pregnant or parenting minors per WAC 388-460-0040.

AMENDATORY SECTION (Amending WSR 02-14-083, filed 6/28/02, effective 7/1/02)

**WAC 388-460-0055 What are the protective payee's responsibilities?** The protective payee's responsibilities are to:

(1) Manage client cash and child care assistance benefits to pay bills for basic needs, such as housing and utilities, or as directed in the protective payee plans;

(2) Provide money management for client if this item is included in the protective payee plans; and

(3) ~~((Encourage clients to comply with WorkFirst and other program requirements, such as getting a job or attending school; and~~

~~(4)))~~ Provide reports to the department on client progress.

AMENDATORY SECTION (Amending WSR 04-05-010, filed 2/6/04, effective 3/8/04)

**WAC 388-484-0005 There is a five-year (sixty-month) time limit for TANF, SFA and GA-S cash assistance. (1) What is the sixty-month time limit?**

(a) You can receive cash assistance for temporary assistance for needy families (TANF), state family assistance (SFA), and general assistance for pregnant women (GA-S) for a lifetime limit of sixty months. The time limit applies to cash assistance provided by any combination of these programs, and whether or not it was received in consecutive months.

(b) If you receive cash assistance for part of the month, it counts as a whole month against the time limit.

(c) If you have received cash assistance from another state on or after August 1, 1997, and it was paid for with federal TANF funds, those months will count against your time limit.

(d) The time limit does not apply to diversion cash assistance, support services, food assistance or Medicaid.

**(2) When did the sixty-month time limit go into effect?**

The sixty-month time limit applies to cash assistance received on or after August 1, 1997 for TANF and SFA. Although the GA-S program no longer exists, the time limit applies to GA-S cash assistance received from May 1, 1999 through July 31, 1999.



**(3) Does the time limit apply to me?**

The sixty-month time limit applies to you for any month in which you are a parent or other relative as defined in WAC 388-454-0010, or a minor parent emancipated through court order or marriage.

**(4) Do any exceptions to the time limits apply to me?**

The department does not count months of assistance towards the sixty-month time limit if you are:

(a) An adult caretaker, as described in WAC 388-454-0005 through 388-454-0010, who is not a member of the assistance unit and you are receiving cash assistance on behalf of a child;

(b) An unemancipated pregnant or parenting minor living in a department approved living arrangement as defined by WAC 388-486-0005; or

(c) An American Indian or Native Alaskan adult and you are living in Indian country, as defined under 18 U.S.C. 1151, or an Alaskan Native village and you are receiving TANF, SFA, or GA-S cash assistance during a period when at least fifty percent of the adults living in Indian country or in the village were not employed. See WAC 388-484-0010.

**(5) What happens if a member of my assistance unit has received sixty months of TANF, SFA, and GA-S cash benefits?**

Once any adult or emancipated minor in the assistance unit has received sixty months of cash assistance, the entire assistance unit becomes ineligible for TANF or SFA cash assistance, unless you are eligible for an extended period of cash assistance called a TANF/SFA time limit extension under WAC 388-484-0006.

**(6) What can I do if I disagree with how the department has counted my months of cash assistance?**

(a) If you disagree with how we counted your months of cash assistance, you may ask for a hearing within ninety days of the date we sent you a letter telling you how many months we are counting.

(b) You will get continued benefits (the amount you were getting before the change) if:

(i) You have used all sixty months of benefits according to our records; and

(ii) ~~((Your cash assistance payment has been changed to a Child Safety Net Payment, as described in WAC 388-310-1650; and~~

~~((iii)))~~ You ask for a hearing within the ten-day notice period, as described in chapter 388-458 WAC.

(c) If you get continued benefits and the administrative law judge (ALJ) agrees with our decision, you may have to pay back the continued benefits after the hearing, as described in chapter 388-410 WAC.

**(7) Does the department ever change the number of months that count against my time limit?**

We change the number of months we count in the following situations:

(a) You repay an overpayment for a month where you received benefits but were not eligible for any of the benefits you received. We subtract one month for each month that you completely repay. If you were eligible for some of the benefits you received, we still count that month against your time limit.

(b) We did not close your grant on time when the division of child support (DCS) collected money for you that was over your grant amount two months in a row, as described in WAC 388-422-0030.

(c) An ALJ decides at a fair hearing that we should change the number of months we count.

(d) You start getting worker's compensation payments from the department of labor and industries (L&I) and your L&I benefits have been reduced by the payments we made to you.

(e) You participated in the excess real property (ERP) program in order to get assistance and we collected the funds when your property sold.

(f) Another state gave us incorrect information about the number of months you got cash assistance from them.

AMENDATORY SECTION (Amending WSR 03-24-057, filed 12/1/03, effective 1/1/04)

**WAC 388-484-0006 TANF/SFA time limit extensions. (1) What happens after I receive sixty or more months of TANF/SFA cash assistance?**

After you receive sixty or more months of TANF/SFA cash assistance, you may qualify for additional months of cash assistance. We call these additional months of TANF/SFA cash assistance a TANF/SFA time limit extension.

**(2) Who is eligible for a TANF/SFA time limit extension?**

You are eligible for a TANF/SFA time limit extension if you are on TANF or otherwise eligible for TANF and:

(a) You qualify for one of the exemptions listed in WAC 388-310-0350; or

(b) You:

(i) Are participating satisfactorily in the WorkFirst program (see chapter 388-310 WAC for a description of WorkFirst participation requirements); or

(ii) Meet the family violence option criteria in WAC 388-61-001 and are participating satisfactorily in specialized activities listed in your individual responsibility plan.

(c) You have a temporary situation that prevents you from working or looking for a job. (For example, you may be unable to look for a job while you have health problems or if you are dealing with family violence.) You will receive a time-limited extension if(=

~~(i) You have verification provided by an approved professional as determined by the department that your situation will last for at least six months; or~~

~~(ii) You have verification provided by an approved professional as determined by the department that your situation will last for less than six months and you have been approved by the department for an extension;~~

~~(iii) Your WorkFirst case manager conducts a hardship extension review to document your situation; and~~

~~(iv)))~~ you are participating in activities included in your individual responsibility plan to help your situation.

(d) ~~((H))~~ You are ~~((refusing to participate as required and you do not have a good reason under WAC 388-310-1600(4), you do not qualify for a regular TANF/SFA time limit extension but your family may qualify for a Child Safety Net Payment extension;))~~ in sanction, but you will be subject to the

sanction rules described in WAC ((388-310-1650)) 388-310-1600.

**(3) Who reviews and approves an extension?**

(a) Your case manager or social worker will review your case and ((we will use the case staffing process to)) determine which extension type will be approved. ((Case staffing is a process to bring together a team of multidisciplinary experts including relevant professionals and you to identify issues, review case history and information, and recommend solutions:))

(b) This review will not happen until after you have received at least fifty-two months of assistance but before you reach your time limit.

(c) ((During the case staffing, we will tell you about the different extensions. If you are in sanction (see WAC 388-310-1600), we will explain the consequences of continued nonparticipation and tell you the steps you must take to end the sanction. We will explain that continued failure to participate will result in your getting a Child SafetyNet Payment with additional restrictions after the sixtieth month.

(d) ~~After the case staffing and~~) Before you reach your time limit, the department will send you a notice that tells you whether your extension was approved(;) and how to request a fair hearing if you disagree with the decision(, ~~and any changes to your IRP that were made as a result of the case staffing~~)).

**(4) Do my WorkFirst participation requirements change if I receive a TANF/SFA time limit extension?**

Your participation requirements do not change. You must still meet all of the WorkFirst participation requirements listed in chapter 388-310 WAC while you receive a TANF/SFA time limit extension.

**(5) Do my benefits change if I receive a TANF/SFA time limit extension?**

(a) You are still a TANF/SFA recipient(~~If you are:~~  
~~(i) Receiving a regular TANF/SFA time limit extension,~~) and your cash assistance, services, or supports will not change as long as you continue to meet all other TANF/SFA eligibility requirements.

((~~(ii) Receiving a Child SafetyNet Payment, your benefits will be different and are described in WAC 388-310-1650.~~))

(b) During the TANF/SFA time limit extension, you must continue to meet all other TANF/SFA eligibility requirements. If you no longer meet TANF/SFA eligibility criteria during your extension, your benefits will end.

**(6) What happens if I stop participating in WorkFirst activities as required during a TANF/SFA time limit extension?**

If you do not participate in the WorkFirst activities required in your individual responsibility plan, and you do not have a good reason under WAC 388-310-1600(4), the department will follow the sanction rules in WAC 388-310-1600(~~, and will move you into Child SafetyNet Payment which will reduce your benefits (see WAC 388-310-1650)).~~

**(7) How long will a TANF/SFA time limit extension last?**

(a) We will review your TANF/SFA time limit extension and your case periodically for changes in family circumstances:

(i) If you are extended under WAC 388-484-0006 (2)(a) then we will review your extension at least every twelve months;

(ii) If you are extended under WAC 388-484-0006 (2)(b) then we will review your extension at least every six months;

(iii) If you are extended under WAC 388-484-0006 (2)(c) or (d) then we will review your extension at least every twelve months.

(b) Your TANF/SFA time limit extension may be renewed for as long as you continue to meet the criteria to qualify.

(c) If during the extension period we get proof that your circumstances have changed, we may review your case and change the type of TANF/SFA time limit extension.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-460-0045	Are clients in WorkFirst sanction status assigned protective payees?
------------------	--

**WSR 06-06-085**

**PROPOSED RULES**

**DEPARTMENT OF**

**SOCIAL AND HEALTH SERVICES**

(Economic Services Administration)

[Filed March 1, 2006, 9:41 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 05-22-099.

Title of Rule and Other Identifying Information: **Non-compliance sanction changes—Part 1 of 2.** Amending WAC 388-290-0020 Are there special circumstances that might affect my WCCC eligibility?, 388-310-0800 WorkFirst—Support services and 388-310-1600 WorkFirst—Sanctions; and repealing WAC 388-310-1650 WorkFirst—Child SafetyNet payments.

Hearing Location(s): Blake Office Park East, Rose Room, 4500 10th Avenue S.E., Lacey, WA 98503 (one block north of the intersection of Pacific Avenue S.E. and Alhadeff Lane. A map or directions are available at <http://www1.dshs.wa.gov/msa/rpau/docket.html> or by calling (360) 664-6097), on April 4, 2006, at 10:00 a.m.

Date of Intended Adoption: Not earlier than April 5, 2006.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504, delivery 4500 10th Avenue S.E., Lacey, WA 98503, e-mail [fernaax@dshs.wa.gov](mailto:fernaax@dshs.wa.gov), fax (360) 664-6185, by 5:00 p.m., April 4, 2006.

Assistance for Persons with Disabilities: Contact Stephanie Schiller, DSHS Rules Consultant, by March 31, 2006, TTY (360) 664-6178 or (360) 664-6097 or by e-mail at [schilse@dshs.wa.gov](mailto:schilse@dshs.wa.gov).

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: These proposed rules will implement changes to the noncompliance sanction policy for WorkFirst clients by: (1) Terminating cash assistance after a person fails to participate for six months in a row without good cause; (2) upon closure and reapplication, requiring participation for four weeks in a row before cash assistance is authorized; (3) ending child SafetyNet payments; and (4) no longer requiring protective payees for failure to participate as required.

Reasons Supporting Proposal: These amended rules implement the recommendations of the WorkFirst reexamination workgroup as endorsed by Governor Gregoire. They are being filed under the authority of RCW 74.08.090 which directs the department to ensure uniform statewide application of rules. RCW 74.08.090 also directs the department to ensure that the spirit and purpose of Title 74 RCW is complied with.

In addition, RCW 74.08.090 provides the department with authority to compel compliance with the rules and regulations that it has established.

It is the intent of the legislature that all applicants for and recipients of the WorkFirst program be moved into self-sustaining employment. Further, the legislative intent of the WorkFirst program is to focus on work and on personal responsibility for recipients. See RCW 74.08A.200, 74.08A.280(1), and 74.08A.400.

RCW 74.08A.260(3), directs the department to reduce a family's grant for failure to engage in work or work activities. The department is authorized to terminate a family's grant when determined appropriate by the department.

RCW 74.08A.260(4), provides the department with the authority to waive a sanction when a recipient demonstrates good cause for refusing to engage in work and work activities.

Under these circumstances, the department has the authority to adopt rules by virtue of RCW 74.08.090. The department has determined, based upon recommendations of the WorkFirst reexamination workgroup, that it is appropriate to terminate a family's grant for failure to engage in work or work activities as allowed under RCW 74.08A.260(3). These adopted rules will compel compliance with requirements to engage in work or work activities as recommended by the WorkFirst reexamination workgroup and endorsed by Governor Gregoire.

There will be subsequent changes under this CR-101 filing authority, WSR 05-22-099, which was filed on November 1, 2005.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, 74.08A.260.

Statute Being Implemented: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, 74.08A.260, chapter 74.08A RCW.

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

Name of Proponent: Department of social and health services, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Sandy James, 1009 College S.E., Lacey, WA 98504, (360) 725-4648.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This proposed rule does not have an economic impact on small businesses, it only affects DSHS clients by outlining the rules clients must meet in order to be eligible for the department's cash assistance or food benefit programs.

A cost-benefit analysis is not required under RCW 34.05.328. These amendments are exempt as allowed under RCW 34.05.328 (5)(b)(vii) which states in-part, "[t]his section does not apply to...rules of the department of social and health services relating only to client medical or financial eligibility and rules concerning liability for care of dependents."

February 28, 2006

Andy Fernando, Manager  
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 05-22-078, filed 10/31/05, effective 12/1/05)

**WAC 388-290-0020 Are there special circumstances that might affect my WCCC eligibility?** (1) You might be eligible for WCCC if you are:

(a) An employee of the same child care center where your children receive care and you do not provide direct care to your own children during the time WCCC is requested;

(b) A sanctioned WorkFirst participant or an applicant who was terminated by a sanction review panel and are in an activity needed to remove a ((WorkFirst sanction or, Child SafetyNet status)) sanction penalty or to reopen your case;

(c) A parent in a two-parent family and one parent is not able or available to provide care for your children while the other is working, looking for work, or preparing for work;

(i) "Able" means physically and mentally capable of caring for a child in a responsible manner. If you claim one parent is unable to care for the children, you must provide written documentation from a licensed professional (see WAC 388-448-0020) that states the:

(A) Reason the parent is unable to care for the children;

(B) Expected duration and severity of the condition that keeps them from caring for the children; and

(C) Treatment plan if the parent is expected to improve enough to be able to care for the children. The parent must provide evidence from a medical professional showing they are cooperating with treatment and are still unable to care for the children.

(ii) "Available" means free to provide care when not participating in an approved work activity under WAC 388-290-0040, 388-290-0045, 388-290-0050, or 388-290-0055 during the time child care is needed.

(d) A married consumer described under WAC 388-290-0005 (1)(d) through (i). Only you or your spouse must be participating in activities under WAC 388-290-0040, 388-290-0045, 388-290-0050, or 388-290-0055.

(2) You might be eligible for WCCC if your children are legally residing in the country, are living in Washington state, and are:

(a) Less than age thirteen; or

(b) Less than age nineteen, and:

(i) Have a verified special need, according to WAC 388-290-0220; or

(ii) Are under court supervision.

(3) Any of your children who receive care at the same place where you work (other than (1)(a) of this subsection) are not eligible for WCCC payments but can be included in your household if they meet WAC 388-290-0015. This includes if you work:

(a) In a family home child care in any capacity and your children are receiving care at the same home during your hours of employment; or

(b) In your home or another location and your children receive care at the same location during your hours of employment.

**AMENDATORY SECTION** (Amending WSR 05-02-014, filed 12/27/04, effective 1/27/05)

**WAC 388-310-0800 WorkFirst—Support services.**

**(1) Who can get support services?**

People who can get support services include:

(a) WorkFirst participants who receive a TANF cash grant;

(b) Sanctioned WorkFirst participants during the required participation before the sanction is lifted or applicants who were terminated by a sanction review panel who are doing activities required to reopen cash assistance (WAC 388-310-1600);

(c) Unmarried or pregnant minors who are income eligible to receive TANF and are:

(i) Living in a department approved living arrangement (WAC 388-486-0005) and are meeting the school requirements (WAC 388-486-0010); or

(ii) Are actively working with a social worker and need support services to remove the barriers that are preventing them from living in a department approved living arrangements and/or meeting the school requirements.

(d) Former WorkFirst recipients who are working at least twenty hours or more per week for up to six months after leaving TANF if they need support services to meet a tempo-

rary emergency. This can include up to four weeks of support services if they lose a job and are looking for another one (see also WAC 388-310-1800); or

(e) American Indians who receive a TANF cash grant and have identified specific needs due to location or employment.

**(2) Why do I receive support services?**

Although not an entitlement, you may receive support services for the following reasons:

(a) To help you participate in work and WorkFirst activities that lead to independence.

(b) To help you to participate in job search, accept a job, keep working, advance in your job, and/or increase your wages.

(c) You can also get help in paying your child care expenses through the working connections child care assistance program. (Chapter 388-290 WAC describes the rules for this child care assistance program.)

**(3) What type of support services may I receive and what limits apply?**

There is a limit of three thousand dollars per person per program year (July 1st to June 30th) for WorkFirst support services you may receive. Most types of support services have dollar limits.

The chart below shows the types of support services that are available for the different activities (as indicated by an "x") and the limits that apply.

Definitions:

- Work-related activities include looking for work or participating in workplace activities, such as community jobs or a work experience position.

- Safety-related activities include meeting significant or emergency family safety needs, such as dealing with family violence. When approved, safety-related support services can exceed the dollar or category limits listed below.

- Some support services are available if you need them for other required activities in your IRP.

Type of support service	Limit	• Work	•• Safety	••• Other
Reasonable accommodation for employment	\$1,000 for each request	x		
Clothing/uniforms	\$75 per adult per program year	x		
Diapers	\$50 per child per month	x		
Haircut	\$40 per each request	x		
Lunch	Same rate as established by OFM for state employees	x		
Personal hygiene	\$50 per adult per program year	x		
Professional, trade, association, union and bonds	\$300 for each fee	x		
Relocation related to employment (can include rent, housing, and deposits)	\$1,000 per program year	x		
Short-term lodging and meals in connection with job interviews/tests	Same rate as established by OFM for state employees	x		
Tools/equipment	\$500 per program year	x		
Car repair needed to restore car to operable condition	\$250 per program year	x	x	

Type of support service	Limit	• Work	•• Safety	••• Other
License/fees	\$130 per program year	x	x	
Mileage, transportation, and/or public transportation	Same rate as established by OFM for state employees	x	x	
Transportation allotment	Up to: \$25 for immediate need, or \$40 twice a month if you live within 40 miles of your local WorkFirst office, or \$60 twice a month if you live more than 40 miles from your local WorkFirst office.	x	x	
Counseling	No limit	x	x	x
Educational expenses	\$300 for each request if it is an approved activity in your IRP and you do not qualify for sufficient student financial aid to meet the cost	x		x
Medical exams (not covered by Medicaid)	\$150 per exam	x	x	x
Public transportation	\$150 per month	x	x	x
Testing-diagnostic	\$200 each	x	x	x

**(4) What are the other requirements to receive support services?**

Other restrictions on receiving support services are determined by the department or its agents. They will decide what support services you receive, as follows:

- (a) It is within available funds; and
- (b) It does not assist, promote, or deter religious activity; and
- (c) There is no other way to meet the cost.

**(5) What happens to my support services if I do not participate as required?**

The department will give you ten days notice, following the rules in WAC 388-310-1600, then discontinue your support services until you participate as required.

AMENDATORY SECTION (Amending WSR 04-07-025, filed 3/8/04, effective 5/1/04)

**WAC 388-310-1600 WorkFirst—Sanctions. (1) What WorkFirst requirements do I have to meet?**

You must do the following when you are a mandatory WorkFirst participant:

- (a) Give the department the information we need to develop your individual responsibility plan (IRP) (see WAC 388-310-0500);
- (b) Show that you are participating fully to meet all of the requirements listed on your individual responsibility plan;
- (c) Go to scheduled appointments listed in your individual responsibility plan;
- (d) Follow the participation and attendance rules of the people who provide your assigned WorkFirst services or activities; and
- (e) Accept available paid employment when it meets the criteria in WAC 388-310-1500.

**(2) What happens if I don't meet WorkFirst requirements?**

(a) If you do not meet WorkFirst requirements, we will send you a letter telling you what you did not do.

(b) You will have ten days to contact us so we can talk with you about the situation. You can contact us in writing, by phone, by going to the appointment described in the letter, or by asking for an individual appointment.

(c) If you do not contact us within ten days, we will make sure you have been screened for family violence and other barriers to participation. We will use existing information to decide whether:

- (i) You were unable to do what was required; or
- (ii) You were able, but refused, to do what was required.

(d) If you had a good reason not to do a required activity we will work with you and ~~(-if needed,)~~ may change the requirements in your individual responsibility plan if a different WorkFirst activity would help you move towards independence and employment sooner. If you have been unable to meet your WorkFirst requirements because of family violence, you and your case manager will develop an IRP to help you with your situation, including referrals to appropriate services.

(e) Before you are placed in sanction ~~(-)~~:

(i) We will have a case staffing ~~((to))~~ which is a meeting with you, your case manager and other people involved in your case to review your situation and make plans. At your case staffing, we will ensure you were offered the opportunity to participate ~~((and that you were able to do so-)),~~ tell you what happens if you stay in sanction, tell you how participation helps you and your family and tell you how to end your sanction. You will be notified when ~~((this will be))~~ your case staffing is going to happen so you can attend. You can invite anyone you want to come with you to your case staffing.

(ii) Effective September 1, 2006, supervisory staff will review your case and must approve the sanction.

(f) If you do not come to your case staffing, we will actively attempt to contact you another way so we can talk to you about the benefits of participation and how to end your sanction.

**(3) What is considered a good reason for not being able to do what WorkFirst requires?**

You have a good reason if it was not possible to do what WorkFirst requires (or get an excused absence, described in WAC 388-310-0500(5)) due to a significant problem or event outside your control. Some examples of good reasons include, but are not limited to:

(a) You had an emergent physical, mental or emotional condition, confirmed by a licensed health care professional that interfered with your ability to participate;

(b) You were threatened with or subjected to family violence;

(c) You could not locate child care for your children under thirteen years that was:

(i) Affordable (did not cost you more than your co-payment would under the working connections child care program in chapter 388-290 WAC);

(ii) Appropriate (licensed, certified or approved under federal, state or tribal law and regulations for the type of care you use and you were able to choose, within locally available options, who would provide it); and

(iii) Within a reasonable distance (within reach without traveling farther than is normally expected in your community).

(iv) You could not locate other care services for an incapacitated person who lives with you and your children.

(d) You had an immediate legal problem, such as an eviction notice; or

(e) You are a person who gets necessary supplemental accommodation (NSA) services under chapter 388-472 WAC and your limitation kept you from participating. If you have a good reason because you need NSA services, we will review your accommodation plan.

**(4) What if we decide that you did not have a good reason for failing to meet WorkFirst requirements?**

If we decide that you did not have a good reason for failing to meet WorkFirst requirements, we will send you a letter that tells you:

(a) What you failed to do;

(b) That you are in sanction status;

(c) Penalties that will be applied to your grant;

(d) When the penalties will be applied;

(e) How to request a fair hearing if you disagree with this decision; and

(f) How to end the penalties and get out of sanction status.

**(5) What is sanction status?**

When you are a mandatory WorkFirst participant, you must follow WorkFirst requirements to qualify for your full grant. If you or someone else on your grant doesn't comply and you can't prove that you had a good reason, you do not qualify for your full grant. This is called being in WorkFirst sanction status.

**(6) Are there penalties when you or someone in my household goes into sanction status?**

(a) When someone in your household is in sanction status, we impose penalties. The penalties last until you or the household member meet WorkFirst requirements.

(b) Your grant is reduced by the person(s) share or forty percent, whichever is more.

~~((e) Your reduced grant will be sent to a protective payee until you get out of sanction status. (WAC 388-460-0001 describes the protective payee rules.))~~

**(7) How do I end the penalties and get out of sanction status?**

To stop the penalties and get out of sanction status:

(a) You must provide the information we requested to develop your individual responsibility plan; and/or

(b) Start and continue to do your required WorkFirst activities for four weeks in a row (that is, twenty-eight calendar days).

(c) When you leave sanction status, your grant will be restored to the level for which you are eligible beginning the first of the month following your four weeks of participation. For example, if you finished your four weeks of participation on June 15, your grant would be restored on July 1.

**(8) What if I reapply for TANF or SFA and I was in sanction status when my case closed?**

(a) If your case closes while you are in sanction status and is reopened in six months or less, you will start out in sanction.

(b) Effective September 1, 2006, if you come back in sanction, you will start out where you left off in sanction. (That is, if you left off in month three of sanction, you will come back on in month four of sanction.)

(c) If your case has been closed for more than six months, you will not be in sanction status if your case is reopened.

**(9) What happens effective September 1, 2006 if I stay in sanction status?** Effective September 1, 2006, if you stay in sanction status:

(a) Your case manager will review your record after you have been in sanction for at least three months in a row to make sure:

(i) You knew what was required;

(ii) You were told how to end your sanction;

(iii) We tried to talk to you and to encourage you to participate; and

(iv) You were given a chance to tell us if you were unable to do what we required.

(b) Your case manager will invite you to a non-compliance sanction case staffing.

(i) You will be notified when your non-compliance sanction case staffing is going to happen so you can attend.

(ii) Your case manager will also invite other people who are working with your family to your non-compliance sanction case staffing, like representatives from tribes, community or technical colleges, employment security, the Children's Administration or Limited-English Proficient (LEP) Pathway providers.

(iii) You can invite anyone you want to come with you to your case staffing.

(c) At your non-compliance sanction case staffing, we will talk to you about:

(i) How you and your family benefit when you participate in WorkFirst activities;

(ii) How you can participate, and get out of sanction;

(iii) That if you continue to refuse to participate, without good cause, a sanction review panel may review your case.

and decide to close your case after you have been in sanction status for six months in a row.

(iv) How you plan to care for and support your children if a sanction review panel closes your case. We will also discuss the safety of your family, as needed, using the guidelines under RCW 26.44.030; and

(v) How to reapply if a sanction review panel closes your case.

(d) If you do not come to your non-compliance sanction case staffing, we will make a decision based on the information we have. We will also attempt to visit you at your home so you have another chance to talk to us about the benefits of participation and how to end your sanction.

(e) If we decide you are refusing to participate without a good reason:

(i) We will send you information about resources you may need if a sanction review panel closes your case;

(ii) We will send information to a sanction review panel with a recommendation to close your case. We will only do this after Community Services Office Administrator reviews your case to make sure the sanction is appropriate and we tried to re-engage you in the program; and

(iii) The sanction review panel will review your case and make the final decision.

**(10) What is a sanction review panel?**

(a) The sanction review panel is a small group of people who are independent of your local community services office and do a thorough, objective review of your sanction.

(b) The sanction review panel makes the final decision about whether to close your case after receiving a recommendation from your case manager and reviewing your case to make sure the original sanction was appropriate and we made attempts to re-engage you in the program.

**(11) What happens when a sanction review panel decides to close my case?**

When a sanction review panel decides to close your case, we will send you a letter to tell you:

(a) What you failed to do;

(b) When your case will be closed;

(c) How to request a fair hearing if you disagree with this decision;

(d) How to end your penalties and keep your case open (if you are able to participate for four weeks in a row before we close your case); and

(e) How your participation before your case is closed can be used to meet the participation requirement in subsection (12).

**(12) What if I reapply for TANF or SFA after a sanction review panel closed my case?**

(a) If a sanction review panel closes your case and you apply within six months, you must participate for four weeks in a row before you can receive cash. Once you have met your four week participation requirement, your case benefits will start, going back to the date we had all the other information we needed to make an eligibility decision.

(b) You will not be required to participate for four weeks in a row before you receive cash if you apply after your case has been closed for seven months or longer.

**(13) What if my TANF or SFA is closed by a sanction review panel, reopened and I go into sanction again?**

(a) When a sanction review panel closes your case, and we reopen your case, we will follow all steps in subsection (9) of this section (like the case review and the non-compliance case staffing) during your second month of sanction.

(b) The sanction review panel may close your case after you are in sanction status for three months in a row.

(c) If your case is closed, and you reapply, we will follow the rules in subsection (12) of this section to reopen your case.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

WAC 388-310-1650

WorkFirst—Child SafetyNet Payments.

**WSR 06-06-088**

**PROPOSED RULES**

**DEPARTMENT OF FISH AND WILDLIFE**

[Filed March 1, 2006, 11:25 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 05-24-041.

Title of Rule and Other Identifying Information: Repeal retention of tagged bottomfish and herring.

Hearing Location(s): Comfort Inn and Conference Center, 1620 74th Avenue S.W., Tumwater, WA, on April 7-8, 2006, starts at 8:00 a.m. on April 7, 2006.

Date of Intended Adoption: April 7, 2006.

Submit Written Comments to: Rules Coordinator, 600 Capitol Way, Olympia, WA 98501-1091, e-mail jacobesj@dfw.wa.gov, fax (360) 902-2155, by March 31, 2006.

Assistance for Persons with Disabilities: Contact Nancy Burkhart by March 24, 2006, TTY (360) 902-2207 or (360) 902-2267.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Repeal rule allowing retention of tagged bottomfish and herring when season is closed.

Reasons Supporting Proposal: This rule is inconsistent with management practices that mandate release of certain species at all times (six-gill shark), and release of species during closed seasons for that species (lingcod). The advantage of tag recovery is out-weighed by the need for release of these fish.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

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

Name of Proponent: Department of fish and wildlife, governmental.

Name of Agency Personnel Responsible for Drafting: Evan Jacoby, 1111 Washington Street, Olympia, (360) 902-2930; Implementation: Lew Atkins, 1111 Washington

Street, Olympia, (360) 902-2651; and Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, (360) 902-2373.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule affects retention of fish by recreational fishers, and has no effect on small businesses.

A cost-benefit analysis is not required under RCW 34.05.328. These rule proposals do not affect hydraulics.

March 1, 2006  
Evan Jacoby  
Rules Coordinator

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-56-117                      Retention of tagged bottom-fish and herring.

**WSR 06-06-089**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
[Filed March 1, 2006, 11:26 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 05-06-104.

Title of Rule and Other Identifying Information: Aquatic farm—Definition. Aquatic farm registration rules.

Hearing Location(s): Comfort Inn and Conference Center, 1620 74th Avenue S.W., Tumwater, WA, on April 7-8, 2006, starts at 8:00 a.m. on April 7, 2006.

Date of Intended Adoption: April 7, 2006.

Submit Written Comments to: Rules Coordinator, 600 Capitol Way, Olympia, WA 98501-1091, e-mail jacobesj@dfw.wa.gov, fax (360) 902-2155, by March 31, 2006.

Assistance for Persons with Disabilities: Contact Nancy Burkhart by March 24, 2006, TTY (360) 902-2207 or (360) 902-2267.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Amend rule on aquatic farm registration to clarify description. Each aquatic farm to be separately registered, even if within a single aquaculture district.

Reasons Supporting Proposal: Recent rule changes require fish ticket reporting of new aquatic farms. This rule complements that, and uses the standard description for the health harvest site certificate. The advantage of tag recovery is out-weighted by the need for release of these fish.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

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

Name of Proponent: Department of fish and wildlife, governmental.

Name of Agency Personnel Responsible for Drafting: Evan Jacoby, 1111 Washington Street, Olympia, (360) 902-2930; Implementation: Lew Atkins, 1111 Washington Street, Olympia, (360) 902-2651; and Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, (360) 902-2373.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule only changes the description of the registered site. Since there is no cost for the registration, there is no effect on small businesses.

A cost-benefit analysis is not required under RCW 34.05.328. These rule proposals do not affect hydraulics.

March 1, 2006  
Evan Jacoby  
Rules Coordinator

AMENDATORY SECTION (Amending Order 86-102, filed 9/12/86)

**WAC 220-76-015 Aquatic farm—Definition.** An aquatic farm is any facility or tract of land used for private, commercial culture of aquatic products. Each geographically separate facility or tract of land used for commercial culture shall constitute a separate farm. ~~((In marine waters, facilities, or tracts of land in the same marine aquaculture district which are owned or operated by the same person shall be considered to be a single farm for the purposes of this section.))~~ In applying for aquatic farm registration for shellfish, the applicant must identify the farm site using the same description used for applying for the department of health harvest site certificate required to harvest shellfish for sale for human consumption.

**WSR 06-06-090**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
[Filed March 1, 2006, 11:26 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 06-01-032.

Title of Rule and Other Identifying Information: Recreational license, tag, permit, and stamp refunds and exchanges.

Hearing Location(s): Comfort Inn and Conference Center, 1620 74th Avenue S.W., Tumwater, WA, on April 7-8, 2006, starts at 8:00 a.m. on April 7, 2006.

Date of Intended Adoption: April 7, 2006.

Submit Written Comments to: Rules Coordinator, 600 Capitol Way, Olympia, WA 98501-1091, e-mail jacobesj@dfw.wa.gov, fax (360) 902-2155, by March 31, 2006.

Assistance for Persons with Disabilities: Contact Nancy Burkhart by March 24, 2006, TTY (360) 902-2207 or (360) 902-2267.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Clarify rules on refund and exchange of recreational documents. Consolidate rules into one section.



Reasons Supporting Proposal: Current rules on refunds and exchanges are found in multiple WACs, and are unclear.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

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

Name of Proponent: Department of fish and wildlife, governmental.

Name of Agency Personnel Responsible for Drafting: Evan Jacoby, 1111 Washington Street, Olympia, (360) 902-2930; Implementation: Ron McQueen, 1111 Washington Street, Olympia, (360) 902-2204; and Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, (360) 902-2373.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule affects the ability of a recreational fisher or hunter to obtain a refund or exchange a transport tag. It has no monetary or workload effect on a small business.

A cost-benefit analysis is not required under RCW 34.05.328. These rule proposals do not affect hydraulics.

March 1, 2006

Evan Jacoby

Rules Coordinator

AMENDATORY SECTION (Amending Order 99-02, filed 1/13/99, effective 2/13/99)

**WAC 220-55-040 Recreational license, tag, permit, and stamp refunds and exchanges.** (1) For purposes of this section:

(a) "Refund" means the return of money received for a license, stamp, tag, or permit purchase. Refunds may be made by license dealers or the department licensing office in Olympia.

(b) "Exchange" means the surrendering of a transport tag (such as archery deer or Eastern Washington elk archery) and the reissuing of a different transport tag (such as muzzle-loader deer or Western Washington muzzleloader elk).

(2) Refunds will be made for the following:

(a) A license purchaser can obtain a refund from a license dealer for sixty (60) minutes after the purchase of the license if a clerical error is made or the dealer issues the wrong license. License dealers can correct clerical errors after sixty minutes, but may not refund license purchases.

(b) A license purchaser can obtain a refund from Olympia at any time during the licensing year if a document has been issued in error, and the error was not caused by the purchaser.

(c) A license purchaser can obtain a refund from Olympia if the purchase of a second license was made on behalf of the licensee by someone other than the licensee.

(d) A license purchaser can obtain a refund from Olympia if the licensee qualifies for a reduced fee license, but the refund amount will be the difference between the license purchased and the reduced fee license.

(e) A license purchaser who is active duty military and is transferred or otherwise obligated and unable to use a license can obtain a refund from Olympia after providing documentation, provided that the request for refund is made prior to the opening of the applicable general hunting season.

(f) A license purchaser who is hospitalized or severely injured and provides a physician's statement that the person was incapable of participating in hunting can obtain a refund from Olympia after providing documentation, provided that the request for refund is made prior to the opening of the applicable general hunting season.

(g) The personal representative of a deceased license purchaser, who dies prior to the opening of the applicable general hunting season can obtain a refund from Olympia after providing documentation of the death of the purchaser.

(3) Except as otherwise provided, refunds will not be made for the following:

(a) The department will not refund any recreational license or ((transport tag)) permit purchase for which a season or hunt has been scheduled, and the licensee could have participated in the season or hunt, regardless of whether the licensee did in fact participate, or a permit could have been used, regardless of whether the person used the permit.

~~((2))~~ (b) The department will not refund ((migratory bird stamp)) purchases of raffle tickets, special hunt permit applications, or collector bird stamps.

~~((3))~~ The department will refund the purchase of a second license when such purchase was made on behalf of the licensee by someone other than the licensee.)

(4) Transport tag exchanges will be allowed for the following:

(a) The season for which the tag was issued has not opened, and the hunter wishes to exchange the tag for a different area or a different weapon type.

(b) The hunter has killed an animal that is unfit for human consumption and the department has authorized issuance of an exchange tag.

(c) The tag was issued in error, and the error was not caused by the person applying for the tag.

(5) Transport tag exchanges will not be allowed for the following:

(a) It is unlawful to exchange a big game transport tag during or after a drawing for a special hunting season permit has occurred, if the drawing requires the hunter to have the big game transport tag.

(b) It is unlawful to exchange a big game transport tag after the opening of the season for the tag is valid.

(c) Violation of this subsection is punishable under RCW 77.15.410 Unlawful hunting of big game.

**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.

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

**WSR 06-06-091**

**PROPOSED RULES**

**DEPARTMENT OF  
FISH AND WILDLIFE**

[Filed March 1, 2006, 11:27 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 06-02-096.

Title of Rule and Other Identifying Information: WAC 232-12-051 Muzzleloading firearms, 232-12-054 Archery restrictions-archery special use permits, 232-12-257 Use of waterfowl decoys, 232-28-266 Landowner damage permits, and 232-28-295 Landowner hunting permits.

Hearing Location(s): Comfort Inn and Conference Center, 1620 74th Avenue S.W., Tumwater, WA 98501, (360) 596-9100, on April 7-8, 2006, at 8:00 a.m.

Date of Intended Adoption: April 7, 2006.

Submit Written Comments to: Attn: Wildlife Program Commission Meeting Public Comments, 600 Capitol Way North, Olympia, WA 98501-1091, e-mail Wildthing@dfw.wa.gov, fax (360) 902-2162, by Monday, March 24, 2006.

Assistance for Persons with Disabilities: Contact Nancy Burkhart by April 5, 2006, TTY (360) 902-2207 or (360) 902-2267.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: WAC 232-12-051, recommended amendments to this rule help clarify lawful primers for use with muzzleloading firearms; WAC 232-12-054, the amendment to this rule would delete let-off requirements for compound bows; WAC 232-12-257, amendments to this rule would restrict the use of electronic calls and decoys for turkey and deer hunting; WAC 232-28-266, the amendments increase the number of permits available to address deer and elk damage problems; and WAC 232-28-295, the proposal adds a private landowner to the private lands hunter access program and sets permit levels for 2006.

Reasons Supporting Proposal: WAC 232-12-051, helps clarify what types of muzzleloader equipment is lawful for hunting.

WAC 232-12-054, the technological advances for compound bows has progressed to the point that few bows are made, or are available that meet, past let-off standards. In addition, the organization that maintains records for game animals taken with archery equipment recently relaxed standards for let-off.

WAC 232-12-257, technological advances and availability of electronic decoys and calls has expanded significantly; many hunters consider the use of electronics to be nontraditional and question the ethics of their use. The majority of people who submitted comments during the public involvement process supported all of these recommendations for equipment regulations.

WAC 232-28-266, an increasing number of landowners are requesting the use of these permits to address damage. They have proven to be very effective in dealing with damage problems and reducing landowner complaints.

WAC 232-28-295, these permits are consistent with the commission's policy on private lands hunter access program. They will result in expanded hunter access on this private property and will help mitigate deer and elk foraging on private pasturelands.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

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

Name of Proponent: Washington fish and wildlife commission, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Natural Resources Building, Olympia, (360) 902-2504; and Enforcement: Bruce Bjork, Natural Resources Building, Olympia, (360) 902-2932.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules regulate recreational hunters and do not directly regulate small business.

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

March 1, 2006

Evan Jacoby

Rules Coordinator

**AMENDATORY SECTION** (Amending Order 03-129, filed 6/12/03, effective 7/13/03)

**WAC 232-12-051 Muzzleloading firearms.** (1) It is unlawful to carry or possess any firearm during muzzleloading seasons which does not meet the following specification for a muzzleloader. A muzzleloading firearm is loaded from the muzzle and uses black powder or a black powder substitute as recommended by the manufacturer for use in muzzleloading firearms. A muzzleloading firearm has a single or double barrel of at least 20 inches, rifled or smooth-bored. Ignition is to be wheel lock, matchlock, flintlock, or percussion using original style percussion caps that fit on the nipple; ~~((and are exposed to the elements))~~ shot shell and 209 primers are not legal. Sights must be open, peep or of other open sight design. Fiber optic sights are legal. Telescopic sights or sights containing glass are prohibited. It is unlawful to have any electrical device or equipment attached to a muzzleloading firearm while hunting.

(2) A muzzleloading firearm used for deer must fire a single, nonjacketed lead projectile of nominal 40 caliber or larger, except that buckshot size #1 or larger may be used in a smoothbore of 60 caliber or larger.

(3) A muzzleloading firearm used for all other big game must fire a single, nonjacketed lead projectile of nominal 50 caliber or larger, or fire a single, nonjacketed lead projectile of at least 170 grains.

(4) This section shall not apply to the carrying of a handgun designed to be charged with black powder only.

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

(6) Only one barrel of a double barrel muzzleloader may be ~~((charged with a load))~~ loaded with powder or bullet or capped at any one time while hunting in a muzzleloading season except in specified firearm restricted areas.

**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.

AMENDATORY SECTION (Amending Order 04-98, filed 5/12/04, effective 6/12/04)

**WAC 232-12-054 Archery requirements—Archery special use permits.** (1) Rules pertaining to all archery:

(a) It is unlawful for any person to carry or have in his possession any firearm while in the field archery hunting, during an archery season specified for that area, except that a handgun may be possessed, but not be used for the purpose of hunting.

(b) It is unlawful to have any electrical equipment or electric device(s) attached to the bow or arrow while hunting.

(c) It is unlawful to shoot a bow and arrow from a vehicle or from, across or along the maintained portion of a public highway, except persons with a disabled hunter permit may shoot from a vehicle if the hunter is in compliance with WAC 232-12-828.

(d) It is unlawful to use any device secured to or supported by the bow for the purpose of maintaining the bow at full draw or in a firing position, except persons with an archery special use permit may hunt game birds or game animals using a device that stabilizes and holds a long bow, recurve bow, or compound bow at a full draw, and may use a mechanical or electrical release.

(e) It is unlawful to hunt wildlife with a crossbow, except disabled hunter permittees in possession of a crossbow special use permit.

(f) It is unlawful to hunt big game animals with any arrow or bolt that does not have a sharp broadhead, and the broadhead blade or blades are less than seven-eighths inch wide.

(g) It is unlawful to hunt big game animals with a broadhead blade unless the broadhead is unbarbed and completely closed at the back end of the blade or blades by a smooth, unbroken surface starting at maximum blade width forming a smooth line toward the feather end of the shaft and such line does not angle toward the point.

(h) It is unlawful to hunt wildlife with any bow or crossbow equipped with a scope.

(2) Rules pertaining to long bow, recurve bow and compound bow archery:

(a) It is unlawful for any person to hunt big game animals with a bow that possesses less than 40 pounds of pull measured at twenty-eight inches or less draw length (~~or has a greater than 65% reduction (let off) in holding weight at full draw~~).

(b) It is unlawful to hunt big game animals with any arrow measuring less than 20 inches in length or weighing less than 6 grains per pound of draw weight with a minimum arrow weight of 300 grains.

(3) Rules pertaining to crossbows:

(a) It is unlawful for a disabled hunter permit holder in possession of a crossbow special use permit to hunt big game animals with a crossbow with a draw weight less than 125 pounds, a limb width less than 24 inches, a draw length less than 14 inches, and a working trigger safety.

(b) It is unlawful for a disabled hunter permit holder in possession of a crossbow special use permit to hunt big game animals with any arrow or bolt measuring less than 16 inches in length and weighing less than 350 grains.

(c) It is unlawful for a disabled hunter permit holder in possession of a crossbow special use permit to hunt game animals or game birds with a crossbow that weighs more than 15 pounds.

(4) Archery special use permits:

(a) An archery special use permit is available to a person who possesses a valid disabled hunter permit. An archery special use permit application must be signed by a physician stating that the person's disability is permanent and the person has a loss of use of one or both upper extremities, or a significant limitation in the use of an upper extremity, or has a permanent physical limitation, which loss or limitation substantially impairs the ability to safely hold, grasp or shoot a long bow, recurve bow or compound bow. The loss or limitation may be the result of, but not limited to, amputation, paralysis, diagnosed disease, or birth defect. The approved archery special use permit must be in the physical possession of the person while using adaptive archery equipment as described in subsection (1)(d) of this section to hunt game birds or game animals.

(b) A crossbow special use permit is available to a person who meets the requirements for an archery special use permit and is unable to use adaptive archery equipment. Adaptive equipment includes, but is not limited to: Cocking devices that hold the bow at full draw; trigger mechanisms that may be released by mouth, or chin, or hand supporting the bow; and devices that assist in supporting the bow. Information describing types of adaptive equipment will be provided to physicians for their assessment of the applicant's ability to utilize adaptive archery equipment. Muscle weakness, impaired range of motion, or unilateral hand weakness disability, of both hands or both arms or both sides of the upper extremity, may result in an inability to use adaptive archery equipment. Standard tests approved by the American Medical Association may be conducted to assess a person's abilities.

(c) Subsection (4)(b) of this section, crossbow special use permits will be valid for the 2004 through 2006 hunting seasons, unless reauthorized by the Washington fish and wildlife commission.

AMENDATORY SECTION (Amending Order 01-157, filed 8/20/01, effective 9/20/01)

**WAC 232-12-257 Use of ~~((waterfowl))~~ decoys and calls.** (1) It is unlawful to hunt waterfowl, wild turkeys, or deer with the use or aid of battery-powered or other electronic devices as decoys.

(2) It is unlawful to hunt waterfowl, wild turkeys, or deer with the use or aid of electronic calls.

(3) On days open to waterfowl hunting, persons using lands or waters controlled by the department shall not:

(a) Place waterfowl decoys prior to 4:00 a.m.;

(b) Allow or permit waterfowl decoys to be unattended or not in their immediate control for a period greater than one hour; or

(c) Fail to remove waterfowl decoys within two hours after the close of established daily hunting hours.

~~((2))~~ (4) On days closed to waterfowl hunting, persons using lands or waters controlled by the department shall not

place waterfowl decoys except as authorized by permit of the director.

~~((3) It is unlawful to hunt waterfowl with the use or aid of battery powered or other electronic devices as decoys.)~~

~~((4))~~ (5) This regulation shall be enforced under RCW 77.15.400.

AMENDATORY SECTION (Amending Order 05-85, filed 5/10/05, effective 5/15/05)

**WAC 232-28-266 ((2003-2004, 2004-2005, 2005-2006)) Landowner damage hunts.**

LANDOWNER DAMAGE HUNTS

A landowner with deer/elk damage will enter into a Cooperative Agreement (contract) with WDFW and establish a boundary for deer/elk hunt, season dates within the framework and number of animals to be removed. Landowner agrees not to claim damage payments, except Elk Areas 3721 and 3722, and will allow access to hunters during the general hunting seasons. Landowner selects hunters. A landowner damage access permit provided by the landowner will authorize the hunter to use an unused general deer/elk tag to hunt and kill a legal animal during the prescribed damage hunt season.

**Deer:**

Tag Required: Deer hunter must have a current valid, unaltered, unnotched deer tag on his/her person.

Hunting Method: Any legal weapon.

Season Framework: August 1 - March 31

<del>((2003-2004</del>	<del>2004-2005</del>	<del>2005-2006</del>
<del>August 1-</del>	<del>August 1-</del>	<del>August 1-</del>
<del>March 31</del>	<del>March 31</del>	<del>March 31))</del>

Location: Statewide

Legal Deer: Antlerless Only

Kill Quota: ~~((600 Statewide))~~ 300 per license year

Location: Region One

Legal deer: Antlerless only

Kill Quota: 300 per license year

Location: GMUs 105-124

Legal Deer: Whitetail antlerless only

Kill Quota: 300 per license year

**Elk:**

Tag Required: Elk hunter must have a current valid, unaltered, unnotched elk tag on his/her person.

Hunting Method: Any legal weapon

Season Framework: August 1 - March 31

<del>((2003-2004</del>	<del>2004-2005</del>	<del>2005-2006</del>
<del>August 1-</del>	<del>August 1-</del>	<del>August 1-</del>
<del>March 31</del>	<del>March 31</del>	<del>March 31))</del>

Location: Statewide

Legal Elk: Antlerless Only

Kill Quota: 200 ~~((Statewide))~~ per license year

Location: Hanford Area

Elk Area 3722

Kill Quota: 30 any elk; 10 spike bull or antlerless; 60 antlerless only; per license year

Elk Area 3721

Kill Quota: 50 spike or antlerless during Aug. 1 - March 31(~~2006~~); 30 bulls only during ~~((May))~~ June 15 - July 31, except spike only July 1-31; per license year.

Special Note: Access in Elk Area 3721 may not be sold as a condition of use of these permits. The director may consider damage claims from landowners in Elk Areas 3721 and 3722 who accept these permits and do not charge for access. Landowners in Elk Area 3722 who receive bull permits will not be considered for damage claims.

AMENDATORY SECTION (Amending Order 06-09, filed 1/30/06, effective 3/2/06)

**WAC 232-28-295 Landowner hunting permits.** A landowner may enter into a contract with the department and establish boundaries and other requirements for hunter access consistent with commission policy.

Hunters must possess both an access permit from the landowner and a hunting permit from the department when hunting on lands and for species covered under contract.

**(1) Buckrun**

Buckrun is located in Grant County, near the town of Wilson Creek. A legal description of the property has been filed with the county and is in the contract between Buckrun and the department.

Hunting on Buckrun is managed for a quality experience by scheduling hunt dates and keeping the number of hunters in the field low. Hunters with limited flexibility for hunt dates may experience scheduling problems. Hunters can generally expect one day hunts during the permit seasons with written authorization from the Buckrun manager. All hunters must check in and out on hunt day. Schedule hunts in advance by calling 509-345-2577.

**Mule and Whitetail Deer**

**2006 Buckrun Landowner Hunting Permits**

The manager of Buckrun will distribute these hunting permits. An access fee may be charged in order to utilize these permits. No access fee will be charged for the raffle permit winners. Only hunters possessing a modern firearm deer tag are eligible for permits on Buckrun properties. Contact the manager at 509-345-2577 for additional information.

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Buckrun	10	Sept. 1 - Oct. 13	Antlerless only	Buckrun
Buckrun	15	Oct. 23 - Dec. 31	Antlerless only	Buckrun
Buckrun	13	Sept. 1 - Oct. 13	3 pt. max. buck* or antlerless	Buckrun
Buckrun	13	Oct. 23 - Dec. 31	3 pt. max. buck* or antlerless	Buckrun
Buckrun	4	Sept. 1 - Dec. 31	Any deer	Buckrun
Buckrun Raffle	2	Sept. 1 - Dec. 31	Any deer (3 day guided hunt)	Buckrun

### Mule and Whitetail Deer

#### 2006 Buckrun Special Hunting Permits

Hunters apply to Washington department of fish and wildlife for these permits. Only hunters possessing a modern firearm deer tag are eligible for Buckrun special permits. Hunters can generally expect one day hunts during the permit season with written authorization from the Buckrun manager. All hunters must check in and out on hunt day. Schedule hunts in advance by calling 509-345-2577.

Hunt Name	Permit Number	Permit Season	Special Restrictions	Boundary Description
Buckrun A	10	Sept. 1 - Oct. 13	Antlerless only youth hunters	Buckrun
Buckrun B	10	Sept. 1 - Oct. 13	Antlerless only disabled hunters	Buckrun
Buckrun C	5	Oct. 23 - Dec. 31	Antlerless only senior hunters (65+)	Buckrun
Buckrun D	4	Sept. 1 - Oct. 13	3 pt. max. buck* or antlerless	Buckrun
Buckrun E	4	Oct. 23 - Dec. 31	3 pt. max. buck* or antlerless	Buckrun

\*3 Pt. maximum - A legal buck must have no more than 3 antler points on either antler (i.e., 1x1, 1x2, 1x3, 2x2, 2x3, 3x3 are legal). All antler points must be at least one inch long. Antler points EXCLUDE eye guards.

### (2) 4-0 Cattle Company

#### 2006 4-0 Cattle Company Landowner Hunting Permits

The manager of the 4-0 Cattle Company will distribute these hunting permits. An access fee may be charged in order to utilize these permits.

#### Elk

<u>Hunt Name</u>	<u>Quota</u>	<u>Access Season</u>	<u>Special Restrictions</u>	<u>Boundary Description</u>
<u>4-0 Cattle Company</u>	<u>1</u>	<u>Sept. 8-21 Archery</u> <u>Oct. 1-22 Modern Firearm</u>	<u>Any Bull</u>	<u>4-0 Cattle Company</u>

#### Whitetail Deer

<u>Hunt Name</u>	<u>Quota</u>	<u>Access Season</u>	<u>Special Restrictions</u>	<u>Boundary Description</u>
<u>4-0 Cattle Company</u>	<u>1</u>	<u>Nov. 15-25</u>	<u>Any Whitetail Buck</u>	<u>4-0 Cattle Company</u>

#### 2006 4-0 Cattle Company Special Hunting Permits

Hunters apply to Washington Department of Fish and Wildlife for these permits.

#### Elk

<u>Hunt Name</u>	<u>Permit Number</u>	<u>Permit Season</u>	<u>Special Restrictions</u>	<u>Boundary Description</u>
<u>4-0 Bull Elk</u>	<u>1</u>	<u>Oct. 23 - Nov. 5</u>	<u>Any Bull</u>	<u>4-0 Ranch</u>
<u>4-0 Antlerless Elk A</u>	<u>60</u>	<u>Aug. 27 - Sep. 7</u>	<u>Antlerless Only</u>	<u>4-0 Grouse Flats</u>
<u>4-0 Antlerless Elk B</u>	<u>25</u>	<u>Aug. 27 - Sep. 7</u>	<u>Antlerless Only</u>	<u>4-0 Mountain View</u>

#### Whitetail Deer

<u>Hunt Name</u>	<u>Permit Number</u>	<u>Permit Season</u>	<u>Special Restrictions</u>	<u>Boundary Description</u>
<u>4-0 White-tailed Buck</u>	<u>1</u>	<u>Nov. 15-25</u>	<u>Any White-tailed Buck</u>	<u>4-0 Ranch</u>

<u>Hunt Name</u>	<u>Permit Number</u>	<u>Permit Season</u>	<u>Special Restrictions</u>	<u>Boundary Description</u>
4-0 Antlerless Whitetail Deer	25	Nov. 1-12	Antlerless Only	4-0 River Property

**WSR 06-06-092**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
 [Filed March 1, 2006, 11:27 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 06-02-096.

Title of Rule and Other Identifying Information: WAC 232-28-351 2003-2005 Deer general seasons and special permits.

Hearing Location(s): Comfort Inn and Conference Center, 1620 74th Avenue S.W., Tumwater, WA 98501, (360) 596-9100, on April 7-8, 2006, at 8:00 a.m.

Date of Intended Adoption: April 7, 2006.

Submit Written Comments to: Attn: Wildlife Program Commission Meeting Public Comments, 600 Capitol Way North, Olympia, WA 98501-1091, e-mail Wildthing@dfw.wa.gov, fax (360) 902-2162, by Monday, March 24, 2006.

Assistance for Persons with Disabilities: Contact Nancy Burkhart by April 5, 2006, TTY (360) 902-2207 or (360) 902-2267.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Deer general seasons are set on a three year basis and permit seasons are adjusted annually. General seasons may be adjusted annually in response to deer population changes and damage complaints. This rule sets general deer hunting season opportunities for 2006-2008. Adjusts deer seasons for 2006 in response to deer population changes and damage complaints. Provides for recreational harvest of deer. Helps reduce agricultural damage and provides for population control of deer where needed.

Reasons Supporting Proposal: Provides recreational, deer hunting opportunity and protects deer from overharvest. Addresses deer damage problems.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

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

Name of Proponent: Washington fish and wildlife commission, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Natural Resources Building, Olympia, (360) 902-2504; and Enforcement: Bruce Bjork, Natural Resources Building, Olympia, (360) 902-2932.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules regulate recreational hunters and do not directly regulate small business.

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

March 1, 2006  
 Evan Jacoby  
 Rules Coordinator

AMENDATORY SECTION (Amending Order 05-89, filed 5/10/05, effective 6/10/05)

**WAC 232-28-351 ((2003-2005)) 2006-2008 Deer general seasons and ((special permits)) definitions.**

**Bag Limit:** One (1) deer per hunter during the license year except where otherwise permitted by Fish and Wildlife Commission rule.

**Hunting Method:** Hunters must select one of the hunting methods (modern firearm, archery, muzzleloader).

**Any Buck Deer Seasons:** Open only to the taking of deer with visible antlers (buck fawns illegal).

**Antler Point:** To qualify as an antler point, the point must be at least one inch long measured on the longest side.

**((Branched)) Antler Restrictions:** APPLIES TO ALL HUNTERS DURING ANY GENERAL SEASON AND DESIGNATED SPECIAL PERMIT SEASONS! Buck deer taken in ~~((these))~~ antler restricted 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.))~~ Eye guards are antler points when they are at least one inch long.

**2 Point minimum GMUs:** 437, ~~((558,))~~ 574, 578, ~~((588,))~~ 636, 654, and 681.

**3 Point minimum GMUs:** All mule deer in 100, 200, and 300 series GMUs; ~~((whitetail))~~ white-tailed deer in GMUs 127, 130, 133, 136, 139, 142, 145, 149, 154, 162, 163, 166, 169, 172, 175, 178, 181, and 186.

**Permit Only Units:** The following GMUs ~~((are closed during general seasons))~~ require a special permit to hunt deer: 290 (Desert), 329 (Quilomene), 371 (Alkali), and 485 (Green River).

~~((Private Lands Wildlife Management Areas (PLWMA)s: Buckrun (PLWMA 201), Kapowsin (PLWMA 401), and Merrill and Ring (PLWMA 600) are closed to hunting, except by permit and/or written permission from the land owner.))~~

**GMUs Closed to Deer Hunting:** 157 (Mill Creek Watershed), 490 (Cedar River), and 522 (Loo-wit).

**~~((Blacktail)) Black-tailed Deer:~~** Any member of (~~((black-tail))~~ black-tailed/mule deer (species *Odocoileus hemionus*) found west of a line drawn from the Canadian border south on the Pacific Crest Trail and along the Yakama Indian Reservation boundary in Yakima County to Klickitat County (~~((and in Klickitat County west of Highway 97))~~); in Klickitat County along the Yakama Indian Reservation boundary to Summit Creek Rd; southwest on Summit Creek Rd to the Glenwood-Goldendale Highway; northwest on the Glenwood-Goldendale Highway to Lakeside Rd; south on Lakeside Rd to Fisher Hill Rd (P-2000); south on Fisher Hill Rd to Fisher Hill bridge crossing Klickitat River; southwest down Klickitat River to the Columbia River.

**Mule Deer:** Any member of (~~((blacktail))~~ black-tailed/mule deer (species *Odocoileus hemionus*) found east of a line drawn from the Canadian border south on the Pacific Crest Trail and along the Yakama Indian Reservation boundary in Yakima County to Klickitat County (~~((and in Klickitat County east of Highway 97))~~); in Klickitat County along the Yakama Indian Reservation boundary to Summit Creek Rd; southwest

on Summit Creek Rd to the Glenwood-Goldendale Highway; northwest on the Glenwood-Goldendale Highway to Lakeside Rd; south on Lakeside Rd to Fisher Hill Rd (P-2000); south on Fisher Hill Rd to Fisher Hill bridge crossing Klickitat River; southwest down Klickitat River to the Columbia River.

**~~((Whitetail)) White-tailed Deer:~~** Means any (~~((whitetail))~~ white-tailed deer (member of the species *Odocoileus virginianus*) except the Columbian whitetail deer (species *Odocoileus virginianus leucurus*).

**MODERN FIREARM DEER SEASONS**

**License Required:** A valid big game hunting license, which includes a deer species option.

**Tag Required:** Valid modern firearm deer tag on his/her person for the area hunted.

**Hunting Method:** Modern firearm deer tag hunters may use rifle, handgun, shotgun, bow or muzzleloader, but only during modern firearm seasons.

Hunt Season	<del>((2003))</del> 2006 Dates	<del>((2004))</del> 2007 Dates	<del>((2005))</del> 2008 Dates	Game Management Units (GMUs)	Legal Deer
<b>HIGH BUCK HUNTS</b>					
	Sept. 15-25	Sept. 15-25	Sept. 15-25	Alpine Lakes, Glacier Peak, Pasayten and Olympic Peninsula Wilderness Areas and Lake Chelan Recreation Area and that part of the Henry Jackson Wilderness Area west of the Pacific Crest Trail	3 pt. min.
<b>GENERAL SEASON HUNTS</b>					
<b>Western Washington Blacktail Deer</b>	<del>((Oct. 11-31))</del> Oct. 14-31	<del>((Oct. 16-31))</del> Oct. 13-31	<del>((Oct. 15-31))</del> Oct. 11-31	407, 418, 426, 448 through 466, 501 through 520, 524 through 556, 560, 568, 572, 601 through 633, 638 through 673, 684	Any buck
				GMUs 410, 564 Deer Areas 4013, 4926, and 6014	Any deer
				437, <del>((558;))</del> 574, 578, <del>((588;))</del> 636, 654, 681	2 pt. min.
<b>Eastern Washington Whitetail Deer</b>	<del>((Oct. 11-24))</del> Oct. 14-27	<del>((Oct. 16-29))</del> Oct. 13-26	<del>((Oct. 15-28))</del> Oct. 11-24	<del>((404))</del> 105 through 124	Any whitetail buck
	Oct. 14-22	Oct. 13-21	Oct. 11-19	<del>((203 through 247, and 249 through 251))</del> All 200 and 300 series GMUs except permit-only in 290, 329, and 371	Any whitetail buck
	Oct. 14-29	Oct. 13-28	Oct. 11-26	101, 204	Any whitetail buck
	<del>((Oct. 11-19))</del> Oct. 14-22	<del>((Oct. 16-24))</del> Oct. 13-21	<del>((Oct. 15-23))</del> Oct. 11-19	127 through 154, 162 through 186 <del>((248, 254 through 381 except closed in GMUs 290, 329, 371))</del> <del>((Deer Area 3081))</del> 379	Whitetail, 3 pt. min. <del>((Any whitetail buck))</del> Any whitetailed deer
<b>Eastern Washington Mule Deer</b>	<del>((Oct. 11-19))</del> Oct. 14-22	<del>((Oct. 16-24))</del> Oct. 13-21	<del>((Oct. 15-23))</del> Oct. 11-19	All 100, 200, and 300 series GMUs, <del>((248, and 254 through 284;))</del> except <del>((closed))</del> permit only in GMUs <del>((157))</del> 290, 329, and 371, and closed in GMU 157	Mule deer, 3 pt. min.
				<del>((Deer Area 3081))</del> 379	Any mule deer
	Oct. 14-27	Oct. 13-26	Oct. 11-24	373, 382, 388	Mule deer, 3 pt. min.
	<del>((Oct. 11-24))</del> Oct. 16-29	<del>((Oct. 16-29))</del> Oct. 15-28	<del>((Oct. 15-28))</del> Oct. 15-28	203 through 247 and 249 through 251	Mule deer, 3 pt. min.)
<b>LATE BUCK HUNTS</b>					
<b>Western Washington Blacktail Deer</b>	<del>((Nov. 13-16))</del> Nov. 16-19	<del>((Nov. 18-21))</del> Nov. 15-18	<del>((Nov. 17-20))</del> Nov. 13-16	407, 410, 454, 466, and 500, and 600 series GMUs except closed in GMUs 522, 574, and 578 <del>((and 588))</del>	Any buck except 2 pt. min. in GMUs <del>((558;))</del> 636, 654, and 681 <del>((and any deer in GMUs 410 and 564))</del>
	Nov. 16-19	Nov. 15-18	Nov. 13-16	GMUs 410 and 564, Deer Areas 4013, 4926, 6014	Any deer

Hunt Season	<del>((2003))</del> 2006 Dates	<del>((2004))</del> 2007 Dates	<del>((2005))</del> 2008 Dates	Game Management Units (GMUs)	Legal Deer
Eastern Washington Whitetail Deer	<del>((Nov. 3-19))</del> Nov. 6-19	<del>((Nov. 8-19))</del> Nov. 5-19	<del>((Nov. 7-19))</del> Nov. 3-19	105 through 124 <del>((127-142))</del>	Any whitetail buck <del>((Whitetail, 3 pt. min.))</del>
<b>YOUTH &amp; DISABLED HUNTERS</b>					
Eastern Washington Whitetail Deer	<del>((Oct. 25-Nov. 2))</del> Oct. 28-Nov. 5	<del>((Oct. 30-Nov. 7))</del> Oct. 29-Nov. 4	<del>((Oct. 29-Nov. 6))</del> Oct. 25-Nov. 2	105 through 124	Whitetail, antlerless only
<b>HUNTERS 65 AND OVER, DISABLED, OR YOUTH SEASONS</b>					
Eastern Washington Whitetail Deer	<del>((Oct. 11-24))</del> Oct. 14-27 & Nov. 6-19	<del>((Oct. 16-29))</del> Oct. 13-26 & Nov. 5-19	<del>((Oct. 15-28))</del> Oct. 11-24 & Nov. 3-19	<del>((104))</del> 105 through 124	Any whitetail deer
	Oct. 14-29	Oct. 13-28	Oct. 11-26	101	Any whitetail deer
	<del>((Oct. 11-19))</del> Oct. 14-22	<del>((Oct. 16-24))</del> Oct. 13-21	<del>((Oct. 15-23))</del> Oct. 11-19	127 through 142, 145 through 154, 162, <del>((163,))</del> and 172 through 181	Whitetail, 3 pt. min. or antlerless
<del>((Eastern Washington Mule Deer</del>	Oct. 11-19	Oct. 16-24	Oct. 15-23	142	Mule deer, 3 pt. min. or antlerless))
<b>ADVANCED HUNTER EDUCATION (AHE) MASTER HUNTER SEASON</b>					
Eastern Washington Whitetail Deer	Dec. 9-15	Dec. 9-15	Dec. 9-15	GMUs 130-142	Whitetail, antlerless only
<del>((Eastern Washington Mule Deer</del>	Dec. 9-15	Dec. 9-15	Dec. 9-15	GMU 142	Mule deer, antlerless-only))

**ARCHERY DEER SEASONS**

**License Required:** A valid big game hunting license, which includes a deer species option.

**Tag Required:** Valid archery deer tag on his/her person for the area hunted.

**Special Notes:** Archery tag holders can only hunt during archery seasons with archery equipment (WAC 232-12-054).

Hunt Area	<del>((2003))</del> 2006 Dates	<del>((2004))</del> 2007 Dates	<del>((2005))</del> 2008 Dates	Game Management Units (GMUs)	Legal Deer
<b>Early Archery Deer Seasons</b>					
Western Washington Blacktail Deer	Sept. 1-30	Sept. 1-30	Sept. 1-30	407 through 426, 448 through 466, 501 through 520, 524 through 556, 560, 564, 568, 572, 601 through 633, 638 through 653, 658 through 673, 684 and 699	Any Deer, except buck only in GMUs 460, 503, 506, 530, 550, <del>((568,))</del> 673
				437, <del>((558,))</del> 574, 578, <del>((588,))</del> 636, 654, 681	2 pt. min. or antlerless
				<del>((Alpine Lakes, Glacier Peak, and Olympic Peninsula Wilderness areas))</del>	<del>((3 pt. min. or antlerless))</del>
Eastern Washington Mule Deer	Sept. 1-30	Sept. 1-30	Sept. 1-30	105 through 127, 162, 163, 166, 169, 243 <del>((, 244, 246, 247, 249, 250, 260, 262))</del>	3 pt. min.
				142 through 154, and <del>((162))</del> 172 through 186, <del>((245, Deer Area 1010, 244 through 247, 249 through 251, 260, 328, 334 through 340, 346 through 368, 372, 373, 388</del>	3 pt. min. or antlerless
				381	Any mule deer
				Sept. 1-15	Sept. 1-15
Sept. 16-30	Sept. 16-30	Sept. 16-30	101, 130 through 139, 204 through 242, 248, 254, 262, 266, 269, 272, 278, 284, 382	3 pt. min. or antlerless	
Eastern Washington Whitetail Deer	Sept. 1-30	Sept. 1-30	Sept. 1-30	101 through 124, 204 through 284, 381	Any whitetail deer
				127 through 154, 162 through 186	Whitetail, 3 pt. min. or antlerless
<b>Late Archery Deer Seasons</b>					
Western Washington Blacktail Deer	<del>((Nov. 19 - Dec. 8))</del> Nov. 22-Dec. 8	<del>((Nov. 24 - Dec. 8))</del> Nov. 21-Dec. 8	<del>((Nov. 23 - Dec. 8))</del> Nov. 19-Dec. 8	437, <del>((588,))</del> 654	2 pt. min. or antlerless



Hunt Area	<del>((2003))</del> 2006 Dates	<del>((2004))</del> 2007 Dates	<del>((2005))</del> 2008 Dates	Game Management Units (GMUs)	Legal Deer
	<del>((Nov. 19 - Dec. 15))</del> Nov. 22- Dec. 15	<del>((Nov. 24 - Dec. 15))</del> Nov. 21- Dec. 15	<del>((Nov. 23 - Dec. 15))</del> Nov. 19- Dec. 15	636, 681	2 pt. min. or antlerless
	Nov. 22-Dec. 15	Nov. 21-Dec. 15	Nov. 19-Dec. 15	<del>((558))</del>	<del>((2 pt. min.))</del>
	Nov. 22-Dec. 15	Nov. 21-Dec. 15	Nov. 19-Dec. 15	<del>((460,))</del> 466, <del>((506))</del> 510 through 520, 524, <del>((530,))</del> 556, <del>((560, 572,))</del> 601, 607 through 618, 638, 648, and 699	Any deer <del>((, except buck only in GMUs- 460, 506, 530))</del>
	Nov. 22-Dec. 15	Nov. 21-Dec. 15	Nov. 19-Dec. 15	460, 506, 530, 560, 572	Buck only
	<del>((Nov. 19 - Dec. 31))</del> Nov. 22- Dec. 31	<del>((Nov. 24 - Dec. 31))</del> Nov. 21- Dec. 31	<del>((Nov. 23 - Dec. 31))</del> Nov. 19- Dec. 31	407, 410, 454, 505, 564, 603, 624, 627, 642, 652, 660 through 672	Any deer
Eastern Washington Mule Deer	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	209, 215, 233, 243 <del>((, 250))</del>	3 pt. min.
				145, 163, 178, 250	3 pt. min. or antlerless
				272, 278, 346, 352, 364, 368, 373	3 pt. min. or antlerless
	Nov. 20-30	Nov. 20-30	Nov. 20-30	133, 136	Antlerless
	Dec. 9-31	Dec. 9-31	Dec. 9-31	Deer Area 1021	3 pt. min. or antlerless
	Nov. 20-Dec. 15	Nov. 20-Dec. 15	Nov. 20-Dec. 15	388	3 pt. min. or antlerless
Eastern Washington Whitetail Deer	Nov. 10 - Dec. 15	Nov. 10 - Dec. 15	Nov. 10 - Dec. 15	101	Any whitetail deer
	Nov. 20 - Dec. 15	Nov. 20 - Dec. 15	Nov. 20 - Dec. 15	105, 108, 117, 121, 124	Any whitetail deer
				127	3 pt. min. or antlerless whitetail
	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	145, 163, 178	3 pt. min. or antlerless whitetail
				204, 209, 215, 233, 243, 250, 272, 278	Any whitetail deer
Nov. 20-30	Nov. 20-30	Nov. 20-30	133, 136	Antlerless	

**MUZZLELOADER DEER SEASONS**

**License Required:** A valid big game hunting license, which includes a deer species option.

**Tag Required:** Valid muzzleloader deer tag on his/her person for the area hunted.

**Hunting Method:** Muzzleloader only.

**Special Notes:** Muzzleloader tag holders can only hunt during muzzleloader seasons and must hunt with muzzleloader equipment.

Hunt Area	<del>((2003))</del> 2006 Dates	<del>((2004))</del> 2007 Dates	<del>((2005))</del> 2008 Dates	Game Management Units (GMUs)	Legal Deer
High Buck Hunts	Sept. 15-25	Sept. 15-25	Sept. 15-25	Alpine Lakes, Glacier Peak, Pasayten and Olympic Peninsula Wilderness areas, Lake Chelan Recreation Area and that part of the Henry Jackson Wilderness Area west of the Pacific Crest Trail	3 pt. min.
<b>Early Muzzleloader Deer Seasons</b>					
Western Washington Blacktail Deer	<del>((Oct. 4-10))</del> Oct. 7-13	<del>((Oct. 2-8))</del> Oct. 6-12	<del>((Oct. 1-7))</del> Oct. 4-10	407, 418, 426, 448, 450, 501, 504, 505, 513, 520, 530, 554, 568, 603, 612, 624, <del>((627,))</del> 638, 642, 660, 663, 672, 673, 684	Any buck
				410, 454, 564, 627, 652, 666, Deer Area 4926	Any deer
				437, 578	2 pt. min.
Eastern Washington Whitetail Deer	<del>((Oct. 4-10))</del> Oct. 7-13	<del>((Oct. 2-8))</del> Oct. 6-12	<del>((Oct. 1-7))</del> Oct. 4-10	204, 209, 233, 239, 242, 243, 244, 245, 246, 250, 251, 278, 284	Whitetail, any buck
				133, 142, 145, 149, 181, 381	Whitetail, 3 pt. min. or antlerless
				101 <del>((, 108, 111, 117, 121,))</del> through 124	Whitetail, any deer
Eastern Washington Mule Deer	<del>((Oct. 4-10))</del> Oct. 7-13	<del>((Oct. 2-8))</del> Oct. 6-12	<del>((Oct. 1-7))</del> Oct. 4-10	101 <del>((, 108, 111, 117, 121,))</del> through 124, 133, 142, 145, 149, 181, 204, 209, 233, 239, 242, 243, 244, 245, 246, 250, 251, <del>((278,))</del> 284, 328, 330 through 342, 352 through 360, 368, 382	Mule deer, 3 pt. min.
				<del>((142, 145, 149, 181,))</del> 278, 381	Mule deer, 3 pt. min. or antlerless

Hunt Area	<del>((2003))</del> 2006 Dates	<del>((2004))</del> 2007 Dates	<del>((2005))</del> 2008 Dates	Game Management Units (GMUs)	Legal Deer
<b>Late Muzzleloader Deer Seasons</b>					
<b>Western Washington Blacktail Deer</b>	<del>((Nov. 19 - Dec. 15))</del> Nov. 22- Dec. 15	<del>((Nov. 24 - Dec. 15))</del> Nov. 21- Dec. 15	<del>((Nov. 23 - Dec. 15))</del> Nov. 19- Dec. 15	407, 410, 501, 504, 564, 633, 651, 666, 673, 684, and Deer Area 4926	Any deer
				654	2 pt. min.
				460, 550, 602	Any buck
<b>Eastern Washington Whitetail Deer</b>	<del>((Nov. 19 - Dec. 8))</del> Dec. 1-15	<del>((Nov. 24 - Dec. 8))</del> Dec. 1-15	<del>((Nov. 23 - Dec. 8))</del> Dec. 1-15	578	2 pt. min.
	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	113	Whitetail, any deer
				130, <del>((139,))</del> 172, 181	Whitetail, 3 pt. min. or antlerless
<b>Eastern Washington Mule Deer</b>	Nov. 20-30	Nov. 20-30	Nov. 20-30	<del>((381,))</del> 382	3 pt. min.
	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	130, <del>((Deer Area 3081))</del> 381	3 pt. min. or antlerless

**~~((FIREARM RESTRICTED DEER HUNTS OPEN TO ALL DEER HUNTERS~~**

**License Required:** Hunting license.

**Tag Required:** Valid modern firearm, archery or muzzleloader deer tag on his/her person for the area hunted.

**Hunting Method:** Must use weapon in compliance with tag. Firearm restrictions apply in some GMUs. In firearm restriction areas, modern firearm hunters may hunt with a muzzleloader equipped with a scope.

<b>Firearm Restricted Hunts Open To All Deer Hunters</b>					
Hunting license and deer tag required. Must use hunting method in compliance with tag. Check firearm restrictions. Archery, shotgun, muzzleloader or revolver type handgun only. Hunter orange required.					
Hunt Area	2003 Dates	2004 Dates	2005 Dates	Game Management Units (GMUs)	Legal Deer
<b>Western Washington Blacktail Deer</b>	Oct. 11-31	Oct. 16-31	Oct. 15-31	410, Vashon and Maury Islands	Any deer
	Nov. 19 - Dec. 31	Nov. 24 - Dec. 13	Nov. 23 - Dec. 31	564	Any deer

**SPECIAL DEER PERMIT HUNTING SEASONS**

**(Open to Permit Holders Only)**

Hunters must purchase a deer hunting license prior to purchase of a permit application.

Hunt Name	2005 Permit Season	Special Restrictions	Boundary Description	2005 Permits
<b>Modern Firearm Deer Permit Hunts (Only modern firearm deer tag holders may apply.)</b>				
<b>Hunters may hunt only with weapon in compliance with tag.</b>				
Sherman	Oct. 15-28	Whitetail, antlerless	GMU 101	75
Kelly Hill	Oct. 15-28 & Nov. 7-19	Whitetail, antlerless	GMU 105	150
Douglas	Oct. 15-28 & Nov. 7-19	Whitetail, antlerless	GMU 108	300
Aladdin	Oct. 15-28 & Nov. 7-19	Whitetail, antlerless	GMU 111	75
Selkirk	Oct. 15-28 & Nov. 7-19	Whitetail, antlerless	GMU 113	50
49 Degrees North	Oct. 15-28 & Nov. 7-19	Whitetail, antlerless	GMU 117	250
Huckleberry A	Oct. 15-28 & Nov. 7-19	Whitetail, antlerless	GMU 121	600
Mt. Spokane A	Oct. 15-28 & Nov. 7-19	Whitetail, antlerless	GMU 124	400
Mica Peak A	Oct. 15-23	Whitetail, antlerless	GMU 127	200
Cheney A	Oct. 15-23	Antlerless	GMU 130	200
Roosevelt	Oct. 15-23	Antlerless	GMU 133	400
Harrington	Oct. 15-23	Antlerless	GMU 136	125
Steptoe	Oct. 15-23 & Nov. 7-19	Antlerless	GMU 139	300
Almota A	Oct. 15-23 & Nov. 7-19	Antlerless	GMU 142	100
Mayview	Nov. 1-14	Antlerless	GMU 145	100
Prescott A	Nov. 1-14	Antlerless	GMU 149	50
Prescott B	Nov. 1-14	Antlerless	Deer Area 1020	50
Blue Creek	Nov. 7-19	Whitetail, antlerless	GMU 154	150
Dayton A	Nov. 7-19	Whitetail, antlerless	GMU 162	250

<b>Hunt Name</b>	<b>2005 Permit Season</b>	<b>Special Restrictions</b>	<b>Boundary Description</b>	<b>2005 Permits</b>
Dayton B	Nov. 7-19	Antlerless	Deer Area 1010	75
Marengo A	Nov. 1-14	Whitetail, antlerless	GMU 163	150
Marengo B	Nov. 1-14	Antlerless	GMU 163	-40
Peola	Nov. 1-14	Antlerless	GMU 178	-50
Blue Mtns. Foothills A	Nov. 7-19	Whitetail, 3 pt. min. or antlerless	GMUs 149, 154, 162-166	100
Blue Mtns. Foothills B	Nov. 7-19	Whitetail, 3 pt. min. or antlerless	GMUs 145, 172-181	50
Couse	Nov. 1-14	Antlerless	GMU 181	-50
East Okanogan A	Nov. 1-18	Any whitetail	GMU 204	100
West Okanogan	Nov. 1-18	Any whitetail	GMUs 218-242	100
Sinlahekin A	Nov. 1-18	Any whitetail	GMU 215	50
Sinlahekin B	Nov. 1-18	Whitetail, antlerless	GMU 215	50
Chewuch A	Nov. 1-18	Any deer	GMU 218	5
Pearrygin A	Nov. 1-18	Any deer	GMU 224	10
Gardner A	Nov. 1-18	Any deer	GMU 231	5
Pogue A	Nov. 1-18	Any deer	GMU 233	5
Chiliwist A	Nov. 1-18	Any deer	GMU 239	5
Alta A	Nov. 1-18	Any deer	GMU 242	5
Manson	Nov. 1-18	Any deer	GMU 243	5
Chiwawa A	Nov. 1-18	Any deer	GMU 245	-30
Slide Ridge A	Nov. 1-18	Any deer	GMU 246	15
Entiat A	Nov. 1-18	Any deer	GMU 247	-40
Big Bend A	Nov. 1-18	Antlerless	GMU 248	50
Swakane A	Nov. 1-18	Any deer	GMU 250	-35
Mission A	Nov. 1-18	Any deer	GMU 251	-20
Mission B	Oct. 15-28	Antlerless	GMU 251	125
St. Andrews	Oct. 15-23	Antlerless	GMU 254	75
Foster Creek A	Oct. 15-23	Antlerless	GMU 260	75
Foster Creek B	Nov. 1-18	Antlerless	GMU 260	75
Withrow A	Oct. 15-23	Antlerless	GMU 262	50
Badger	Nov. 1-18	Antlerless	GMU 266	50
Ritzville A	Nov. 1-18	3 pt. min. or antlerless	GMU 284	-20
Desert A	Nov. 1-15	Any deer	GMU 290	15
Desert B	Dec. 1-7	Antlerless	GMU 290	50
Naneum	Oct. 15-23	Antlerless	GMU 328	-200
Quilomene A	Nov. 7-20	Any buck	GMU 329	-74
Teanaway A	Oct. 15-23	Antlerless	GMU 335	-200
Taneum	Oct. 15-23	Antlerless	GMU 336	-150
Nile A	Oct. 15-23	Antlerless	GMU 352	20
Bethel A	Nov. 7-20	Any buck	GMU 360	10
Cowiche A	Oct. 15-23	Antlerless	GMU 368	-50
Cowiche B	Nov. 7-19	Any buck	GMU 368	15
Alkali A	Nov. 19-27	Any buck	GMU 371	-74
Alkali B	Nov. 19-27	Antlerless	GMU 371	80
Whitecomb A	Sept. 18-24	Antlerless	Deer Area 3071	5
Paterson A	Sept. 18-24	Antlerless	Deer Area 3072	5
East Klickitat A	Oct. 15-23	3 pt. min. or antlerless	GMU 382	-40
Sauk	Nov. 13-16	2 pt. min.	GMU 437	25
Stillaguamish	Nov. 13-16	2 pt. min.	GMU 448	10
Snoqualmie	Nov. 13-16	Any buck	GMU 460	25
Green River A	Oct. 29 - Nov. 4	Any buck	GMU 485	10
Lincoln A	Oct. 15-31	Any deer	GMU 501	40
Stella A	Oct. 15-31	Any deer	GMU 504	35
Mossyrock A	Oct. 15-31	Any deer	GMU 505	85
Stormking A	Oct. 15-31	Any deer	GMU 510	30

<b>Hunt Name</b>	<b>2005 Permit Season</b>	<b>Special Restrictions</b>	<b>Boundary Description</b>	<b>2005 Permits</b>
South Rainier A	Oct. 15-31	Any deer	GMU 513	30
Paekwood A	Oct. 15-31	Any deer	GMU 516	50
Winston A	Oct. 15-31	Any deer	GMU 520	50
Yale A	Oct. 15-31	Any deer	GMU 554	15
Toutle A	Oct. 15-31	Any deer	GMU 556	25
Marble A	Oct. 15-31	2 pt. min. or antlerless	GMU 558	20
Lewis River A	Oct. 15-31	Any deer	GMU 560	35
Siouxon A	Oct. 15-31	Any deer	GMU 572	35
Wind River A	Oct. 15-31	2 pt. min. or antlerless	GMU 574	10
Wind River B	Nov. 17-20	2 pt. min.	GMU 574	35
West Klickitat A	Oct. 15-31	2 pt. min. or antlerless	GMU 578	30
West Klickitat B	Nov. 17-20	2 pt. min.	GMU 578	45
Grayback A	Oct. 15-31	2 pt. min. or antlerless	GMU 588	55
Grayback B	Nov. 17-20	2 pt. min.	GMU 588	65
Pysht	Oct. 15-31	Any deer	GMU 603	15
Olympic	Oct. 15-31	Any deer	GMU 621	35
Kitsap	Oct. 15-31	Any deer	GMU 627	20
Wynoochee A	Oct. 15-31	Any deer	GMU 648	110
Wynoochee B	Nov. 1-11	Any buck	GMU 648	10
Satsop A	Nov. 1-11	Any buck	GMU 651	10
North River A	Oct. 15-31	Any deer	GMU 658	70
Minot Peak	Oct. 15-31	Any deer	GMU 660	70
Capitol Peak A	Oct. 15-31	Any deer	GMU 663	30
Capitol Peak B	Nov. 1-11	Any buck	GMU 663	10
Deschutes	Oct. 15-31	Any deer	GMU 666	80
Skookumchuck A	Oct. 15-31	Any deer	GMU 667	160
Skookumchuck B	Nov. 1-11	Any buck	GMU 667	10
<b>Muzzleloader Only Deer Permit Hunts (Only muzzleloader tag holders may apply.)</b>				
Blue Mtns. Foothills C	Nov. 20 - Dec. 8	Whitetail, 3 pt. min. or antlerless	GMUs 149, 154, 162, 166	60
Green Bluff	Dec. 10-31	Whitetail, antlerless	That portion of GMU 124 east of Hwy-2	90
Wannacut A	Nov. 1-18	Antlerless	GMU 209	50
Chiwawa B	Nov. 19-27	Any deer	GMU 245	15
Foster Creek C	Dec. 1-31	Antlerless	GMU 260	100
Moses Coulee A	Nov. 1-18	Any deer	GMU 269	20
Moses Coulee B	Dec. 1-31	Antlerless	GMU 269	100
Ritzville B	Nov. 19-30	Mule deer, 3 pt. min. or antlerless; any white-tailed deer	GMU 284	20
Benge A	Dec. 1-15	Antlerless	Deer Area 2010	20
Lakeview A	Nov. 1-18	Antlerless	Deer Area 2011	10
Desert C	Oct. 25-31	Any deer	GMU 290	4
Quilomene B	Oct. 1-7	Any buck	GMU 329	11
Teanaway B	Oct. 1-7	Antlerless	GMU 335	100
Manastash	Oct. 1-7	Antlerless	GMU 340	90
Cowiche C	Oct. 1-7	Antlerless	GMU 368	50
Alkali C	Dec. 3-10	Any buck	GMU 371	11
Alkali D	Dec. 3-10	Antlerless	GMU 371	15
Esquatzel A	Nov. 20 - Dec. 8	Any deer	GMU 381	100
East Klickitat B	Nov. 22-30	3 pt. min. or antlerless	GMU 382	5
West Klickitat B	Nov. 24 - Dec. 8	2 pt. min. or antlerless	GMU 578	30
Mossyrock B	Oct. 1-7	Any deer	GMU 505	10
Stormking B	Oct. 1-7	Any deer	GMU 510	5
South Rainier B	Oct. 1-7	Any deer	GMU 513	5
Paekwood B	Oct. 1-7	Any deer	GMU 516	5
Winston B	Oct. 1-7	Any deer	GMU 520	5

<b>Hunt Name</b>	<b>2005 Permit Season</b>	<b>Special Restrictions</b>	<b>Boundary Description</b>	<b>2005 Permits</b>
Yale B	Oct. 1-7	Any deer	GMU 554	2
Toutle B	Oct. 1-7	Any deer	GMU 556	3
Marble B	Oct. 1-7	2 pt. min. or antlerless	GMU 558	2
Lewis River B	Oct. 1-7	Any deer	GMU 560	5
Siouxon B	Oct. 1-7	Any deer	GMU 572	5
Wind River C	Oct. 1-7	2 pt. min. or antlerless	GMU 574	1
Grayback C	Oct. 1-7	2 pt. min. or antlerless	GMU 588	15
North River B	Oct. 1-7	Any deer	GMU 658	5
<b>Archery Only Deer Permit Hunts (Only archery deer tag holders may apply.)</b>				
Chiwawa C	Dec. 1-12	Any deer	GMU 245	10
Entiat B	Nov. 20-29	Any deer	GMU 247	-145
Entiat C	Nov. 30 - Dec. 8	Any deer	GMU 247	-135
Big Bend B	Nov. 20 - Dec. 8	Any deer	GMU 248	10
Desert D	Nov. 16-30	Any deer	GMU 290	-21
Quilomene C	Nov. 21 - Dec. 4	Any deer	GMU 329	-76
Alkali E	Dec. 11-25	Any deer	GMU 371	-73
Washougal A	Sept. 16-30	Any deer	GMU 568	30
<b>Special Modern Firearm Deer Permit Hunts for Hunters 65 or older</b>				
Blue Mtns. Foothills D	Oct. 15-23	Antlerless	GMUs 145, 149	-75
East Okanogan B	Oct. 15-28	Antlerless	GMU 204	-15
Wannacut B	Oct. 15-28	Antlerless	GMU 209	-5
Sinlahakin C	Oct. 15-28	Antlerless	GMU 215	-5
Chewuch B	Oct. 15-28	Antlerless	GMU 218	-5
Pearrygin B	Oct. 15-28	Antlerless	GMU 224	-15
Gardner B	Oct. 15-28	Antlerless	GMU 231	-15
Pogue B	Oct. 15-28	Antlerless	GMU 233	-15
Chiliwist B	Oct. 15-28	Antlerless	GMU 239	-5
Alta B	Oct. 15-28	Antlerless	GMU 242	-5
Mission C	Oct. 15-28	Any deer	GMU 251	-5
Bridgeport A	Oct. 15-23	Antlerless	GMUs 248, 260	10
Palisades A	Oct. 15-23	Antlerless	GMUs 266, 269	10
Quilomene D	Nov. 7-20	Antlerless	GMU 329	20
Manastash	Oct. 15-23	Antlerless	GMU 340	50
Umtanum A	Nov. 7-20	Antlerless	GMU 342	20
Bethel B	Oct. 15-23	Antlerless	GMU 360	10
Kiona A	Oct. 15-23	Antlerless	GMU 372	15
Esquatzel B	Oct. 15-23	Antlerless	GMU 381	10
East Klickitat C	Oct. 15-23	3 pt. min. or antlerless	GMU 382	15
Lincoln B	Oct. 15-31	Any deer	GMU 501	5
Stella B	Oct. 15-31	Any deer	GMU 504	5
Mossyrock C	Oct. 15-31	Any deer	GMU 505	15
Stormking C	Oct. 15-31	Any deer	GMU 510	5
South Rainier C	Oct. 15-31	Any deer	GMU 513	5
Packwood C	Oct. 15-31	Any deer	GMU 516	5
Winston C	Oct. 15-31	Any deer	GMU 520	5
Yale C	Oct. 15-31	Any deer	GMU 554	5
Toutle C	Oct. 15-31	Any deer	GMU 556	10
Marble C	Oct. 15-31	2 pt. min. or antlerless	GMU 558	5
Lewis River C	Oct. 15-31	Any deer	GMU 560	5
Washougal B	Oct. 15-31	Any deer	GMU 568	10
Siouxon C	Oct. 15-31	Any deer	GMU 572	5
Wind River D	Oct. 15-31	2 pt. min. or antlerless	GMU 574	-2
West Klickitat C	Oct. 15-31	2 pt. min. or antlerless	GMU 578	-5
Grayback D	Oct. 15-31	2 pt. min. or antlerless	GMU 588	-10
Williams Creek	Oct. 15-31	Any deer	GMU 673	20
Copalis	Oct. 15-31	Any deer	GMU 642	20

Hunt Name	2005 Permit Season	Special Restrictions	Boundary Description	2005 Permits
North River C	Oct. 15-31	Any deer	GMU 658	10
<b>Disabled Hunter Deer Permits</b>				
East Okanogan C	Restricted to general, early season by tag choice	Antlerless	GMU 204	5
Wannacut C		Antlerless	GMU 209	5
Sinlahekin D		Antlerless	GMU 215	-15
Chewuch C		Antlerless	GMU 218	-15
Pearrygin C		Antlerless	GMU 224	5
Gardner C		Antlerless	GMU 231	5
Pogue C		Antlerless	GMU 233	5
Chiliwist C		Antlerless	GMU 239	-15
Alta C		Antlerless	GMU 242	-15
Mission D	Oct. 15-28	Any deer	GMU 251	-10
Bridge Port B	Restricted to general, early season by tag choice	Any deer	GMUs 248, 260	5
Palisades B		Any deer	GMUs 266, 269	5
Quilomene E	Nov. 7-20	Antlerless	GMU 329	10
Manastash C	Oct. 15-23	Antlerless	GMU 340	20
Umtanum B	Nov. 8-21	Antlerless	GMU 342	10
Nile B	Restricted to general, early season by tag choice	Antlerless	GMU 352	5
Kiona B		Antlerless	GMU 372	10
Esquatzel C		Antlerless	GMU 381	5
East Klickitat D		3 pt. min. or antlerless	GMU 382	5
Green River B	Oct. 29 - Nov. 4	Any deer	GMU 485	5
Lincoln C	Restricted to general, early season by tag choice	Any deer	GMU 501	3
Stella C		Any deer	GMU 504	3
Mossyrock D		Any deer	GMU 505	5
Stormking D		Any deer	GMU 510	3
South Rainier D		Any deer	GMU 513	3
Packwood D		Any deer	GMU 516	3
Winston D		Any deer	GMU 520	3
Yale D		Any deer	GMU 554	3
Toutle D		Any deer	GMU 556	5
Marble D		2 pt. min. or antlerless	GMU 558	2
Lewis River D		Any deer	GMU 560	2
Washougal C		Any deer	GMU 568	2
Siouxon D		Any deer	GMU 572	3
Wind River E		2 pt. min. or antlerless	GMU 574	1
West Klickitat D		2 pt. min. or antlerless	GMU 578	3
Grayback E		2 pt. min. or antlerless	GMU 588	-10
Capitol Peak C		Any deer	GMU 663	30
Skookumchuck C	Any deer	GMU 667	30	
North River D	Any deer	GMU 658	5	
<b>Youth Special Deer Permit Hunts (Must be eligible for the youth hunting license and accompanied by an adult during the hunt.)</b>				
<b>Modern Firearm</b>				
Blue Mtns. Foothills E	Oct. 15-23	Antlerless	GMUs 149, 154, 162-163	-75
Blue Mtns. Foothills F	Oct. 15-23	Antlerless	GMUs 145, 172-181	75
East Okanogan D	Oct. 15-28	Antlerless	GMU 204	-70
Wannacut D	Oct. 15-28	Antlerless	GMU 209	-35
Sinlahekin E	Oct. 15-28	Antlerless	GMU 215	-75
Chewuch D	Oct. 15-28	Antlerless	GMU 218	-120
Pearrygin D	Oct. 15-28	Antlerless	GMU 224	-115
Gardner D	Oct. 15-28	Antlerless	GMU 231	-45
Pogue D	Oct. 15-28	Antlerless	GMU 233	-35
Chiliwist D	Oct. 15-28	Antlerless	GMU 239	-70
Alta D	Oct. 15-28	Antlerless	GMU 242	-80
Mission E	Oct. 15-28	Antlerless	GMU 251	100

Hunt Name	2005 Permit Season	Special Restrictions	Boundary Description	2005 Permits
Bridge Port C	Oct. 15-23	Any deer	GMUs 248, 260	100
Palisades C	Oct. 15-23	Any deer	GMUs 266, 269	100
Lakeview C	Oct. 15-23	Any deer	Deer Area 2011	10
Wahluke A	Oct. 15-23	Any deer	GMU 278	50
Benge B	Oct. 15-23	Antlerless	Deer Area 2010	20
Quilomene F	Nov. 7-20	Antlerless	GMU 329	75
Manastash D	Oct. 15-23	Antlerless	GMU 340	75
Umtanum C	Nov. 7-20	Antlerless	GMU 342	75
Cowiche D	Oct. 15-23	Antlerless	GMU 368	50
Esquatzel D	Oct. 15-23	Antlerless	GMU 381	10
Whiteomb B	Sept. 11-17	Antlerless	Deer Area 3071	5
Paterson B	Sept. 11-17	Antlerless	Deer Area 3072	5
East Klickitat E	Oct. 15-31	Any deer	GMU 382	20
Lincoln D	Oct. 15-31	Any deer	GMU 501	10
Stella D	Oct. 15-31	Any deer	GMU 504	10
Mossyrook E	Oct. 15-31	Any deer	GMU 505	10
Stormking E	Oct. 15-31	Any deer	GMU 510	10
South Rainier E	Oct. 15-31	Any deer	GMU 513	10
Packwood E	Oct. 15-31	Any deer	GMU 516	10
Winston E	Oct. 15-31	Any deer	GMU 520	10
Yale E	Oct. 15-31	Any deer	GMU 554	10
Toutle E	Oct. 15-31	Any deer	GMU 556	60
Marble E	Oct. 15-31	Any deer	GMU 558	10
Lewis River E	Oct. 15-31	Any deer	GMU 560	10
Washougal D	Oct. 15-31	Any deer	GMU 568	10
Siouxon E	Oct. 15-31	Any deer	GMU 572	10
Wind River F	Oct. 15-31	Any deer	GMU 574	15
West Klickitat E	Oct. 15-31	Any deer	GMU 578	15
Grayback F	Oct. 15-31	Any deer	GMU 588	20
Satsop B	Oct. 15-31	Any deer	GMU 651	10
Skookumchuck D	Oct. 9-31	Any deer	GMU 667	60
North River E	Oct. 15-31	Any deer	GMU 658	10
<b>Youth Special Deer Permit Hunts (Must be eligible for the youth hunting license and accompanied by an adult during the hunt.)</b>				
Muzzleloader				
East Okanogan E	Oct 1-7	Antlerless	GMU 204	5
Wannacut E	Oct 1-7	Antlerless	GMU 209	5
Pogue E	Oct 1-7	Antlerless	GMU 233	5
Chiliwist E	Oct 1-7	Antlerless	GMU 239	5
Mission F	Oct 1-7	Any deer	GMU 251	20
Wahluke B	Oct 1-7	Any deer	GMU 278	50
Ritzville C	Oct 1-7	Antlerless	GMU 284	50
<b>Special Deer Permits—Second Deer Tag</b>				
<b>These permits are only valid when a second license and tag is purchased.</b>				
Hunt Name	Second Tag Season	Special Restrictions	Boundary Description	Permits
Huckleberry B	Restricted to general, early season by tag choice	Whitetail, antlerless	GMU 121	300
Mt. Spokane B		Whitetail, antlerless	GMU 124	400
Almota B		Antlerless	GMU 142	200
Columbia		Whitetail, antlerless	Deer Area 1010, GMU 163	150
Islands		Antlerless	GMU 410	100
South Sound		Antlerless	Vashon, Maury, and Anderson islands	125
Benge C	Dec. 16-31	Antlerless	Deer Area 2010	20
Lakeview C	Jan. 1-31	Antlerless	Deer Area 2011	20
<b>These permits are only valid when a second license and tag is purchased.</b>				
Mica Peak B	Restricted to general, early season by tag choice	Whitetail, antlerless	GMU 127	100

Hunt Name	2005 Permit Season	Special Restrictions	Boundary Description	2005 Permits
<b>Advanced Hunter Education (AHE) Master Hunter Special Deer Permit Hunts: Only AHE master hunters may apply; antlerless only hunts will not affect accumulated points; any weapon may be used.</b>				
Lakeview D	Dec. 9-31	Antlerless	Deer Area 2011	20

<b>Hunter Education Instructor Incentive Permits</b>				
<ul style="list-style-type: none"> <li>Special deer permits will be allocated through a random drawing to those hunter education instructors that qualify.</li> <li>Permit hunters must use archery equipment during archery seasons, muzzleloader equipment during muzzleloader seasons, and any legal weapon during modern firearm seasons.</li> <li>Qualifying hunter education instructors must be certified and have been in active status for a minimum of three consecutive years, inclusive of the year prior to the permit drawing.</li> <li>Instructors who are drawn, accept a permit, and are able to participate in the hunt, will not be eligible for these incentive permits for a period of ten years thereafter.</li> <li>Permittees may purchase a second license for use with the permit hunt only.</li> </ul>				
Area	Dates	Restrictions	GMUs	Permits
Region 1	All general season and permit seasons established for GMUs included with the permit	Any white-tailed deer	Any 100-series GMU except GMU-157	2
Region 2		Any deer	GMUs 215-251	1
Region 2		Any deer	GMU 290	1
Region 3		Any deer	GMUs 335-368	1
Region 4		Any deer	Any 400-series GMU except GMU-485	2
Region 5		Legal buck for 500-series GMU of choice or antlerless	Any 500-series GMU open for a general deer hunting season or a special deer permit hunting season	2
Region 6		Legal buck for GMU of choice	GMUs 654, 660, 672, 673, 681	1))

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

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

**WSR 06-06-093  
PROPOSED RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**  
[Filed March 1, 2006, 11:28 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 06-02-096.

Title of Rule and Other Identifying Information: WAC 232-28-353 2006 Deer special permits.

Hearing Location(s): Comfort Inn and Conference Center, 1620 74th Avenue S.W., Tumwater, WA 98501, (360) 596-9100, on April 7-8, 2006, at 8:00 a.m.

Date of Intended Adoption: April 7, 2006.

Submit Written Comments to: Attn: Wildlife Program Commission Meeting Public Comments, 600 Capitol Way North, Olympia, WA 98501-1091, e-mail Wildthing@dfw.wa.gov, fax (360) 902-2162, by Monday, March 24, 2006.

Assistance for Persons with Disabilities: Contact Nancy Burkhart by April 5, 2006, TTY (360) 902-2207 or (360) 902-2267.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This rule sets deer special hunting season opportunities for 2006. Deer special permit seasons are assessed annually in response to deer population changes and agricultural damage complaints. The

rule provides for recreational harvest of deer, helps reduce agricultural damage, and provides for population control of deer where needed.

Reasons Supporting Proposal: Provides recreational, deer hunting opportunity and protects deer from overharvest. Addresses deer damage problems.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

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

Name of Proponent: Washington fish and wildlife commission, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Natural Resources Building, Olympia, (360) 902-2504; and Enforcement: Bruce Bjork, Natural Resources Building, Olympia, (360) 902-2932.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules regulate recreational hunters and do not directly regulate small business.

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

March 1, 2006

Evan Jacoby

Rules Coordinator



NEW SECTION**WAC 232-28-353 2006 Deer special permits.****SPECIAL DEER PERMIT HUNTING SEASONS  
(Open to Permit Holders Only)**

Hunters must purchase a deer hunting license prior to purchase of a permit application. Hunters drawn for a special permit hunt must comply with weapon restrictions and dates listed for the hunt.

Hunt Name	Permit Season Dates	Special Restrictions	Boundary Description	Permits
<b>Modern Firearm Deer Permit Hunts (Only modern firearm deer tag holders may apply.)</b>				
Sherman	Oct. 14-29	Whitetail, antlerless	GMU 101	75
Kelly Hill	Oct. 14-27 & Nov. 6-19	Whitetail, antlerless	GMU 105	150
Douglas	Oct. 14-27 & Nov. 6-19	Whitetail, antlerless	GMU 108	300
Aladdin A	Oct. 14-27 & Nov. 6-19	Whitetail, antlerless	GMU 111	75
Aladdin B	Nov. 22-26	Whitetail, any buck	GMU 111	50
Selkirk	Oct. 14-27 & Nov. 6-19	Whitetail, antlerless	GMU 113	50
49 Degrees North	Oct. 14-27 & Nov. 6-19	Whitetail, antlerless	GMU 117	350
Huckleberry A	Oct. 14-27 & Nov. 6-19	Whitetail, antlerless	GMU 121	600
Mt. Spokane A	Oct. 14-27 & Nov. 6-19	Whitetail, antlerless	GMU 124	400
Mica Peak A	Oct. 14-22	Whitetail, antlerless	GMU 127	150
Cheney A	Oct. 14-22	Antlerless	GMU 130	200
Roosevelt	Oct. 14-22	Antlerless	GMU 133	200
Harrington	Oct. 14-22	Antlerless	GMU 136	125
Step toe	Oct. 14-22 & Nov. 6-19	Antlerless	GMU 139	300
Almota A	Oct. 14-22 & Nov. 6-19	Antlerless	GMU 142	100
Palouse	Nov. 6-19	Whitetail, 3-pt. min.	GMUs 127-142	625
Mayview A	Nov. 1-12	Antlerless	GMU 145	50
Prescott A	Nov. 1-12	Antlerless	GMU 149	50
Blue Creek	Nov. 6-19	Whitetail, antlerless	GMU 154	150
Dayton A	Nov. 6-19	Whitetail, antlerless	GMU 162	250
Dayton B	Nov. 6-19	Antlerless	Deer Area 1010	75
Marengo	Nov. 1-12	Whitetail, antlerless	GMU 163	75
Peola	Nov. 1-12	Whitetail, antlerless	GMU 178	50
Blue Mtns. Foothills A	Nov. 6-19	Whitetail, 3 pt. min. or antlerless	GMUs 149, 154, 162-166	100
Blue Mtns. Foothills B	Nov. 6-19	Whitetail, 3 pt. min. or antlerless	GMUs 145, 172-181	50
Couse	Nov. 1-12	Antlerless	GMU 181	50
East Okanogan A	Nov. 1-18	Any whitetail	GMU 204	50
East Okanogan B	Oct. 14-29	Whitetail, antlerless	GMU 204	75
West Okanogan A	Nov. 1-18	Any whitetail	GMUs 218-242	100
West Okanogan B	Oct. 14-22	Whitetail, antlerless	GMUs 218-242	75
Sinlahekin A	Nov. 1-18	Any whitetail	GMU 215	50
Sinlahekin B	Oct. 14-22	Whitetail, antlerless	GMU 215	75
Chewuch A	Nov. 1-18	Any deer	GMU 218	20
Pearrygin A	Nov. 1-18	Any deer	GMU 224	20
Gardner A	Nov. 1-18	Any deer	GMU 231	15
Pogue A	Nov. 1-18	Any deer	GMU 233	15
Chiliwist A	Nov. 1-18	Any deer	GMU 239	15
Alta A	Nov. 1-18	Any deer	GMU 242	15
Manson	Nov. 1-18	Any deer	GMU 243	5
Chiwawa A	Nov. 1-18	Any deer	GMU 245	30
Slide Ridge A	Nov. 1-18	Any deer	GMU 246	20
Entiat A	Nov. 1-18	Any deer	GMU 247	50
Big Bend A	Nov. 1-18	Antlerless	GMU 248	100
Swakane A	Nov. 1-18	Any deer	GMU 250	40
Mission A	Nov. 1-18	Any deer	GMU 251	35
Mission B	Oct. 14-29	Antlerless	GMU 251	150
St. Andrews	Oct. 14-22	Antlerless	GMU 254	75
Foster Creek A	Oct. 14-22	Antlerless	GMU 260	75
Foster Creek B	Nov. 1-18	Antlerless	GMU 260	75

Hunt Name	Permit Season Dates	Special Restrictions	Boundary Description	Permits
Withrow A	Oct. 14-22	Antlerless	GMU 262	50
Badger	Nov. 1-18	Antlerless	GMU 266	50
Ritzville A	Nov. 1-18	3 pt. min. or antlerless	GMU 284	5
Desert A	Nov. 1-12	Any deer	GMU 290	15
Desert B	Nov. 27-Dec. 3	Antlerless	GMU 290	75
Naneum A	Oct. 14-22	Antlerless	GMU 328	150
Naneum B	Nov. 13-19	Any buck	GMU 328	25
Quilomene A	Nov. 6-19	Any buck	GMU 329	74
Teanaway A	Oct. 14-22	Antlerless	GMU 335	200
Teanaway B	Nov. 13-19	Any buck	GMU 335	25
Taneum A	Oct. 14-22	Antlerless	GMU 336	150
L.T. Murray A	Nov. 13-19	Any buck	GMUs 336, 340	25
Nile A	Oct. 14-22	Antlerless	GMU 352	20
Bethel A	Nov. 6-19	Any buck	GMU 360	10
Cowiche A	Oct. 14-22	Antlerless	GMU 368	50
Cowiche B	Nov. 6-19	Any buck	GMU 368	15
Alkali A	Nov. 18-26	Any buck	GMU 371	74
Alkali B	Nov. 18-26	Antlerless	GMU 371	80
Whitcomb A	Sept. 18-24	Antlerless	Deer Area 3071	5
Paterson A	Sept. 18-24	Antlerless	Deer Area 3072	5
Kahlotus A	Dec. 10-16	Antlerless	GMU 381	50
East Klickitat A	Oct. 14-27	3 pt. min. or antlerless	GMU 382	45
Grayback A	Oct. 14-27	3 pt. min. or antlerless	GMU 388	55
Grayback B	Nov. 16-19	3 pt. min.	GMU 388	50
Sauk	Nov. 13-16	2 pt. min.	GMU 437	25
Stillaguamish	Nov. 13-16	Any buck	GMU 448	10
Snoqualmie	Nov. 13-16	Any buck	GMU 460	25
Green River A	Oct. 28-Nov. 3	Any buck	GMU 485	10
Lincoln A	Oct. 14-31	Any deer	GMU 501	40
Stella A	Oct. 14-31	Any deer	GMU 504	35
Mossyrock A	Oct. 14-31	Any deer	GMU 505	85
Stormking A	Oct. 14-31	Any deer	GMU 510	30
South Rainier A	Oct. 14-31	Any deer	GMU 513	30
Packwood A	Oct. 14-31	Any deer	GMU 516	50
Winston A	Oct. 14-31	Any deer	GMU 520	50
Yale A	Oct. 14-31	Any deer	GMU 554	15
Coweeman A	Oct. 14-31	Any deer	GMU 550	20
Toutle A	Oct. 14-31	Any deer	GMU 556	25
Lewis River A	Oct. 14-31	Any deer	GMU 560	35
Siouxon A	Oct. 14-31	Any deer	GMU 572	35
Wind River A	Oct. 14-31	2 pt. min. or antlerless	GMU 574	10
Wind River B	Nov. 16-19	2 pt. min.	GMU 574	40
West Klickitat A	Oct. 14-31	2 pt. min. or antlerless	GMU 578	30
West Klickitat B	Nov. 16-19	2 pt. Min	GMU 578	40
Pysht	Oct. 14-31	Any deer	GMU 603	15
Olympic A	Oct. 14-31	Any deer	GMU 621	35
Kitsap	Oct. 14-31	Any deer	GMU 627	20
Wynoochee A	Oct. 14-31	Any deer	GMU 648	110
Wynoochee B	Nov. 1-11	Any buck	GMU 648	10
Satsop A	Nov. 1-11	Any buck	GMU 651	10
North River A	Oct. 14-31	Any deer	GMU 658	70
Minot Peak	Oct. 14-31	Any deer	GMU 660	20
Capitol Peak A	Oct. 14-31	Any deer	GMU 663	30
Capitol Peak B	Nov. 1-11	Any buck	GMU 663	10
Deschutes	Oct. 14-31	Any deer	GMU 666	80
Skookumchuck A	Oct. 14-31	Any deer	GMU 667	20

Hunt Name	Permit Season Dates	Special Restrictions	Boundary Description	Permits
Skookumchuck B	Nov. 1-11	Any buck	GMU 667	10
<b>Muzzleloader Only Deer Permit Hunts (Only muzzleloader tag holders may apply.)</b>				
Green Bluff	Dec. 10-31	Whitetail, antlerless	That portion of GMU 124 east of Hwy 2	90
Mayview B	Oct. 7-13	Antlerless	GMU 145	25
Prescott B	Oct. 7-13	Antlerless	GMU 149	25
Blue Mtns. Foothills C	Nov. 20-Dec. 8	Whitetail, 3 pt. min. or antlerless	GMUs 149, 154, 162, 166	60
Couse B	Oct. 7-13	Antlerless	GMU 181	25
Wannacut A	Nov. 1-18	Antlerless	GMU 209	50
Chiwawa B	Nov. 19-30	Any deer	GMU 245	15
Chiwawa C	Oct. 7-13	Antlerless	GMU 245	50
Swakane B	Oct. 7-13	Antlerless	GMU 250	25
Mission C	Oct. 7-13	Antlerless	GMU 251	30
Foster Creek C	Dec. 1-31	Antlerless	GMU 260	100
Moses Coulee A	Nov. 1-18	Any deer	GMU 269	20
Moses Coulee B	Dec. 1-31	Antlerless	GMU 269	150
Ritzville B	Nov. 19-30	Mule deer, 3 pt. min. or antlerless; any white-tailed deer	GMU 284	5
Benge A	Dec. 1-15	Antlerless	Deer Area 2010	20
Lakeview A	Nov. 1-18	Antlerless	Deer Area 2011	10
Desert C	Oct. 25-31	Any deer	GMU 290	4
Naneum C	Nov. 6-12	Any buck	GMU 328	25
Quilomene B	Oct. 7-13	Any buck	GMU 329	11
Teanaway C	Oct. 7-13	Antlerless	GMU 335	100
Teanaway D	Nov. 6-12	Any buck	GMU 335	25
Manastash	Oct. 7-13	Antlerless	GMU 340	90
L.T. Murray B	Nov. 6-12	Any buck	GMUs 336, 340	25
Cowiche C	Oct. 7-13	Antlerless	GMU 368	50
Alkali C	Dec. 3-10	Any buck	GMU 371	11
Alkali D	Dec. 3-10	Antlerless	GMU 371	15
Kahlotus B	Nov. 20-Dec. 8	Any deer	GMU 381	25
East Klickitat B	Nov. 20-30	3 pt. min or antlerless	GMU 382	20
Grayback C	Oct. 7-13	3 pt. min. or antlerless	GMU 388	10
West Klickitat C	Dec. 1-15	2 pt. min. or antlerless	GMU 578	30
Mossyrock B	Oct. 7-13	Any deer	GMU 505	10
Stormking B	Oct. 7-13	Any deer	GMU 510	5
South Rainier B	Oct. 7-13	Any deer	GMU 513	5
Packwood B	Oct. 7-13	Any deer	GMU 516	5
Winston B	Oct. 7-13	Any deer	GMU 520	5
Coweeman B	Oct. 7-13	Any deer	GMU 550	30
Yale B	Oct. 7-13	Any deer	GMU 554	2
Toutle B	Oct. 7-13	Any deer	GMU 556	3
Lewis River B	Oct. 7-13	Any deer	GMU 560	5
Siouxon B	Oct. 7-13	Any deer	GMU 572	5
Wind River C	Oct. 7-13	2 pt. min. or antlerless	GMU 574	1
Olympic B	Oct. 7-13	Any deer	GMU 621	20
North River B	Oct. 7-13	Any deer	GMU 658	5
<b>Archery Only Deer Permit Hunts (Only archery deer tag holders may apply.)</b>				
Chiwawa D	Dec. 1-12	Any deer	GMU 245	10
Entiat B	Nov. 20-29	Any deer	GMU 247	160
Entiat C	Nov. 30-Dec. 8	Any deer	GMU 247	150
Big Bend B	Nov. 20-Dec. 8	Any deer	GMU 248	10
Desert D	Nov. 13-26	Any deer	GMU 290	21
Naneum D	Nov. 20-Dec. 8	Any deer	GMU 328	25
Quilomene C	Nov. 20 Dec. 8	Any deer	GMU 329	76
Teanaway E	Nov. 20-Dec. 8	Any deer	GMU 335	25

Hunt Name	Permit Season Dates	Special Restrictions	Boundary Description	Permits
L.T. Murray C	Nov. 20-Dec. 8	Any deer	GMU 336, 340	25
Alkali E	Dec. 10-24	Any deer	GMU 371	73
<b>Special Modern Firearm Deer Permit Hunts for Hunters 65 or older</b>				
Blue Mtns. Foothills D	Oct. 14-22	Antlerless	GMUs 145, 149	30
East Okanogan C	Oct. 14-22	Antlerless	GMU 204	15
Wannacut B	Oct. 14-22	Antlerless	GMU 209	15
Sinlahekin C	Oct. 14-22	Antlerless	GMU 215	15
Chewuch B	Oct. 14-22	Antlerless	GMU 218	15
Pearygin B	Oct. 14-22	Antlerless	GMU 224	15
Gardner B	Oct. 14-22	Antlerless	GMU 231	15
Pogue B	Oct. 14-22	Antlerless	GMU 233	15
Chiliwist B	Oct. 14-22	Antlerless	GMU 239	15
Alta B	Oct. 14-22	Antlerless	GMU 242	15
Chiwawa E	Oct. 14-29	Antlerless	GMU 245	10
Entiat D	Oct. 14-29	Antlerless	GMU 247	10
Swakane C	Oct. 14-29	Antlerless	GMU 250	10
Mission D	Oct. 14-29	Any deer	GMU 251	10
Bridgeport A	Oct. 14-22	Antlerless	GMUs 248, 260	15
Palisades A	Oct. 14-22	Antlerless	GMUs 266, 269	15
Quilomene D	Nov. 7-20	Antlerless	GMU 329	20
Manastash	Oct. 14-22	Antlerless	GMU 340	50
Umtanum A	Nov. 7-20	Antlerless	GMU 342	20
Bethel B	Oct. 14-22	Antlerless	GMU 360	10
Sunnyside A	Oct. 14-22	Antlerless	GMU 372	15
Horse Heaven Hills A	Oct. 14-22	Antlerless	GMU 373	10
Kahlotus C	Oct. 14-22	Antlerless	GMU 381	15
East Klickitat C	Oct. 14-27	3 pt. min. or antlerless	GMU 382	20
Grayback D	Oct. 14-31	3 pt. min. or antlerless	GMU 388	10
Lincoln B	Oct. 14-31	Any deer	GMU 501	5
Stella B	Oct. 14-31	Any deer	GMU 504	5
Mossyrock C	Oct. 14-31	Any deer	GMU 505	15
Stormking C	Oct. 14-31	Any deer	GMU 510	5
South Rainier C	Oct. 14-31	Any deer	GMU 513	5
Packwood C	Oct. 14-31	Any deer	GMU 516	5
Winston C	Oct. 14-31	Any deer	GMU 520	5
Yale C	Oct. 14-31	Any deer	GMU 554	5
Toutle C	Oct. 14-31	Any deer	GMU 556	10
Lewis River C	Oct. 14-31	Any deer	GMU 560	5
Washougal B	Oct. 14-31	Any deer	GMU 568	10
Siouxon C	Oct. 14-31	Any deer	GMU 572	5
Wind River D	Oct. 14-31	2 pt. min. or antlerless	GMU 574	2
West Klickitat C	Oct. 14-31	2 pt. min. or antlerless	GMU 578	5
Copalis	Oct. 14-31	Any deer	GMU 642	20
North River C	Oct. 14-31	Any deer	GMU 658	10
Williams Creek	Oct. 14-31	Any deer	GMU 673	20
<b>Disabled Hunter Deer Permits</b> (Hunters must use method/weapon listed on their tag. All weapon types may apply unless otherwise noted)				
East Okanogan D	Restricted to general early season by tag choice	Antlerless	GMU 204	15
Wannacut C		Antlerless	GMU 209	15
Sinlahekin D		Antlerless	GMU 215	15
Chewuch C		Antlerless	GMU 218	15
Pearygin C		Antlerless	GMU 224	15
Gardner C		Antlerless	GMU 231	15
Pogue C		Antlerless	GMU 233	15
Chiliwist C		Antlerless	GMU 239	15

Hunt Name	Permit Season Dates	Special Restrictions	Boundary Description	Permits	
Alta C		Antlerless	GMU 242	15	
Chiwawa F	Oct. 14-29	Antlerless, modern firearm only	GMU 245	10	
Entiat E	Oct. 14-29	Antlerless, modern firearm only	GMU 247	15	
Mission E	Oct. 14-29	Any deer, modern firearm only	GMU 251	15	
Bridge Port B	Restricted to general early season by tag choice	Any deer	GMUs 248, 260	10	
Palisades B		Any deer	GMUs 266, 269	10	
Quilomene E	Nov. 6-19	Antlerless, modern firearm only	GMU 329	10	
Manastash C	Oct. 14-22	Antlerless, modern firearm only	GMU 340	20	
Umtanum B	Nov. 6-19	Antlerless, modern firearm only	GMU 342	5	
Nile B	Restricted to general early season by tag choice	Antlerless	GMU 352	10	
Sunnyside B		Antlerless	GMU 372	10	
Kahlotus D		Antlerless	GMU 381	10	
East Klickitat D		3 pt. min. or antlerless	GMU 382	20	
Grayback E		2 pt. min. or antlerless	GMU 388	10	
Green River B		Oct. 28-Nov. 5	Any deer, modern firearm only	GMU 485	5
Lincoln C	Restricted to general early season by tag choice	Any deer	GMU 501	3	
Stella C		Any deer	GMU 504	3	
Mossyrock D		Any deer	GMU 505	5	
Stormking D		Any deer	GMU 510	3	
South Rainier D		Any deer	GMU 513	3	
Packwood D		Any deer	GMU 516	3	
Winston D		Any deer	GMU 520	3	
Yale D		Any deer	GMU 554	3	
Toutle D		Any deer	GMU 556	5	
Lewis River D		Any deer	GMU 560	2	
Washougal C		Any deer	GMU 568	2	
Siouxon D		Any deer	GMU 572	3	
Wind River E		2 pt. min. or antlerless	GMU 574	1	
West Klickitat D		2 pt. min. or antlerless	GMU 578	3	
Capitol Peak C		Any deer	GMU 663	30	
Skookumchuck C		Any deer	GMU 667	30	
North River D		Any deer	GMU 658	5	
<b>Youth Special Deer Permit Hunts (Must be eligible for the youth hunting license and accompanied by an adult during the hunt.)</b>					
<b>Modern Firearm Only</b>					
Blue Mtns. Foothills E		Oct. 14-22	Antlerless	GMUs 149, 154, 162-163	40
Blue Mtns. Foothills F	Oct. 14-22	Antlerless	GMUs 145, 172-181	40	
East Okanogan E	Oct. 14-22	Antlerless	GMU 204	70	
Wannacut D	Oct. 14-22	Antlerless	GMU 209	50	
Sinlahekin E	Oct. 14-22	Antlerless	GMU 215	100	
Chewuch D	Oct. 14-22	Antlerless	GMU 218	175	
Pearrygin D	Oct. 14-22	Antlerless	GMU 224	175	
Gardner D	Oct. 14-22	Antlerless	GMU 231	65	
Pogue D	Oct. 14-22	Antlerless	GMU 233	50	
Chiliwist D	Oct. 14-22	Antlerless	GMU 239	100	
Alta D	Oct. 14-22	Antlerless	GMU 242	110	
Chiwawa G	Oct. 14-29	Antlerless	GMU 245	60	
Entiat F	Oct. 14-29	Antlerless	GMU 247	40	
Swakane D	Oct. 14-29	Antlerless	GMU 250	20	
Mission F	Oct. 14-29	Antlerless	GMU 251	150	
Bridge Port C	Oct. 14-22	Antlerless	GMUs 248, 260	125	
Palisades C	Oct. 14-22	Antlerless	GMUs 266, 269	100	
Lakeview C	Oct. 14-22	Any deer	Deer Area 2011	10	
Benge B	Oct. 23-31	Antlerless	Deer Area 2010	20	
Desert E	Sept. 18-Oct. 1	Any deer	GMU 290	10	

Hunt Name	Permit Season Dates	Special Restrictions	Boundary Description	Permits
Naneum F	Oct. 14-22	Antlerless	GMU 328	50
Quilomene F	Nov. 6-19	Antlerless	GMU 329	50
Manastash D	Oct. 14-22	Antlerless	GMU 340	100
Umtanum C	Nov. 7-20	Antlerless	GMU 342	25
Cowiche D	Oct. 14-22	Antlerless	GMU 368	50
Horse Heaven Hills B	Oct. 14-22	Antlerless	GMU 373	10
Kahlotus E	Oct. 14-22	Antlerless	GMU 381	20
Grayback F	Oct. 14-27	Any deer	GMU 388	20
Whitcomb B	Sept. 11-17	Antlerless	Deer Area 3071	5
Paterson B	Sept. 11-17	Antlerless	Deer Area 3072	5
East Klickitat E	Oct. 14-27	Any deer	GMU 382	30
Lincoln D	Oct. 14-31	Any deer	GMU 501	10
Stella D	Oct. 14-31	Any deer	GMU 504	10
Mossyrock E	Oct. 14-31	Any deer	GMU 505	10
Stormking E	Oct. 14-31	Any deer	GMU 510	10
South Rainier E	Oct. 14-31	Any deer	GMU 513	10
Packwood E	Oct. 14-31	Any deer	GMU 516	10
Winston E	Oct. 14-31	Any deer	GMU 520	10
Yale E	Oct. 14-31	Any deer	GMU 554	10
Toutle E	Oct. 14-31	Any deer	GMU 556	60
Lewis River E	Oct. 14-31	Any deer	GMU 560	10
Washougal D	Oct. 14-31	Any deer	GMU 568	10
Siouxon E	Oct. 14-31	Any deer	GMU 572	10
Wind River F	Oct. 14-31	Any deer	GMU 574	15
West Klickitat E	Oct. 14-31	Any deer	GMU 578	15
Satsop B	Oct. 14-31	Any deer	GMU 651	10
Skookumchuck D	Oct. 9-31	Any deer	GMU 667	60
North River E	Oct. 14-31	Any deer	GMU 658	10
<b>Youth Special Deer Permit Hunts (Must be eligible for the youth hunting license and accompanied by an adult during the hunt.)</b>				
<b>Muzzleloader Only</b>				
East Okanogan F	Oct 7-13	Antlerless	GMU 204	10
Wannacut E	Oct 7-13	Antlerless	GMU 209	10
Pogue E	Oct 7-13	Antlerless	GMU 233	10
Chiliwist E	Oct 7-13	Antlerless	GMU 239	10
Alta E	Oct 7-13	Antlerless	GMU 242	10
Mission F	Oct 7-13	Any deer	GMU 251	20
Ritzville C	Oct 7-13	Antlerless	GMU 284	50
Desert F	Sept. 1-15	Any deer	GMU 290	10
<b>Youth Special Deer Permit Hunts (Must be eligible for the youth hunting license and be accompanied by an adult during the hunt.)</b>				
<b>Archery Only</b>				
Desert G	Oct. 2-15	Any deer	GMU 290	10
<b>Special Deer Permits - Second Deer Tag</b>				
<b>These permits are only valid when a second license and tag is purchased. Hunters must use the method/weapon listed on their tag. These 2nd deer special permit hunts will not affect hunters' accumulated points.</b>				
Hunt Name	Second Tag Season	Special Restrictions	Boundary Description	Permits
Huckleberry B	Restricted to general seasons by tag choice	Whitetail, antlerless	GMU 121	400
Mt. Spokane B		Whitetail, antlerless	GMU 124	500
Almota B		Antlerless	GMU 142	100
Mica Peak B		Whitetail, antlerless	GMU 127	200
Northeast	Archery tag required. Any open archery hunt. Must use archery equipment.	Whitetail, antlerless	GMUs 105, 108, 121, 124	200
Benge C	Dec. 16-31	Antlerless	Deer Area 2010	20
Lakeview C	Jan. 1-30	Antlerless	Deer Area 2011	20
High Prairie	Restricted to general early season by tag choice	Antlerless	Deer Area 3088	50

Shaw	Restricted to general seasons by tag choice	Any deer	Deer Area 4004	50
Lopez		Any deer	Deer Area 4005	
Orcas		Any deer	Deer Area 4006	50
Decatur		Any deer	Deer Area 4007	50
Blakely		Any deer	Deer Area 4008	50
Cypress		Any deer	Deer Area 4009	50
San Juan		Any deer	Deer Area 4010	50
Camano		Antlerless	Deer Area 4011	50
Whidbey		Antlerless	Deer Area 4012	125
Vashon-Maury		Antlerless	Deer Area 4013	125
Guemes		Antlerless	Deer Area 4926	50
Anderson		Antlerless	Deer Area 6014	50
<b>Advanced Hunter Education (AHE) Master Hunter Special Deer Permit Hunts: Only AHE master hunters may apply; antlerless only hunts will not affect accumulated points; any weapon may be used.</b>				
Lakeview D	Dec. 9-31	Antlerless	Deer Area 2011	20

<b>Hunter Education Instructor Incentive Permits</b>				
<ul style="list-style-type: none"> <li>- Special deer permits will be allocated through a random drawing to those hunter education instructors that qualify.</li> <li>- Permit hunters must use archery equipment during archery seasons, muzzleloader equipment during muzzleloader seasons, and any legal weapon during modern firearm seasons.</li> <li>- Qualifying hunter education instructors must be certified and have been in active status for a minimum of three consecutive years, inclusive of the year prior to the permit drawing.</li> <li>- Instructors who are drawn, accept a permit, and are able to participate in the hunt, will not be eligible for these incentive permits for a period of ten years thereafter.</li> <li>- Permittees may purchase a second license for use with the permit hunt only.</li> </ul>				
Area	Dates	Restrictions	GMUs	Permits
Region 1	All general season and permit seasons established for GMUs included with the permit.	Any white-tailed deer	Any 100 series GMU except GMU 157	2
Region 2		Any deer	GMUs 215 - 251	1
Region 2		Any deer	GMU 290	1
Region 3		Any deer	GMUs 335 - 368	1
Region 4		Any deer	Any 400 series GMU except GMU 485	2
Region 5		Legal buck for 500 series GMU of choice or antlerless	Any 500 series GMU open for a general deer hunting season or a special deer permit hunting season	2
Region 6		Legal buck for GMU of choice	GMUs 654, 660, 672, 673, 681	1

**WSR 06-06-094**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
 [Filed March 1, 2006, 11:28 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 06-02-096.

Title of Rule and Other Identifying Information: WAC 232-28-352 2003-2005 Elk general seasons and special permits.

Hearing Location(s): Comfort Inn and Conference Center, 1620 74th Avenue S.W., Tumwater, WA 98501, (360) 596-9100, on April 7-8, 2006, at 8:00 a.m.

Date of Intended Adoption: April 7, 2006.

Submit Written Comments to: Attn: Wildlife Program Commission Meeting Public Comments, 600 Capitol Way North, Olympia, WA 98501-1091, e-mail Wildthing@dfw.wa.gov, fax (360) 902-2162, by Monday, March 24, 2006.

Assistance for Persons with Disabilities: Contact Nancy Burkhart by April 5, 2006, TTY (360) 902-2207 or (360) 902-2267.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Elk general hunting seasons are set on a three year basis. Elk general hunting seasons may be adjusted annually in response to elk population changes and damage complaints. This rule sets general elk hunting season opportunities for 2006-2008, adjusts general seasons for 2006 in response to elk population changes and damage complaints, provides for recreational harvest of elk, helps reduce agricultural damage, and provides for population control of elk where needed.

Reasons Supporting Proposal: Provides recreational, elk hunting opportunity and protects elk from overharvest. Addresses elk-caused agricultural damage problems.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

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

Name of Proponent: Washington fish and wildlife commission, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Natural Resources Building, Olympia, (360) 902-2504; and Enforcement: Bruce Bjork, Natural Resources Building, Olympia, (360) 902-2932.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules regulate recreational hunters and do not directly regulate small business.

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

March 1, 2006  
Evan Jacoby  
Rules Coordinator

AMENDATORY SECTION (Amending Order 05-90, filed 5/10/05, effective 6/10/05)

**WAC 232-28-352 ((2003-2005)) 2006-2008 Elk general seasons and ((special permits)) definitions.**

**Bag Limit:** One (1) elk per hunter during the license year except where otherwise permitted by fish and wildlife commission rule.

**Hunting Method:** Elk hunters must select only one of the hunting methods (modern firearm, archery, or muzzleloader).

**Elk Tag Areas:** Elk hunters must choose either Eastern or Western Washington to hunt in and buy the appropriate tag for that area.

**Any Bull Elk Seasons:** Open only to the taking of elk with visible antlers (bull calves are illegal).

**Antler Point:** To qualify as an antler point, the point must be at least one inch long measured on the longest side.

**Spike Bull Antler Restrictions:** Bull elk taken in ~~((these))~~ spike only GMUs must have at least one antler ~~((that is a spike))~~ with only one antler point above the ears ~~((does not branch above ears))~~. An animal with ~~((branched))~~ more than one antler point above the ears on both 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, 162-186, 249-251, 328, 329, and 335-368.

**3 Point ((Restriction)) Antler Restrictions:** Legal bull elk ~~((taken))~~ must have at least 3 antler points on one side ~~((only. Antler points may include eye guards, but))~~ with at least 2 antler points ~~((must be))~~ on the upper half of the main beam. ~~((All antler points must be at least one (1) inch long, measured from the antler tip to nearest edge of the beam.))~~ Eye guards are antler points when they are at least one inch long. Antler restrictions apply to all hunters during any open season.

**3 Point GMUs:** All of Western Washington except for GMUs 454, 564, 568, 574, 578, ~~((588,))~~ and Elk Area 4941.

**Permit Only Units:** The following GMUs are closed during general seasons: 157, 371, 485, 522, 524, 556, 621, 636, and Elk Area 3068.

**GMUs Closed to Elk Hunting:** 418, 437 (except for Elk Area 4941), and 490.

~~((Private Lands Wildlife Management Areas (PLWMA)s: Buckrun (PLWMA 201), Kapowsin (PLWMA 401), and Merrill and Ring (PLWMA 600) are closed to hunting, except by permit or written permission from the landowner.~~

~~**Special Permits:** Only hunters with elk tag prefix 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**

**Eastern Washington:** All 100, 200, and 300 GMUs except permit only for all hunters in GMUs 157 and 371. Modern ~~((firearm restrictions))~~ firearms are restricted in GMU 334.

EA - Eastern Washington Archery Tag

EF - Eastern Washington Modern Firearm General Elk Tag

EM - Eastern Washington Muzzleloader Tag

**Western Washington:** All 400, 500, and 600 GMUs except closed in GMUs 418, 437 (except for Elk Area 4941), 490, and modern firearm restrictions in portions of GMU 660. GMU 554 is open only for early archery and muzzleloader seasons. Elk Area 6063 in GMU 638 (Quinalt) is open to AHE master hunters only. Elk hunting by permit only in GMUs 485, 522, 524, 556, 621, and 636 ~~((and PLWMA)s 401 and 600))~~.

WA - Western Washington Archery Tag

WF - Western Washington Modern Firearm General Elk Tag

WM - Western Washington Muzzleloader Tag

**Modern Firearm Elk Seasons**

**License Required:** A valid big game hunting license with an elk tag option.

**Tag Required:** Valid modern firearm elk tag as listed below on his/her person for the area hunted.

**Hunting Method:** May use modern firearm, bow and arrow, or muzzleloader, but only during modern firearm seasons.

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	<del>((2003))</del> 2006 Dates	<del>((2004))</del> 2007 Dates	<del>((2005))</del> 2008 Dates	Legal Elk
Eastern Washington	EF	111, 113, 117	<del>((Oct. 25 - Nov. 2))</del> Oct. 28-Nov. 5	<del>((Oct. 30 - Nov. 7))</del> Oct. 27-Nov. 4	<del>((Oct. 29 - Nov. 6))</del> Oct. 25-Nov. 2	Any bull
		<del>((157, 371))</del>				<del>((Permit only))</del>
		145 through 154, 162 through 186, 249, 251, 328, 329, 335 through 368	<del>((Oct. 25 - Nov. 2))</del> Oct. 28-Nov. 5	<del>((Oct. 30 - Nov. 7))</del> Oct. 27-Nov. 4	<del>((Oct. 29 - Nov. 6))</del> Oct. 25-Nov. 2	Spike bull



Hunt Area	Elk Tag Area	Game Management Units (GMUs)	<del>((2003))</del> 2006 Dates	<del>((2004))</del> 2007 Dates	<del>((2005))</del> 2008 Dates	Legal Elk
		Elk Area 3722*	<del>((Sept. 2-15))</del> Sept. 9-22	<del>((Sept. 7-19))</del> Sept. 8-21	<del>((Sept. 17-30))</del> Sept. 6-19	Antlerless
		101, 105, 108, 121 through 142, 372, 382, 388	<del>((Oct. 6-19))</del> Oct. 28-Nov. 5	<del>((Oct. 4-17))</del> Oct. 27-Nov. 4	<del>((Oct. 29-Nov. 6))</del> Oct. 25-Nov. 2	Any Elk
		127-142 AHE master hunters only	Dec. 9-31	Dec. 9-31	Dec. 9-31	Any elk
		203 through 248, 250, 254 through 290, 373, 379, 381 except closed within 1/2 mile of the Columbia River in Douglas and Grant counties.	Oct. 28-Nov. 15	Oct. 27-Nov. 15	Oct. 25-Nov. 15	Any elk
		371, Elk Areas 3911 and 3912 AHE master hunters only	Aug. 1-Jan. 30	Aug. 1-Jan. 30	Aug. 1-Jan. 30	Antlerless only
		*GMU 372 and Elk Area 3722 are mainly private property, hunters are not advised to try hunting these areas without making prior arrangements for access.				
		<del>((101, 105, 108, 121 through 142, and 382</del>	Oct. 25-Nov. 2	Oct. 30-Nov. 7	Oct. 29-Nov. 6	Any elk))
Western Washington	WF	407, 448, 460, 466, 503 through 520, 530, 550, <del>((558,))</del> 560, 572, 601 through 618, 624 (except for Elk Area 6071), 627 through 633, 638 through <del>((663,))</del> 652, <del>((and 667))</del> 654 through 684. Except AHE master hunters only in Elk Area 6063	<del>((Nov. 1-9))</del> Nov. 4-13	<del>((Nov. 6-14))</del> Nov. 3-12	<del>((Nov. 5-13))</del> Nov. 1-10	3 pt. min.
		501	<del>((Nov. 1-9))</del> Nov. 4-13	<del>((Nov. 6-14))</del> Nov. 4-13	<del>((Nov. 5-13))</del> Nov. 1-10	3 pt. min. or antlerless
		564, 568, 574 through <del>((588))</del> 578, 666	<del>((Nov. 1-9))</del> Nov. 4-13	<del>((Nov. 6-14))</del> Nov. 3-12	<del>((Nov. 5-13))</del> Nov. 1-10	Any elk
		454	<del>((Nov. 1-9))</del> Nov. 4-13	<del>((Nov. 6-14))</del> Nov. 3-12	<del>((Nov. 5-13))</del> Nov. 1-10	Any bull
		<del>((485, 522, 524, 556, 621, 636, Elk Area 6071, and PLWMAs 401 and 600</del>				Permit only))

**Archery Elk Seasons**

**License Required:** A valid big game hunting license with an elk tag option.

**Tag Required:** Valid archery elk tag as listed below on his/her person for the area hunted.

**Hunting Method:** Bow and arrow only as defined by WAC 232-12-054.

**Special Notes:** Archery tag holders can hunt only during archery seasons and must hunt with archery equipment (WAC 232-12-054). Archery elk hunters may apply for special bull permits. Please see permit table for tag eligibility for all elk permits.

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	<del>((2003))</del> 2006 Dates	<del>((2004))</del> 2007 Dates	<del>((2005))</del> 2008 Dates	Legal Elk
<b>Early Archery Elk Seasons</b>						
Eastern Washington	EA	101 through 142, 243, 247, <del>((249,))</del> 250, <del>((334))</del> 388	Sept. 8-21	Sept. 8-21	Sept. 8-21	Any elk
		145, <del>((149,))</del> 162, <del>((163))</del> 166 through 172, <del>((178 through))</del> 181, 186, 249, 328, 329, <del>((and))</del> 335	Sept. 8-21	Sept. 8-21	Sept. 8-21	Spike bull

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	<del>((2003))</del> 2006 Dates	<del>((2004))</del> 2007 Dates	<del>((2005))</del> 2008 Dates	Legal Elk
		149, 154, Elk Area 1010, Elk Area 1012, Elk Area 1013, <del>163, 175, 178, 330, 334, 336, 340, 352, 356, 364</del>	Sept. 8-21	Sept. 8-21	Sept. 8-21	Spike bull or antlerless
Western Washington	WA	454, 564, 568, 574, 578, <del>((588;))</del> 652, 666	Sept. 8-21	Sept. 8-21	Sept. 8-21	Any elk
		407, 448, 501 through 505, 550, 554, <del>((558;))</del> 560, 572, 624, except for Elk Area 6071, Elk Area 6061, 654, 660, 663, 667 through 673, 684, and 699	Sept. 8-21	Sept. 8-21	Sept. 8-21	3 pt. min. or antlerless
		460, 466, 506, 510, 513, 516, 520, 530, 601, 602, 603, 607, 612 through 618, 627, 633, 638 through 648, 651, <del>((653;))</del> 658, and 681. AHE master hunters only in Elk Area 6063. <del>((Permit only in PLWMA 600 in GMU 603))</del>	Sept. 8-21	Sept. 8-21	Sept. 8-21	3 pt. min.
		Elk Area 4941	Oct. 1-31	Oct. 1-31	Oct. 1-31	Any elk
<b>Late Archery Elk Seasons</b>						
Eastern Washington	EA	101, 105, <u>108</u> , 117 through 127, <u>388</u>	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Any elk
		<del>178((, 186))</del>	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Antlerless only
		<u>127-142 AHE master hunters only. Must wear hunter orange.</u>	Dec. 9-31	Dec. 9-31	Dec. 9-31	Any elk
		<u>Elk Area 1010, 163</u>	Dec. 9-Jan. 30	Dec. 9-Jan. 30	Dec. 9-Jan. 30	Antlerless only
		<u>203 through 248, 250, 254 through 290, 373, 379, 381 except closed within 1/2 mile of the Columbia River in Douglas and Grant counties. Must wear hunter orange.</u>	Oct. 28-Nov. 15	Oct. 27-Nov. 15	Oct. 25-Nov. 15	Any elk
		<u>371, Elk Areas 3911 and 3912 AHE Master Hunters only. Must wear hunter orange.</u>	Aug. 1-Jan. 30	Aug. 1-Jan. 30	Aug. 1-Jan. 30	Antlerless only
		<del>328((, 335))</del>	Nov. 20-Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Spike bull
		<del>335, 336, 346, 352, 364, 368</del>	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Spike bull or antlerless
Western Washington	WA	407, 503, 505, 667, 672, 681, Elk Area 6066 in GMU 660, and 699. Elk Area 6064, except AHE master hunters only in Elk Area 6063 in GMU 638	<del>((Nov. 19 - Dec. 15))</del> Nov. 22-Dec. 15	<del>((Nov. 24 - Dec. 15))</del> Nov. 21-Dec. 15	<del>((Nov. 23 - Dec. 15))</del> Nov. 19-Dec. 15	3 pt. min. or antlerless
		454, 564, <del>((588;))</del> 666	<del>((Nov. 19 - Dec. 15))</del> Nov. 22-Dec. 15	<del>((Nov. 24 - Dec. 15))</del> Nov. 21-Dec. 15	<del>((Nov. 23 - Dec. 15))</del> Nov. 19-Dec. 15	Any elk
		603, 612, 615, 638, and 648 <del>((, except closed in PLWMA 600 in GMU 603))</del>	<del>((Nov. 19 - Dec. 15))</del> Nov. 22-Dec. 15	<del>((Nov. 24 - Dec. 15))</del> Nov. 21-Dec. 15	<del>((Nov. 23 - Dec. 15))</del> Nov. 19-Dec. 15	3 pt. min.
		506, 520, 530	<del>((Nov. 19 - Dec. 7))</del> Nov. 22-Dec. 7	<del>((Nov. 24 - Dec. 7))</del> Nov. 21-Dec. 7	<del>((Nov. 23 - Dec. 7))</del> Nov. 19-Dec. 7	3 pt. min. or antlerless
		506, 520, 530	Dec. 8-15	Dec. 8-15	Dec. 8-15	3 pt. min.

**Muzzleloader Elk Seasons**

**License Required:** A valid big game hunting license with an elk tag option.

**Tag Required:** Valid muzzleloader elk tag as listed below on his/her person for the area hunted.

**Hunting Method:** Muzzleloader only as defined by WAC 232-12-051.

**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.

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	<del>((2003))</del> 2006 Dates	<del>((2004))</del> 2007 Dates	<del>((2005))</del> 2008 Dates	Legal Elk
<b>Early Muzzleloader Elk Seasons</b>						
Eastern Washington	EM	111, 113, <u>117</u> , 247	<del>((Oct. 4-10))</del> Oct. 7-13	<del>((Oct. 2-8))</del> Oct. 6-12	<del>((Oct. 1-7))</del> Oct. 4-10	Any bull
		101 through 108, 121 through 142	<del>((Oct. 4-10))</del> Oct. 7-13	<del>((Oct. 2-8))</del> Oct. 6-12	<del>((Oct. 1-7))</del> Oct. 4-10	Any elk
		172, 245, 250, Elk Area 2051, 335 through 342, 352 through 360, 368	<del>((Oct. 4-10))</del> Oct. 7-13	<del>((Oct. 2-8))</del> Oct. 6-12	<del>((Oct. 1-7))</del> Oct. 4-10	Spike bull
Western Washington	WM	454, 564, 568, 574, 578, 666, 684	<del>((Oct. 4-10))</del> Oct. 7-13	<del>((Oct. 2-8))</del> Oct. 6-12	<del>((Oct. 1-7))</del> Oct. 4-10	Any elk
		460, 504, 513, 530, 554, 602, 603, 607, <del>((654,))</del> <u>658</u> , 660, 672	<del>((Oct. 4-10))</del> Oct. 7-13	<del>((Oct. 2-8))</del> Oct. 6-12	<del>((Oct. 1-7))</del> Oct. 4-10	3 pt. min.
		501, 652, 663, 667	<del>((Oct. 4-10))</del> Oct. 7-13	<del>((Oct. 2-8))</del> Oct. 6-12	<del>((Oct. 1-7))</del> Oct. 4-10	3 pt. min. or antlerless
<b>Late Muzzleloader Elk Seasons</b>						
Eastern Washington	EM	130 through 142	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Any elk
		<u>127-142 AHE Master hunters only. Must wear hunter orange.</u>	<u>Dec. 9-31</u>	<u>Dec. 9-31</u>	<u>Dec. 9-31</u>	<u>Any elk</u>
		<u>203 through 248, 250, 254 through 290, 373, 379, 381 except closed within 1/2 mile of the Columbia River in Douglas and Grant counties. Must wear hunter orange.</u>	<u>Oct. 28-Nov. 15</u>	<u>Oct. 27-Nov 15</u>	<u>Oct. 25-Nov. 15</u>	<u>Any elk</u>
		<u>371, Elk Areas 3911 and 3912 AHE master hunters only. Must wear hunter orange.</u>	<u>Aug. 1-Jan. 30, 2007</u>	<u>Aug. 1-Jan. 30, 2008</u>	<u>Aug. 1-Jan. 30, 2009</u>	<u>Antlerless only</u>
Western Washington	WM	Elk Area 4941	<u>Nov. 1-Jan. 30, 2007</u>	<u>Nov. 1-Jan. 30, 2008</u>	<u>Nov. 1-Jan. 30, 2009</u>	<u>Any elk</u>
		501, 503, 505, 652	<del>((Nov. 19-Dec. 8))</del> <u>Nov. 22-Dec. 8</u>	<del>((Nov. 24-Dec. 8))</del> <u>Nov. 21-Dec. 8</u>	<del>((Nov. 23-Dec. 8))</del> <u>Nov. 19-Dec. 8</u>	3 pt. min. or antlerless
		454, 564, 568, 666, 684	<del>((Nov. 19-Dec. 15))</del> <u>Nov. 22-Dec. 15</u>	<del>((Nov. 24-Dec. 15))</del> <u>Nov. 21-Dec. 15</u>	<del>((Nov. 23-Dec. 15))</del> <u>Nov. 19-Dec. 15</u>	Any elk
		574, 578	<del>((Nov. 19-30))</del> <u>Nov. 22-30</u>	<del>((Nov. 24-30))</del> <u>Nov. 21-30</u>	<del>((Nov. 23-3))</del> <u>Nov. 19-30</u>	Any elk
		504, 550, 601, 667	<del>((Nov. 19-Dec. 15))</del> <u>Nov. 22-Dec. 15</u>	<del>((Nov. 24-Dec. 15))</del> <u>Nov. 21-Dec. 15</u>	<del>((Nov. 23-Dec. 15))</del> <u>Nov. 19-Dec. 15</u>	3 pt. min.

**((Special Elk Hunts Open to Specified Tag Holders**

**License Required:** A valid big game hunting license with an elk tag option.

**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. In firearm restriction areas modern firearm hunters may hunt with a muzzleloader equipped with a scope.

Hunt Area	Elk Tag	Game Management Units (GMUs)	2003 Dates	2004 Dates	2005 Dates	Legal Elk
Eastern Washington	EA, EM, EF	127 through 142, advanced hunter education-master hunters only	Dec. 9-31	Dec. 9-31	Dec. 9-31	Any elk
		203-248, 250, 254-290, 373, and 381 except closed within 1/2 mile of the Columbia River in Douglas and Grant counties	Oct. 28 - Nov. 15	Oct. 30 - Nov. 15	Oct. 29 - Nov. 15	Any elk
	EA, EM, EF	371, Elk Areas 3911 and 3912 advanced hunter education master hunters only	Aug. 1 - Feb. 28, 2004	Aug. 1 - Feb. 28, 2005	Aug. 1 - Feb. 28, 2006	Antlerless only
Western Washington	WM	Elk Area 4941 (muzzleloader only)	Nov. 1 - Jan. 31, 2004	Nov. 1 - Jan. 31, 2005	Nov. 1 - Jan. 31, 2006	Any elk

Hunt Area	Elk Tag	Game Management Units (GMUs)	2003 Dates	2004 Dates	2005 Dates	Legal Elk
	WA	Elk Area 4941 (archery only)	Oct. 1-31	Oct. 1-31	Oct. 1-31	Any elk

**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):

Hunt Name	2005 Permit Season	Special Restrictions	Elk Tag	Boundary	2005
<b>Modern Firearm Bull Permit Hunts (Only modern firearm elk tag holders may apply.)</b>					
Blue Creek A	Oct. 24 - Nov. 6	Any bull	EF	GMU 154	2
Watershed	Oct. 24 - Nov. 6	3 pt. min. or	EA, EF, EM	GMU 157	40
Dayton A	Oct. 24 - Nov. 6	Any bull	EF	GMU 162	7
Tucannon A	Oct. 24 - Nov. 6	Any bull	EF	Elk Area 1014	2
Wenaha A	Oct. 24 - Nov. 6	Any bull	EF	GMU 169	5
Mountain View A	Oct. 24 - Nov. 6	Any bull	EF	GMU 172	3
Couse A	Oct. 24 - Nov. 6	Any bull	EF	GMU 181	1
Mission A	Oct. 24 - Nov. 6	Any bull	EF	GMU 251	7
Naneum A	Oct. 24 - Nov. 6	Any bull	EF	GMU 328	19
Quilomene A	Oct. 24 - Nov. 6	Any bull	EF	GMU 329	17
Teanaway A	Oct. 24 - Nov. 6	Any bull	EF	GMU 335	10
Peaches Ridge A	Oct. 24 - Nov. 6	Any bull	EF	GMUs 336, 346	142
Little Naches A	Oct. 1-10	Any bull	EF	GMU 346	20
Observatory A	Oct. 24 - Nov. 6	Any bull	EF	GMUs 340, 342	77
Goose Prairie A	Oct. 24 - Nov. 6	Any bull	EF	GMUs 352, 356	92
Bethel A	Oct. 24 - Nov. 6	Any bull	EF	GMU 360	50
Rimrock A	Oct. 24 - Nov. 6	Any bull	EF	GMU 364	109
Cowiehe A	Oct. 24 - Nov. 6	Any bull	EF	GMU 368	24
Klickitat Meadows A	TBA**	Any bull	EF	Elk Area 3068	1
Green River	Oct. 29 - Nov. 4	Any bull	WF	GMU 485	1
Margaret A	Nov. 5-13	3 pt. min.	WF	GMU 524	22
Foutle A	Nov. 5-13	3 pt. min.	WF	GMU 556	87
Matheny	Oct. 1-10	3 pt. min.	WA, WF, WM	GMU 618	3
Olympic A	Nov. 1-9	3 pt. min.	WF	GMU 621, EXCEPT	21
Skokomish A	Nov. 1-9	3 pt. min.	WF	GMU 636	12
<b>Modern Firearm Elk Permit Hunts (Only modern firearm elk tag holders may apply.)</b>					
Aladdin A	Oct. 29 - Nov. 6	Any elk	EF	GMU 111	10
Selkirk A	Oct. 29 - Nov. 6	Any elk	EF	GMU 113	10
49 Degrees North	Oct. 29 - Nov. 6	Any elk	EF	GMU 117	15
Blue Creek B	Oct. 29 - Nov. 6	Antlerless	EF	GMUs 149, 154	100
Dayton B	Oct. 29 - Nov. 6	Antlerless	EF	GMU 163 and Elk	200
Dayton C	Oct. 29 - Nov. 6	Antlerless	EF	GMU 149 and Elk	100
Peola	Oct. 29 - Nov. 6	Antlerless	EF	GMU 178	50
Couse B	Oct. 29 - Nov. 6	Antlerless	EF	GMU 181	25
Couse C	Oct. 1-10	Antlerless	EF	GMU 181	25
Mountain View B	Oct. 29 - Nov. 6	Antlerless	EF	Elk Area 1013	60
Lick Creek A	Oct. 29 - Nov. 6	Antlerless	EF	GMU 175	25
Malaga A	Aug. 13 - Sept. 25	Antlerless	EF	Elk Area 2032	100
Malaga B	Sept. 5-30	Any elk	EF	Elk Area 2032	10
Malaga C	Nov. 7 - Feb. 28, 2006	Antlerless	EF	Elk Area 2032	150
Malaga D	Nov. 7 - Dec. 18	Any elk	EF	Elk Area 2032	10
Malaga E	Dec. 19 - Feb. 28, 2006	Any elk	EF	Elk Area 2032	15
Peshastin A	Aug. 15-31	Antlerless	EF	Elk Area 2033	20
Peshastin B	Sept. 15 - Oct. 1	Antlerless	EF	Elk Area 2033	20
Peshastin C	Sept. 22-30	Any elk	EF	Elk Area 2033	5
Peshastin D	Nov. 30 - Feb. 28, 2006	Antlerless	EF	Elk Area 2033	30
Peshastin E	Dec. 15 - Feb. 28, 2006	Any elk	EF	Elk Area 2033	10

Hunt Name	2005 Permit Season	Special Restrictions	Elk Tag	Boundary	2005
West Bar A	Oct. 29 – Nov. 2	Antlerless	EF	GMU 330	5
West Bar B	Nov. 3-6	Antlerless	EF	GMU 330	5
Coloekum A	Oct. 8-14	Antlerless	EF	Elk Area 3028	35
Taneum A	Nov. 2-6	Antlerless	EF	GMU 336	160
Manastash A	Nov. 2-6	Antlerless	EF	GMU 340	340
Umtanum A	Nov. 2-6	Antlerless	EF	GMU 342	340
Cleman	Dec. 1-15	Antlerless	EF	Elk Area 3944	60
Little Naches B	Nov. 2-6	Antlerless	EF	GMU 346	220
Nile A	Nov. 2-6	Antlerless	EF	GMU 352	50
Bumping B	Nov. 2-6	Antlerless	EF	GMU 356	100
Bethel B	Nov. 2-6	Antlerless	EF	GMU 360	100
Rimrock B	Nov. 2-6	Antlerless	EF	GMU 364	180
Cowiche B	Nov. 2-6	Antlerless	EF	GMU 368	180
Klickitat Meadows B	TBA**	Spike bull or	EF	Elk Area 3068	9
Alkali A	Oct. 24 – Nov. 6	Any elk	EF	GMU 371	25
Willapa Hills A	Nov. 5-13	Antlerless	WF	GMU 506	35
Raymond A	Nov. 5-10	3 pt. min. or antlerless	WF	Elk Area 6010	20
Raymond B	Dec. 16-31	Antlerless	WF	Elk Area 6010	30
Raymond C	Jan. 1-31, 2006	Antlerless	WF	Elk Area 6010	15
Raymond D	Feb. 1-28, 2006	Antlerless	WF	Elk Area 6010	15
Winston A	Nov. 5-13	Antlerless	WF	GMU 520	12
Margaret B	Nov. 5-13	Antlerless	WF	GMU 524	25
Ryderwood A	Nov. 5-13	Antlerless	WF	GMU 530	32
Coweeman A	Nov. 5-13	Antlerless	WF	GMU 550	15
Toutle B	Nov. 5-13	Antlerless	WF	GMU 556	35
Marble A	Nov. 5-13	Antlerless	WF	GMU 558	50
Carlton	Oct. 1-10	3 pt. min.	WF	Elk Area 5057	5
West Goat Rocks	Oct. 1-10	3 pt. min.	WF	Elk Area 5058	5
Mt. Adams	Oct. 1-10	3 pt. min.	WF	Elk Area 5059	5
Lewis River A	Nov. 5-13	Antlerless	WF	GMU 560	60
Siouxon A	Nov. 5-13	Antlerless	WF	GMU 572	40
Chehalis Valley A	Sept. 15-30	Antlerless	WF	Elk Area 6066	10
Chehalis Valley B	Oct. 1-31	Antlerless	WF	Elk Area 6066	10
Chehalis Valley C	Nov. 5-10	Antlerless	WF	Elk Area 6066	30
Chehalis Valley D	Nov. 15-30	Antlerless	WF	Elk Area 6066	15
Chehalis Valley E	Feb. 1-28, 2006	Antlerless	WF	Elk Area 6066	15
North Minot A	Oct. 20-31	Antlerless	WF	Elk Area 6067	60
Deschutes	Jan. 15-23, 2006	Antlerless	WF	GMU 666	10
Williams Creek	Nov. 5-9	Antlerless	WF	GMU 673	40
North Shore A	Nov. 5-9	Antlerless	WF	Elk Area 6068	5
<b>Muzzleloader Bull Permit Hunts (Only muzzleloader elk tag holders may apply.)</b>					
<b>Note: Fire closures may limit access during early October seasons.</b>					
Blue Creek C	Oct. 1-10	Any bull	EM	GMU 154	1
Dayton D	Oct. 1-10	Any bull	EM	GMU 162	1
Tucannon B	Oct. 1-10	Any bull	EM	Elk Area 1014	1
Wenaha B	Oct. 1-10	Any bull	EM	GMU 169	1
Mountain View C	Oct. 1-10	Any bull	EM	GMU 172	1
Couse D	Oct. 1-10	Any bull	EM	GMU 181	1
Mission B	Oct. 1-10	Any bull	EM	GMU 251	3
Naneum B	Oct. 1-10	Any bull	EM	GMU 328	4
Quilomene B	Oct. 1-10	Any bull	EM	GMU 329	4
Teanaway C	Oct. 1-10	Any bull	EM	GMU 335	2
Peaches Ridge B	Oct. 1-10	Any bull	EM	GMUs 336, 346	22
Observatory B	Oct. 1-10	Any bull	EM	GMUs 340, 342	25
Goose Prairie B	Oct. 1-10	Any bull	EM	GMUs 352, 356	15
Bethel C	Oct. 1-10	Any bull	EM	GMU 360	9

Hunt Name	2005 Permit Season	Special Restrictions	Elk Tag	Boundary	2005
Rimroek C	Oct. 1-10	Any bull	EM	GMU 364	17
Cowiehe C	Oct. 1-10	Any bull	EM	GMU 368	9
Klickitat Meadows C	TBA**	Any bull	EM	Elk Area 3068	1
Margaret C	Oct. 1-7	3 pt. min.	WM	GMU 524	5
Toutle C	Oct. 1-7	3 pt. min.	WM	GMU 556	17
Olympic B	Oct. 4-10	3 pt. min.	WM	GMU 621, EXCEPT	3
Skokomish B	Oct. 4-10	3 pt. min.	WM	GMU 636	3
<b>Muzzleloader Permit Hunts (Only muzzleloader elk tag holders may apply.)</b>					
Aladdin B	Oct. 1-7	Any elk	EM	GMU 111	10
Selkirk B	Oct. 1-7	Any elk	EM	GMU 113	20
49 Degrees North	Oct. 1-7	Antlerless	EM	GMU 117	10
Blue Creek C	Dec. 9 – Jan. 31, 2006	Antlerless	EM	GMUs 149, 154	60
Columbia A	Dec. 1-31	Antlerless	EM	Elk Area 1011 and	100
Columbia B	Jan. 1-31, 2006	Antlerless	EM	Elk Area 1011 and	100
Columbia C	Dec. 20 – Jan. 31, 2006	Antlerless	EM	Elk Area 1012 and	60
Mountain View D	Oct. 1-10	Antlerless	EM	Elk Area 1013	25
Lick Creek B	Oct. 1-10	Antlerless	EM	GMU 175	25
West Bar C	Oct. 1-10	Antlerless	EM	GMU 330	5
Taneum B	Oct. 1-7	Antlerless	EM	GMU 336	25
Manastash B	Oct. 1-7	Antlerless	EM	GMU 340	25
Umtanum B	Oct. 1-7	Antlerless	EM	GMU 342	250
Nile B	Oct. 1-7	Antlerless	EM	GMU 352	40
Bumping B	Oct. 1-7	Antlerless	EM	GMU 356	90
Bethel D	Oct. 1-7	Antlerless	EM	GMU 360	40
Cowiehe D	Oct. 1-7	Antlerless	EM	GMU 368	225
Klickitat Meadows D	TBA**	Spike bull or	EM	Elk Area 3068	4
Alkali B	Oct. 1-10	Any elk	EM	GMU 371	15
Stella A	Nov. 24 – Dec. 15	Antlerless	WM	GMU 504	75
Stella B	Jan. 1-16, 2006	Antlerless	WM	GMU 504	50
Toledo A	Jan. 1-16, 2006	Antlerless	WM	Elk Area 5029	30
Malaga F	Oct. 1-21	Antlerless	EM	Elk Area 2032	100
Malaga G	Oct. 1-21	Any elk	EM	Elk Area 2032	15
Mossyroek A	Jan. 1-16, 2006	Antlerless	WM	Elk Area 5052	20
Randle A	Jan. 1-16, 2006	Antlerless	WM	Elk Area 5053	15
Boistfort	Jan. 1-16, 2006	Antlerless	WM	Elk Area 5054	40
Willapa Hills B	Nov. 23 – Dec. 15	Antlerless	WM	GMU 506	15
Green Mt. A	Jan. 1-16, 2006	Antlerless	WM	Elk Area 5051	30
Winston B	Nov. 23 – Dec. 15	Antlerless	WM	GMU 520	3
Margaret D	Nov. 23 – Dec. 15	Antlerless	WM	GMU 524	10
Ryderwood B	Oct. 1-7	Antlerless	WM	GMU 530	8
Coweeman B	Nov. 23 – Dec. 15	Antlerless	WM	GMU 550	5
Toutle D	Nov. 23 – Dec. 15	Antlerless	WM	GMU 556	10
Marble B	Oct. 1-7	Antlerless	WM	GMU 558	10
Lewis River B	Oct. 1-7	Antlerless	WM	GMU 560	15
Siouxon B	Oct. 1-7	Antlerless	WM	GMU 572	10
Yale	Nov. 23 – Dec. 15	3 pt. min. or antlerless	WM	GMU 554	75
Twin Satsop A	Jan. 5-15, 2006	Antlerless	WM	Elk Area 6061	10
Twin Satsop B	Oct. 6-10	Antlerless	WM	Elk Area 6061	10
North River	Nov. 26 – Dec. 15	Antlerless	WM	GMU 658	20
North Minot B	Oct. 1-7	Antlerless	WM	Elk Area 6067	60
Raymond E	Oct. 1-31	Antlerless	WM	Elk Area 6010	30
Chehalis Valley	Jan. 1-31, 2006	Antlerless	WM	Elk Area 6066	15
Capitol Peak A	Nov. 19 – Dec. 15	Antlerless	WM	GMU 663	10
Capitol Peak B	Dec. 16-31	Antlerless	WM	GMU 663	10
Tri Valley	Jan. 1-31, 2006	Antlerless	WM	Elk Area 6012	10

Hunt Name	2005 Permit Season	Special Restrictions	Elk Tag	Boundary	2005
<b>Archery Permit Hunts (Only archery elk tag holders may apply)</b>					
<b>Note: Fire closures may limit access during September seasons.</b>					
Blue Creek-D	Sept. 8-21	Any bull	EA	GMU 154	1
Dayton-E	Sept. 8-21	Any bull	EA	GMU 162	6
Tucannon-C	Sept. 8-21	Any bull	EA	Elk Area 1014	2
Wenaha-C	Sept. 8-21	Any bull	EA	GMU 169	2
Mountain View-E	Sept. 8-21	Any bull	EA	GMU 172	3
Couse-E	Sept. 8-21	Any bull	EA	GMU 181	1
Naneum-C	Sept. 8-21	Any bull	EA	GMU 328	25
Quilomene-C	Sept. 8-21	Any bull	EA	GMU 329	29
Teanaway-E	Sept. 8-21	Any bull	EA	GMU 335	13
Peaches Ridge-C	Sept. 8-21	Any bull	EA	GMUs 336, 346	144
Observatory-C	Sept. 8-21	Any elk	EA	GMUs 340, 342	93
Goose Prairie-C	Sept. 8-21	Any bull	EA	GMUs 352, 356	170
Bethel-E	Sept. 8-21	Any bull	EA	GMU 360	45
Rimrock-D	Sept. 8-21	Any bull	EA	GMU 364	112
Cowiche-E	Sept. 8-21	Any bull	EA	GMU 368	24
Klickitat Meadows-E	TBA**	Any bull	EA	Elk Area 3068	1
Klickitat Meadows-F	TBA**	Spike bull or	EA	Elk Area 3068	9
Peshastin-G	Sept. 1-14	Any elk	EA	Elk Area 2033	30
Margaret-E	Sept. 8-21	3 pt. min.	WA	GMU 524	10
Toutle-E	Sept. 8-21	3 pt. min.	WA	GMU 556	55
Olympic-C	Sept. 8-21	3 pt. min.	WA	GMU 621, EXCEPT	6
Mashel-A	Jan. 1-15, 2006	Antlerless	WA	Elk Area 6054	25
Skokomish-C	Sept. 8-21	3 pt. min.	WA	GMU 636	10
<b>Advanced Hunter Education (AHE) Master Hunter Special Elk Permit Hunts: Only AHE master hunters may apply; antlerless only</b>					
Toledo-B	Jan. 17-31, 2006	Antlerless	Any elk tag	Elk Area 5029	20
Peshastin-F	Aug. 18-25	Any elk	Any elk tag	Elk Area 2033	5
Mossyrock-B	Jan. 17-31, 2006	Antlerless	Any elk tag	Elk Area 5052	20
Randle-B	Jan. 17-31, 2006	Antlerless	Any elk tag	Elk Area 5053	15
Quinalt Ridge	Oct. 1-10	3 pt. min. or antlerless	Any elk tag	GMU 638	5
Green Mt. B	Jan. 17-31, 2006	Antlerless	Any elk tag	Elk Area 5051	20
Merwin-A	Nov. 24 - Dec. 15	Antlerless	Any elk tag	Elk Area 5060	10
Merwin-B	Jan. 17-31, 2006	Antlerless	Any elk tag	Elk Area 5060	10
JBH-A*	Nov. 28 - Dec. 2	Antlerless	Any elk tag	Elk Area 5090	5
JBH-B*	Dec. 12-16	Antlerless	Any elk tag	Elk Area 5090	5
<b>Advanced Hunter Education (AHE) Master Hunter, Second Elk Tag Hunts:</b>					
Rattlesnake Hills	Aug. 1 - Feb. 28, 2006	Antlerless	Any elk tag	Designated areas	20 <sup>HM</sup>
Corral Canyon-A	Aug. 1 - Sept. 14	Spike bull or	Any elk tag	Elk Area 3721	10
Corral Canyon-B	Sept. 15 - Oct. 15	Spike bull or	Any elk tag	Elk Area 3721	10
Corral Canyon-C	Nov. 15 - March 31, 2006	Spike bull or	Any elk tag	Elk Area 3721	30
Corral Canyon-D	June 1 - July 31	Any bull except spike	Any elk tag	Elk Area 3721	30 <sup>HM</sup>
Blackrock-A	Aug. 1 - March 31, 2006	Any elk	Any elk tag	Elk Area 3722	18 <sup>HM</sup>
Grays River-A	Sept. 15-30	Antlerless	Any elk tag	Elk Area 5056	6
Grays River-B	Jan. 1-15, 2006	Antlerless	Any elk tag	Elk Area 5056	6
Grays River-C	Jan. 16-31, 2006	Antlerless	Any elk tag	Elk Area 5056	6
Grays River-D	Feb. 1-14, 2006	Antlerless	Any elk tag	Elk Area 5056	6
Grays River-E	Feb. 15-28, 2006	Antlerless	Any elk tag	Elk Area 5056	6
JBH-C*	Dec. 17 - Feb. 28, 2006	Antlerless	Any elk tag	Elk Area 5090	15 <sup>HM</sup>
North River-B	Dec. 16 - Feb. 28, 2006	Antlerless	Any elk tag	Designated areas	10 <sup>HM</sup>
Chehalis-G	Aug. 1 - Feb. 28, 2006	Antlerless	Any elk tag	Designated areas	10 <sup>HM</sup>
Hannaford-C	Aug. 1 - Feb. 28, 2006	Antlerless	Any elk tag	Designated areas	5 <sup>HM</sup>
Dungeness-A	Sept. 8-29	Antlerless only	WF	Elk Area 6071	3
Dungeness-B	Oct. 9-31	Spike bull or	WF	Elk Area 6071	3
Dungeness-C	Nov. 12 - Dec. 12	Antlerless only	WF	Elk Area 6071	4
Dungeness-D	Dec. 18 - Jan. 9, 2006	Antlerless only	WF	Elk Area 6071	3

Hunt Name	2005 Permit Season	Special Restrictions	Elk Tag	Boundary	2005
Dungeness E	Jan 22 - Feb. 28, 2006	Antlerless only	WF	Designated areas	g <sup>HM</sup>
<b>Youth 15 and Under - Special Elk Permit Hunts</b>					
Blackrook B	Aug. 1 - Mar. 31, 2006	Any elk	Any elk tag	Elk Area 3722	10
<b>Persons of Disability Only - Special Elk Permit Hunts</b>					
Observatory D	Oct. 25 - Nov. 7	Any elk	EF or EM	GMUs 340, 342	7
Little Naches C	Oct. 1-10	Any elk	EF, EM, EA	GMU 346	5
Little Naches D	Nov. 3-7	Antlerless	EF, EM, EA	GMU 346	8
Blackrook C	Aug. 1 - Mar. 31, 2006	Any elk	Any elk tag	Elk Area 3722	2
Mudflow A	Nov. 7-13	Antlerless	Any elk tag	Elk Area 5099	5
Mudflow B	Nov. 21-27	Antlerless	Any elk tag	Elk Area 5099	5
Centralia Mine A	Oct. 23-24	Antlerless	Any elk tag	Elk Area 6011	2
Centralia Mine B	Oct. 30-31	Antlerless	Any elk tag	Elk Area 6011	2
North Shore B	Oct. 1-31	Antlerless	Any elk tag	Elk Area 6068	5
North Shore C	Dec. 16-31	Antlerless	Any elk tag	Elk Area 6068	5
North Shore D	Jan. 1-31, 2006	Antlerless	Any elk tag	Elk Area 6068	5
North Shore E	Feb. 1-28, 2006	Antlerless	Any elk tag	Elk Area 6068	5
Chehalis Valley F	Dec. 16-31	Antlerless	Any elk tag	Elk Area 6066	15
Hannaford A	Jan. 1-15, 2006	Antlerless	Any elk tag	Elk Area 6069	5
<b>Hunters 65 or older only - Special Elk Permit Hunts</b>					
Hannaford B	Jan. 16-31, 2006	Antlerless	Any elk tag	Elk Area 6069	5

\*Muzzleloaders only; scopes allowed in JBH hunt.

\*\*The commission delegates authority to establish dates and final permit types to the director. Hunters will be notified of hunt dates and final permit types on their permit.

<sup>HM</sup>This is a damage hunt administered by a WDFW designated Hunt Master. Successful applicants will be contacted on an as-needed basis to help with specific sites of elk damage on designated landowner's property. Not all successful applicants will be contacted in any given year depending on elk damage activity for that year.

<b>Hunter Education Instructor Incentive Permits</b>				
<ul style="list-style-type: none"> <li>- Special elk permits will be allocated through a random drawing to those hunter education instructors that qualify.</li> <li>- Permit hunters must use archery equipment during archery seasons, muzzleloader equipment during muzzleloader seasons, and any legal weapon during modern firearm seasons.</li> <li>- Qualifying hunter education instructors must be certified and have been in active status for a minimum of three consecutive years, inclusive of the year prior to the permit drawing.</li> <li>- Instructors who are drawn, accept a permit, and are able to participate in the hunt, will not be eligible for these incentive permits for a period of ten years thereafter.</li> <li>- Permittees may purchase a second license for use with the permit hunt only.</li> </ul>				
Area	Dates	Restrictions	GMUs	Permits
Region 3	All general season and permit seasons established for GMUs included with the permit	Any elk	GMUs 335-368	2
Region 5		Any elk	All 500 series GMUs except GMU 522	1
Region 6		Any elk	GMUs 654, 660, 672, 673, 681	1))

**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.

Hearing Location(s): Comfort Inn and Conference Center, 1620 74th Avenue S.W., Tumwater, WA 98501, (360) 596-9100, on April 7-8, 2006, at 8:00 a.m.

Date of Intended Adoption: April 7, 2006.

Submit Written Comments to: Attn: Wildlife Program Commission Meeting Public Comments, 600 Capitol Way North, Olympia, WA 98501-1091, e-mail Wildthing@dfw.wa.gov, fax (360) 902-2162, by Monday, March 24, 2006.

Assistance for Persons with Disabilities: Contact Nancy Burkhardt by April 5, 2006, TTY (360) 902-2207 or (360) 902-2267.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Elk special permit hunting seasons are assessed annually in response to elk population changes and damage complaints. This rule sets special permit elk hunting season opportunities for 2006, adjusts special hunting season elk permits for 2006 in response to elk

**WSR 06-06-095**

**PROPOSED RULES**

**DEPARTMENT OF FISH AND WILDLIFE**

[Filed March 1, 2006, 11:29 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 06-02-096.

Title of Rule and Other Identifying Information: WAC 232-28-354 2006 Elk special permits.



population changes and damage complaints, provides for recreational harvest of elk, helps reduce agricultural damage, and provides for population control of elk where needed.

Reasons Supporting Proposal: Provides recreational, elk hunting opportunity and protects elk from overharvest. Addresses agricultural damage caused by elk.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

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

Name of Proponent: Washington fish and wildlife commission, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Natural Resources Building, Olympia, (360) 902-2504; and Enforcement: Bruce Bjork, Natural Resources Building, Olympia, (360) 902-2932.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules regulate

recreational hunters and do not directly regulate small business.

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

March 1, 2006

Evan Jacoby

Rules Coordinator

NEW SECTION

**WAC 232-28-354 2006 Elk special permits.**

**Special Elk Permit Hunting Seasons  
(Open to Permit Holders Only)**

Hunters must purchase an elk hunting license prior to purchase of a permit application. Applicants must have purchased the proper tag for these hunts. The elk tag prefixes required to apply for each hunt are shown in the following table. Hunters drawn for a special permit hunt must comply with weapon restrictions and dates listed for the hunt.

Hunt Name	Permit Season Dates	Special Restrictions	Elk Tag Prefix	Boundary Description	Permits
<b>Modern Firearm Bull Permit Hunts (Only modern firearm elk tag holders may apply.)</b>					
Prescott A	Oct. 23-Nov. 5	Any bull	EF	GMU 149	2
Blue Creek A	Oct. 23-Nov. 5	Any bull	EF	GMU 154	2
Watershed	Oct. 23-Nov. 5	3 pt. min. or Antlerless	EA, EF, EM	GMU 157	40
Dayton A	Oct. 23-Nov. 5	Any bull	EF	GMU 162	12
Tucannon A	Oct. 23-Nov. 5	Any bull	EF	Elk Area 1014	2
Wenaha A	Oct. 23-Nov. 5	Any bull	EF	GMU 169	14
Mountain View A	Oct. 23-Nov. 5	Any bull	EF	GMU 172	4
Couse A	Oct. 23-Nov. 5	Any bull	EF	GMU 181	1
Mission A	Oct. 23-Nov. 5	Any bull	EF	GMU 251	7
Colockum A	Oct. 23-Nov. 5	Any bull	EF	GMUs 328, 329	
Teanaway A	Dec. 23-Jan. 5, 2007	Any bull	EF	GMU 335	10
Peaches Ridge A	Oct. 23-Nov. 5	Any bull	EF	GMUs 336, 346	142
Little Naches A	Oct. 1-10	Any bull	EF	GMU 346	15
Observatory A	Oct. 23-Nov. 5	Any bull	EF	GMUs 340, 342	77
Goose Prairie A	Oct. 23-Nov. 5	Any bull	EF	GMUs 352, 356	92
Bethel A	Oct. 23-Nov. 5	Any bull	EF	GMU 360	50
Rimrock A	Oct. 23-Nov. 5	Any bull	EF	GMU 364	109
Cowiche A	Oct. 23-Nov. 5	Any bull	EF	GMU 368	24
Klickitat Meadows A	Oct. 23-Nov. 5	Any bull	EF	Elk Area 3068	1
Green River	Oct. 28 - Nov. 3	Any bull	WF	GMU 485	1
Margaret A	Nov. 4-12	Any bull	WF	GMU 524	22
Toutle A	Nov. 4-12	Any bull	WF	GMU 556	87
Clearwater	Oct. 1-10	Any bull	WA, WF, WM	GMU 615	2
Matheny	Oct. 1-10	Any bull	WA, WF, WM	GMU 618	3
Olympic A	Nov. 1-9	Any bull	WF	GMU 621, EXCEPT for Elk Area 6071	21
Skokomish A	Nov. 1-9	Any bull	WF	GMU 636	9
Wynoochee	Oct. 1-10	Any bull	WA, WF, WM	GMU 648	1

Hunt Name	Permit Season Dates	Special Restrictions	Elk Tag Prefix	Boundary Description	Permits
White River A	Nov. 4-12	Any bull	WF	GMU 653	75
<b>Modern Firearm Elk Permit Hunts (Only modern firearm elk tag holders may apply.)</b>					
Aladdin A	Oct. 28-Nov. 5	Any elk	EF	GMU 111	15
Selkirk A	Oct. 28-Nov. 5	Any elk	EF	GMU 113	20
49 Degrees North	Oct. 28-Nov. 5	Any elk	EF	GMU 117	30
Blue Creek B	Oct. 28-Nov. 5	Antlerless	EF	GMUs 149, 154	100
Prescott B	Oct. 28-Nov. 5	Antlerless	EF	GMU 149	75
Dayton B	Oct. 28-Nov. 5	Antlerless	EF	GMU 163 and Elk Area 1011	200
Dayton C	Oct. 28-Nov. 5	Antlerless	EF	GMU 149 and Elk Area 1012	100
Peola	Oct. 28-Nov. 5	Antlerless	EF	GMU 178	50
Couse B	Aug. 27-Sept. 7	Antlerless	EF	GMU 181	25
Couse C	Oct. 1-10	Antlerless	EF	GMU 181	25
Mountain View B	Oct. 28-Nov. 5	Antlerless	EF	Elk Area 1013	60
Lick Creek A	Oct. 28-Nov. 5	Antlerless	EF	GMU 175	25
Malaga A	Aug. 12-31	Antlerless	EF	Elk Area 2032	30
Malaga B	Sept. 8-30	Any elk	EF	Elk Area 2032	10
Malaga C	Sept. 15-25	Antlerless	EF	Elk Area 2032	70
Malaga D	Nov. 6-Jan. 30, 2007	Antlerless	EF	Elk Area 2032	120
Malaga E	Nov. 6-Dec. 18	Any elk	EF	Elk Area 2032	10
Malaga F	Dec. 19-Feb. 28, 2007	Any elk	EF	Elk Area 2032	15
Peshastin A	Aug. 15-31	Antlerless	EF	Elk Area 2033	20
Peshastin B	Sept. 15-Oct. 1	Antlerless	EF	Elk Area 2033	20
Peshastin C	Sept. 22-30	Any elk	EF	Elk Area 2033	5
Peshastin D	Nov. 30-Feb. 28, 2007	Antlerless	EF	Elk Area 2033	30
Peshastin E	Dec. 15-Feb. 28, 2007	Any elk	EF	Elk Area 2033	10
West Bar A	Oct. 28 - Nov. 1	Antlerless	EF	GMU 330	5
West Bar B	Nov. 2-5	Antlerless	EF	GMU 330	5
Teanaway B	Dec. 23-Jan. 30, 2007	Antlerless	EF	GMU 335	100
Taneum A	Nov. 1-5	Antlerless	EF	GMU 336	10
Manastash A	Nov. 1-5	Antlerless	EF	GMU 340	250
Umtanum A	Nov. 1-5	Antlerless	EF	GMU 342	250
Cleman	Dec. 1-15	Antlerless	EF	Elk Area 3944	50
Little Naches B	Nov. 1-5	Antlerless	EF	GMU 346	150
Nile A	Nov. 1-5	Antlerless	EF	GMU 352	50
Bumping B	Nov. 1-5	Antlerless	EF	GMU 356	100
Bethel B	Nov. 1-5	Antlerless	EF	GMU 360	100
Rimrock B	Nov. 1-5	Antlerless	EF	GMU 364	150
Cowiche B	Nov. 1-5	Antlerless	EF	GMU 368	150
Klickitat Meadows B	Nov. 1-5	Spike bull or Antlerless	EF	Elk Area 3068	9
Alkali A	Oct. 21-Nov. 5	Any elk	EF	GMU 371	25
Willapa Hills A	Nov. 4-12	Antlerless	WF	GMU 506	35
Winston A	Nov. 4-12	Antlerless	WF	GMU 520	12
Margaret B	Nov. 13-17	Antlerless	WF	GMU 524	25

Hunt Name	Permit Season Dates	Special Restrictions	Elk Tag Prefix	Boundary Description	Permits
Ryderwood A	Nov. 4-12	Antlerless	WF	GMU 530	32
Coweeman A	Nov. 4-12	Antlerless	WF	GMU 550	15
Toutle B	Nov. 13-17	Antlerless	WF	GMU 556	35
Toledo G	Nov. 4-12	Antlerless	WF	Elk Area 5029	20
Carlton	Oct. 1-10	Any bull	WF	Elk Area 5057	5
West Goat Rocks	Oct. 1-10	Any bull	WF	Elk Area 5058	5
Mt. Adams	Oct. 1-10	Any bull	WF	Elk Area 5059	5
Lewis River A	Nov. 4-12	Antlerless	WF	GMU 560	80
Siouxon A	Nov. 4-12	Antlerless	WF	GMU 572	40
Raymond A	Nov. 5-10	3 pt. Min. or antlerless	WF	Elk Area 6010	20
Raymond B	Dec. 16-31	Antlerless	WF	Elk Area 6010	30
Raymond C	Jan. 1-30, 2007	Antlerless	WF	Elk Area 6010	15
Raymond D	Feb. 1-28, 2007	Antlerless	WF	Elk Area 6010	15
Chehalis Valley A	Oct. 1-31	Antlerless	WF	Elk Area 6066	10
Chehalis Valley B	Nov. 5-10	Antlerless	WF	Elk Area 6066	10
North Minot A	Oct. 20-31	Antlerless	WF	Elk Area 6067	60
Deschutes	Jan. 15-23, 2007	Antlerless	WF	GMU 666	10
North River	Nov. 8-13	Antlerless	WF	GMU 658	10
Williams Creek	Nov. 8-13	Antlerless	WF	GMU 673	40
Tri-Valley A	Dec. 1-Jan. 30, 2007	Antlerless	WF	Elk Area 6012	10
North Shore A	Nov. 5-9	Antlerless	WF	Elk Area 6068	5
<b>Muzzleloader Bull Permit Hunts (Only muzzleloader elk tag holders may apply.)</b>					
Note: Fire closures may limit access during early October seasons.					
Prescott C	Oct. 1-10	Any bull	EM	GMU 149	1
Blue Creek C	Oct. 1-10	Any bull	EM	GMU 154	1
Dayton D	Oct. 1-10	Any bull	EM	GMU 162	2
Tucannon B	Oct. 1-10	Any bull	EM	Elk Area 1014	1
Wenaha B	Oct. 1-10	Any bull	EM	GMU 169	2
Mountain View C	Oct. 1-10	Any bull	EM	GMU 172	1
Couse D	Oct. 1-10	Any bull	EM	GMU 181	1
Mission B	Oct. 1-10	Any bull	EM	GMU 251	3
Colockum C	Oct. 1-10	Any bull	EM	GMUs 328, 329	
Teanaway C	Dec. 9-22	Any elk	EM	GMU 335	2
Peaches Ridge B	Oct. 1-10	Any bull	EM	GMUs 336, 346	22
Observatory B	Oct. 1-10	Any bull	EM	GMUs 340, 342	25
Goose Prairie B	Oct. 1-10	Any bull	EM	GMUs 352, 356	15
Bethel C	Oct. 1-10	Any bull	EM	GMU 360	9
Rimrock C	Oct. 1-10	Any bull	EM	GMU 364	17
Cowiche C	Oct. 1-10	Any bull	EM	GMU 368	9
Klickitat Meadows C	Oct. 1-10	Any bull	EM	Elk Area 3068	1
Margaret C	Oct. 7-13	Any bull	WM	GMU 524	5
Toutle C	Oct. 7-13	Any bull	WM	GMU 556	17
Olympic B	Oct. 4-10	Any bull	WM	GMU 621, EXCEPT for Elk Area 6071	3
Skokomish B	Oct. 4-10	Any bull	WM	GMU 636	3

Hunt Name	Permit Season Dates	Special Restrictions	Elk Tag Prefix	Boundary Description	Permits
White River B	Oct. 1-10	Any bull	WM	GMU 653	
<b>Muzzleloader Permit Hunts (Only muzzleloader elk tag holders may apply.)</b>					
Aladdin B	Oct. 7-13	Any elk	EM	GMU 111	10
Selkirk B	Oct. 7-13	Any elk	EM	GMU 113	10
49 Degrees North	Oct. 7-13	Any elk	EM	GMU 117	10
Blue Creek D	Dec. 9-Jan. 30, 2007	Antlerless	EM	GMUs 149, 154	60
Mountain View D	Oct. 1-10	Antlerless	EM	Elk Area 1013	25
Lick Creek B	Oct. 1-10	Antlerless	EM	GMU 175	25
Couse E	Dec. 1-31	Antlerless	EM	GMU 181	50
Couse F	Jan. 1-30, 2007	Antlerless	EM	GMU 181	50
Malaga G	Oct. 1-21	Antlerless	EM	Elk Area 2032	100
Malaga H	Oct. 1-21	Any elk	EM	Elk Area 2032	15
West Bar C	Oct. 1-10	Antlerless	EM	GMU 330	5
Taneum B	Oct. 7-13	Antlerless	EM	GMU 336	25
Manastash B	Oct. 7-13	Antlerless	EM	GMU 340	25
Umtanum B	Oct. 7-13	Antlerless	EM	GMU 342	250
Nile B	Oct. 7-13	Antlerless	EM	GMU 352	40
Bumping B	Oct. 7-13	Antlerless	EM	GMU 356	90
Bethel D	Oct. 7-13	Antlerless	EM	GMU 360	40
Cowiche D	Oct. 7-13	Antlerless	EM	GMU 368	225
Klickitat Meadows D	Oct. 7-13	Spike bull or antlerless	EM	Elk Area 3068	4
Alkali B	Oct. 1-15	Any elk	EM	GMU 371	15
Stella A	Nov. 24-Dec. 15	Antlerless	WM	GMU 504	75
Stella B	Jan. 1-16, 2007	Antlerless	WM	GMU 504	50
Toledo A	Dec. 7-20	Antlerless	WM	Elk Area 5029	30
Mossyrock A	Jan. 1-16, 2007	Antlerless	WM	Elk Area 5052	20
Randle A	Jan. 1-16, 2007	Antlerless	WM	Elk Area 5053	15
Boistfort A	Jan. 1-16, 2007	Antlerless	WM	Elk Area 5054	40
Willapa Hills B	Nov. 22-Dec. 15	Antlerless	WM	GMU 506	15
Green Mt. A	Jan. 1-16, 2007	Antlerless	WM	Elk Area 5051	30
Winston B	Nov. 22-Dec. 15	Antlerless	WM	GMU 520	3
Margaret D	Nov. 22-Dec. 15	Antlerless	WM	GMU 524	10
Ryderwood B	Oct. 7-13	Antlerless	WM	GMU 530	8
Coweeman B	Nov. 22-Dec. 15	Antlerless	WM	GMU 550	5
Toutle D	Nov. 22-Dec. 15	Antlerless	WM	GMU 556	10
Lewis River B	Oct. 7-13	Antlerless	WM	GMU 560	25
Siouxon B	Oct. 7-13	Antlerless	WM	GMU 572	10
Yale	Nov. 22 – Dec. 15	3 pt. min. or antlerless	WM	GMU 554	75
Twin Satsop A	Jan. 5-15, 2007	Antlerless	WM	Elk Area 6061	10
Mashel A	Jan. 1-15, 2007	Antlerless	WM	Elk Area 6054	25
North River	Nov. 26-Dec. 15	Antlerless	WM	GMU 658	20
North Minot B	Oct. 1-7	Antlerless	WM	Elk Area 6067	60
Raymond E	Oct. 1-31	Antlerless	WM	Elk Area 6010	30
Chehalis Valley	Jan. 1-30, 2007	Antlerless	WM	Elk Area 6066	15

Hunt Name	Permit Season Dates	Special Restrictions	Elk Tag Prefix	Boundary Description	Permits
Capitol Peak A	Nov. 19-Dec. 15	Antlerless	WM	GMU 663	10
Capitol Peak B	Dec. 16-31	Antlerless	WM	GMU 663	10
Tri Valley B	Dec. 1-Jan. 30, 2007	Antlerless	WM	Elk Area 6012	30
<b>Archery Permit Hunts (Only archery elk tag holders may apply.)</b>					
Note: Fire closures may limit access during September seasons.					
Prescott D	Sept. 8-21	Any bull	EA	GMU 149	1
Blue Creek E	Sept. 8-21	Any bull	EA	GMU 154	1
Dayton E	Sept. 8-21	Any bull	EA	GMU 162	4
Tucannon C	Sept. 8-21	Any bull	EA	Elk Area 1014	2
Wenaha C	Sept. 8-21	Any bull	EA	GMU 169	2
Mountain View E	Sept. 8-21	Any bull	EA	GMU 172	2
Couse G	Sept. 8-21	Any bull	EA	GMU 181	1
Colockum D	Sept. 8-21	Any bull	EA	GMUs 328, 329	
Teanaway E	Nov. 20-Dec. 8	Any bull	EA	GMU 335	13
Peaches Ridge C	Sept. 8-21	Any bull	EA	GMUs 336, 346	144
Observatory C	Sept. 8-21	Any elk	EA	GMUs 340, 342	93
Goose Prairie C	Sept. 8-21	Any bull	EA	GMUs 352, 356	170
Bethel E	Sept. 8-21	Any bull	EA	GMU 360	45
Rimrock D	Sept. 8-21	Any bull	EA	GMU 364	112
Cowiche E	Sept. 8-21	Any bull	EA	GMU 368	24
Klickitat Meadows E	Sept. 8-21	Any bull	EA	Elk Area 3068	1
Klickitat Meadows F	Sept. 8-21	Spike bull or antlerless	EA	Elk Area 3068	9
Malaga I	Sept. 1-7	Antlerless	EA	Elk Area 2032	50
Peshastin G	Sept. 1-14	Any elk	EA	Elk Area 2033	30
Margaret E	Sept. 15-30	Any bull	WA	GMU 524	10
Toutle E	Sept. 15-30	Any bull	WA	GMU 556	55
Olympic C	Sept. 8-21	Any bull	WA	GMU 621, EXCEPT for Elk Area 6071	6
White River C	Sept. 8-21	Any bull	WA	GMU 653	
Skokomish C	Sept. 8-21	Any bull	WA	GMU 636	10
<b>Advanced Hunter Education (AHE) Master Hunter Special Elk Permit Hunts:</b>					
<b>Only AHE master hunters may apply; antlerless only hunts will not affect accumulated points; and any weapon may be used.</b>					
Malaga J	Feb. 1-March 31, 2007	Any elk	Any elk tag	Elk Area 2032	30 <sup>HM</sup>
Peshastin F	Aug. 18-31	Any elk	Any elk tag	Elk Area 2033	5
Mossyrock B	Jan. 17-30, 2007	Antlerless	Any elk tag	Elk Area 5052	20
Randle B	Jan. 17-30, 2007	Antlerless	Any elk tag	Elk Area 5053	15
Quinault Ridge	Oct. 1-10	3 pt. min. or antlerless	Any elk tag	GMU 638	5
Green Mt. B	Jan. 17-30, 2007	Antlerless	Any elk tag	Elk Area 5051	20
Merwin A	Nov. 24-Dec 15	Antlerless	Any elk tag	Elk Area 5060	10
Merwin B	Jan. 17-30, 2007	Antlerless	Any elk tag	Elk Area 5060	10
<b>Advanced Hunter Education (AHE) Master Hunter, Second Elk Tag Hunts:</b>					
<b>Only AHE Master Hunters may apply; these hunts will not affect accumulated points; a second tag may be purchased by successful applicants as needed (second tag purchase deadlines do not apply to these hunts); and any weapon may be used.</b>					

Hunt Name	Permit Season Dates	Special Restrictions	Elk Tag Prefix	Boundary Description	Permits
Malaga K	Feb. 1-Mar. 31, 2007	Antlerless	Any elk tag	Elk Area 2032	30 <sup>HM</sup>
Fairview A	Feb. 1-28, 2007	Antlerless	Any elk tag	Elk Area 3911	20 <sup>HM</sup>
Rattlesnake Hills	Aug. 1-Feb. 28, 2007	Antlerless	Any elk tag	Designated areas in GMU 372	20 <sup>HM</sup>
Corral Canyon A	Aug. 1-Sept. 14	Spike bull or antlerless	Any elk tag	Elk Area 3721	10
Corral Canyon B	Sept. 15-Oct. 15	Spike bull or antlerless	Any elk tag	Elk Area 3721	10
Corral Canyon C	Nov. 15-March 31, 2007	Spike bull or antlerless	Any elk tag	Elk Area 3721	20
Corral Canyon D	June 15-July 31	Any bull except spike bull only July 1-31	Any elk tag	Elk Area 3721	10 <sup>HM</sup>
Blackrock A	Aug. 1-March 31, 2007	Antlerless	Any elk tag	Elk Area 3722	18 <sup>HM</sup>
Toledo B	Dec. 21-31	Antlerless	Any elk tag	Elk Area 5029	20
Toledo C	Aug. 1-7	Antlerless	Any archery elk tag	Elk Area 5029	5
Toledo D	Aug 8-14	Antlerless	Any archery elk tag	Elk Area 5029	5
Toledo E	Aug 15-21	Antlerless	Any archery elk tag	Elk Area 5029	5
Toledo F	Aug 22-28	Antlerless	Any archery elk tag	Elk Area 5029	5
Boistford B	Aug 1-7	Antlerless	Any archery elk tag	Elk Area 5054	5
Boistford C	Aug 8-14	Antlerless	Any archery elk tag	Elk Area 5054	5
Boistford D	Aug 15-21	Antlerless	Any archery elk tag	Elk Area 5054	5
Boistford E	Aug 22-28	Antlerless	Any archery elk tag	Elk Area 5054	5
JBH A*	Nov. 13-Nov. 17	Antlerless	Any elk tag	Elk Area 5090	5
JBH B*	Dec. 11-15	Antlerless	Any elk tag	Elk Area 5090	5
JBH C*	Dec. 16-Feb. 28, 2007	Antlerless	Any elk tag	Elk Area 5090	20 <sup>HM</sup>
Trout Lake A**	Sept. 1-7	Antlerless	Any elk tag	Elk Area 5062	5
Trout Lake B**	Oct. 1-7	Antlerless	Any elk tag	Elk Area 5062	5
Trout Lake C**	Nov. 20-30	Antlerless	Any elk tag	Elk Area 5062	5
Trout Lake D**	Dec. 1-14	Antlerless	Any elk tag	Elk Area 5062	5
Trout Lake E**	Jan. 15-30, 2007	Antlerless	Any elk tag	Elk Area 5062	5
North River B	Dec. 16-Feb. 28, 2007	Antlerless	Any elk tag	Designated areas in GMU 658	10 <sup>HM</sup>
Chehalis G	Aug. 1-Feb. 28, 2007	Antlerless	Any elk tag	Designated areas in Elk Area 6066	20 <sup>HM</sup>
Raymond F	Dec. 1-Feb. 28, 2007	Antlerless	Any elk tag	Elk Area 6010	10 <sup>HM</sup>
Hannaford C	Aug. 1-Feb. 28, 2007	Antlerless	Any elk tag	Designated areas in Elk Area 6069	5 <sup>HM</sup>
Dungeness A	Sept. 1-30	Antlerless	Any elk tag	Elk Area 6071	6
Dungeness B	Oct. 1-31	Antlerless	Any elk tag	Elk Area 6071	6

Hunt Name	Permit Season Dates	Special Restrictions	Elk Tag Prefix	Boundary Description	Permits
Dungeness C	Nov. 1-30	Antlerless	Any elk tag	Elk Area 6071	6
Dungeness D	Dec. 1-31	Antlerless	Any elk tag	Elk Area 6071	6
Dungeness E	Sept. 1-30	Any bull	Any elk tag	Elk Area 6071	2
Dungeness F	Oct. 1-31	Spike only	Any elk tag	Elk Area 6071	2
Dungeness G	Nov. 1-30	Any bull	Any elk tag	Elk Area 6071	2
Dungeness H	Dec. 1-31	Spike only	Any elk tag	Elk Area 6071	2
Dungeness I	Jan. 1-30, 2007	Any bull	Any elk tag	Elk Area 6071	2
Dungeness J	Feb. 1-28, 2007	Spike only	Any elk tag	Elk Area 6071	2
<b>Youth 15 and Under - Special Elk Permit Hunts</b>					
Blackrock B	Aug. 1-Mar. 31, 2007	Antlerless	Any elk tag	Elk Area 3722	10
Fairview B	Aug. 1-Feb. 28, 2007	Antlerless	Any elk tag	Elk Area 3911	10 <sup>HM</sup>
Dungeness K	Sept. 1-Feb. 28, 2007	Any elk	Any elk tag	Elk Area 6071	2
Sol Duck Valley	Aug. 1-Mar. 31, 2007	Antlerless	Any elk tag	Elk Area 6072	10
Clearwater Valley	Aug. 1-Mar. 31, 2007	Antlerless	Any elk tag	Elk Area 6073	5
<b>Persons of Disability Only - Special Elk Permit Hunts</b>					
Observatory D	Oct. 23-Nov. 5	Any elk	EF or EM	GMUs 340, 342	7
Little Naches C	Oct. 1-10	Any elk	EF, EM, EA	GMU 346	5
Little Naches D	Nov. 1-5	Antlerless	EF, EM, EA	GMU 346	8
Blackrock C	Aug. 1-Mar. 31, 2007	Antlerless	Any elk tag	Elk Area 3722	2
Fairview C	Aug. 1-Feb. 28, 2007	Antlerless	Any elk tag	Elk Area 3911	10 <sup>HM</sup>
Mudflow A	Nov. 6-12	Antlerless	Any elk tag	Elk Area 5099	5
Mudflow B	Nov. 20-26	Antlerless	Any elk tag	Elk Area 5099	5
Centralia Mine A	Oct. 23-24	Antlerless	Any elk tag	Elk Area 6011	2
Centralia Mine B	Oct. 30-31	Antlerless	Any elk tag	Elk Area 6011	2
North Shore B	Oct. 1-31	Antlerless	Any elk tag	Elk Area 6068	5
North Shore C	Dec. 16-31	Antlerless	Any elk tag	Elk Area 6068	5
North Shore D	Jan. 1-30, 2007	Antlerless	Any elk tag	Elk Area 6068	5
North Shore E	Feb. 1-28, 2007	Antlerless	Any elk tag	Elk Area 6068	5
Chehalis Valley F	Dec. 16-31	Antlerless	Any elk tag	Elk Area 6066	15
Hannaford A	Jan. 1-15, 2007	Antlerless	Any elk tag	Elk Area 6069	5
<b>Hunters 65 or older only - Special Elk Permit Hunts</b>					
Hannaford B	Jan. 16-30, 2007	Antlerless	Any elk tag	Elk Area 6069	5

\*Muzzleloaders only; scopes allowed in JBH hunt.

\*\*May only hunt on privately owned lands. Must use only archery or legal shotgun (10 or 12 gauge; slugs only).

<sup>HM</sup> This is a damage hunt administered by a WDFW designated Hunt Master. Successful applicants will be contacted on an as-needed basis to help with specific sites of elk damage on designated landowner's property. Not all successful applicants will be contacted in any given year depending on elk damage activity for that year.

<b>Hunter Education Instructor Incentive Permits</b>
<ul style="list-style-type: none"> <li>- Special elk permits will be allocated through a random drawing to those hunter education instructors that qualify. Permit hunters must use archery equipment during archery seasons, muzzleloader equipment during muzzleloader seasons, and any legal weapon during modern firearm seasons.</li> <li>- Qualifying hunter education instructors must be certified and have been in active status for a minimum of three consecutive years, inclusive of the year prior to the permit drawing.</li> <li>- Instructors who are drawn, accept a permit, and are able to participate in the hunt, will not be eligible for these incentive permits for a period of ten years thereafter.</li> <li>- Permittees may purchase a second license for use with the permit hunt only.</li> </ul>

Area	Dates	Restrictions	GMUs	Permits
Region 3	All general season and permit seasons established for GMUs included with the permit	Any elk	GMUs 335-368	2
Region 5		Any elk	All 500 series GMUs except GMU 522	1
Region 6		Any elk	GMUs 654, 660, 672, 673, 681	1

**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.

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

**WSR 06-06-096**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
 [Filed March 1, 2006, 11:29 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 06-02-096.

Title of Rule and Other Identifying Information: WAC 232-28-333 Game management units (GMUs) boundary descriptions—Region 3.

Hearing Location(s): Comfort Inn and Conference Center, 1620 74th Avenue S.W., Tumwater, WA 98501, (360) 596-9100, on April 7-8, 2006, at 8:00 a.m.

Date of Intended Adoption: April 7, 2006.

Submit Written Comments to: Attn: Wildlife Program Commission Meeting Public Comments, 600 Capitol Way North, Olympia, WA 98501-1091, e-mail Wildthing@dfw.wa.gov, fax (360) 902-2162, by Monday, March 24, 2006.

Assistance for Persons with Disabilities: Contact Nancy Burkhart by April 5, 2006, TTY (360) 902-2207 or (360) 902-2267.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: GMU boundary rules define legal hunting areas. GMUs require readily discernable boundaries to direct hunters to appropriate hunting areas. The change will allow the department to implement two different harvest strategies for deer in two different locations in the current GMU 381 and will also make the boundary for GMU 368 easier to distinguish. Adding GMU 388 to this WAC will better facilitate a management shift for deer in this GMU.

GMU 381 will be divided into two new GMUs to better deal with deer harvest and deer management in Franklin and Adams counties. Clarification language has been added to the boundary description for GMU 368 to make that boundary easier to discern. GMU 588 will be renumbered as GMU 388 and added to this WAC.

Reasons Supporting Proposal: Two separate harvest strategies are being used to manage the deer populations in GMU 381. Splitting the existing GMU into two separate GMUs will better facilitate those different hunting season structures. GMU boundary descriptions that are clearly understood and easily confirmed on the ground, reduces the number of unintentional hunting violations. The proposed boundary language move for GMU 388 will facilitate the

administration of a new management strategy for deer in this GMU.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

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

Name of Proponent: Washington fish and wildlife commission, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Natural Resources Building, Olympia, (360) 902-2504; and Enforcement: Bruce Bjork, Natural Resources Building, Olympia, (360) 902-2932.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules regulate recreational hunters and do not directly regulate small business.

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

March 1, 2006

Evan Jacoby

Rules Coordinator

AMENDATORY SECTION (Amending Order 05-271, filed 1/3/06, effective 2/3/06)

**WAC 232-28-333 Game management units (GMUs) boundary descriptions—Region three.**

**GMU 328-NANEUM (Kittitas and Chelan counties):**

Beginning US Hwy 97 and US Forest Service Rd 9716 at Blewitt ((Blewett)) Pass; E on US Forest Service Rd 9716 to US Forest Service Rd 9712 (Liberty-Beehive Rd); E on US Forest Service Rd 9712 (Liberty-Beehive Rd) to the Naneum Ridge (Chelan-Kittitas county line) at the west boundary of Section 22, T21N, R19E; SE along the Naneum Ridge (Chelan-Kittitas county line), past Mission Peak, to Naneum Ridge Rd (WA Dept. of Fish and Wildlife Rd 9) at Wenatchee Mountain; SE on Naneum Ridge Rd (WA Dept. of Fish and Wildlife Rd 9) to Colockum Pass Rd (WA Dept. of Fish and Wildlife Rd 10); S on Colockum Pass Rd (WA Dept. of Fish and Wildlife Rd 10) to the Highline Canal (North Branch Canal); NW along the Highline Canal (North Branch Canal) to Lower Green Canyon Rd; S on Lower Green Canyon Rd to US Hwy 97; N on US Hwy 97 to Blewett Pass and the point of beginning.



**GMU 329-QUILOMENE (Kittitas and Chelan counties):**

Beginning on the Columbia River at the mouth of Tarpiscan Creek; E from Tarpiscan Creek to the Douglas-Kittitas county line on the Columbia River; S along the Columbia River (Douglas-Kittitas county line) to a point north of Cape Horn; S from the Columbia River (Douglas-Kittitas county line) to Cape Horn; S up Cape Horn to its rim; SE along the top of Cape Horn and the rim of the West Bar Cliffs (cliffs overlooking West Bar) to WA Dept. of Fish and Wildlife Rd 14.14; E along WA Dept. of Fish and Wildlife Rd 14.14 to WA Dept. of Fish and Wildlife Rd 14.17; S along WA Dept. of Fish and Wildlife Rd 14.17 to WA Dept. of Fish and Wildlife Rd 14 rear gate; S on WA Dept. of Fish and Wildlife Rd 14 to Tekison Creek; SE along Tekison Creek its mouth on the Columbia River; E from Tekison Creek to the Grant-Kittitas county line on the Columbia River; S along Columbia River (Grant-Kittitas county line) to I-90 bridge at the town of Vantage; W along I-90 to Highline Canal (North Branch Canal); N on Highline Canal (North Branch Canal) to Colocum Rd (WA Dept. of Fish and Wildlife Rd 10); N on Colocum Rd to North Fork Tarpiscan Rd (WA Dept. of Fish and Wildlife Rd 10.10); E on North Fork Tarpiscan Rd to Tarpiscan Rd (WA Dept. of Fish and Wildlife Rd 14); S on Tarpiscan Rd (WA Dept. of Fish and Wildlife Rd 14) approximately 100 feet to Tarpiscan Creek; E down Tarpiscan Creek to its mouth on the Columbia River and the point of beginning.

**GMU 330-West Bar (Kittitas County):**

Beginning on the Columbia River at Cape Horn; S up Cape Horn to its rim; SE along the rim of Cape Horn and West Bar Cliffs (the cliffs overlooking West Bar) to WA Dept. of Fish and Wildlife Rd 14.14; E along Rd 14.14 to WA Dept. of Fish and Wildlife Rd 14.17; S along WA Dept. of Fish and Wildlife Rd 14.17 to WA Dept. of Fish and Wildlife Rd 14 near the gate; S on WA Dept. of Fish and Wildlife Rd. 14 to Tekison Creek; SE down Tekison Creek to its mouth on the Columbia River; E from Tekison Creek to the Kittitas-Grant county line on the Columbia River; N and W along the Columbia River (Kittitas-Grant then Kittitas-Douglas county lines) to a point north of Cape Horn; S from the aforesaid point in the Columbia River to Cape Horn and the point of beginning.

**GMU 334-ELLENSBURG (Kittitas County):**

Beginning on US Hwy 97 and Lower Green Canyon Rd; N on Lower Green Canyon Rd to Highline Canal; N, E and S along Highline Canal to I-90 and the Yakima Training Center boundary; S and W along the Yakima Training Center boundary to I-82; N on I-82 to Thrall Rd; W on Thrall Rd to Wilson Creek; S down Wilson Creek to Yakima River; N up Yakima River to Umptanum Rd; S up Umptanum Rd to the South Branch Extension Canal; W on South Branch Extension Canal to Bradshaw Rd; W on Bradshaw Rd to the elk fence; N along the elk fence to Taneum Creek; NE down Taneum Creek to the Yakima River; NE down the Yakima River to Thorp Hwy; NW along the Thorp Hwy to SR 10; SE on SR 10 to US Hwy 97 junction; N on US Hwy 97 to Lower Green Canyon Rd and point of beginning.

**GMU 335-TEANAWAY (Kittitas County):**

Beginning at I-90 and US Forest Service Trail 2000 (Pacific Crest Trail) at Snoqualmie Pass; N on US Forest Service Trail 2000 (Pacific Crest Trail) to the Alpine Lakes Wilderness boundary; E on the Alpine Lakes Wilderness boundary to the Chelan-Kittitas county line; E on US Forest Service Trail 1226 to US Hwy 97 at Blewett Pass; S on US Hwy 97 to SR 10; N and W on SR 10 to Thorp Hwy; SE on Thorp Hwy to Yakima River; SW up the Yakima River to Taneum Creek; SW up Taneum Creek to I-90; W on I-90 to US Forest Service Trail 2000 (Pacific Crest Trail) at Snoqualmie Pass and the point of beginning.

**GMU 336-TANEUM (Kittitas County):**

Beginning at US Forest Service Trail 2000 (Pacific Crest Trail) and I-90 at Snoqualmie Pass; E on I-90 to Taneum Creek; W up Taneum Creek to the south fork of Taneum Creek; W up the south fork of Taneum Creek to US Forest Service Trail 1367; W on US Forest Service Trail 1367 to US Forest Service Trail 1363; S on US Forest Trail 1363 (Peaches Ridge Trail) to US Forest Service Trail 1388; W on US Forest Service Trail 1388 to US Forest Service Trail 2000 (Pacific Crest Trail) to Blowout Mountain; N on US Forest Service Trail 2000 (Pacific Crest Trail) to I-90 at Snoqualmie Pass and the point of beginning.

**GMU 340-MANASTASH (Kittitas County):**

Beginning at I-82 and SR 821; N on SR 821 to SR 823 (Harrison Rd); W on SR 823 (Harrison Rd) to Yakima River; N up Yakima River to Umtanum Creek; W up Umtanum Creek to Ellensburg-Wenas Rd; W and S along Ellensburg-Wenas Rd to North Fork Wenas Rd (Audubon Rd, W5000); NW along North Fork Wenas Rd to Barber Springs Rd; W on Barber Springs Rd to US Forest Service Trail 4W694; NW on US Forest Service Trail 4W694 to US Forest Service Trail 4W307; NW on US Forest Service Trail 4W307 to US Forest Service Trail 1388; NW on US Forest Service Trail 1388 to US Forest Service Trail 4W306; NW on US Forest Service Trail 4W306 to US Forest Service Trail 1388 at Quartz Mountain; NW along US Forest Service Rd 1388 to US Forest Service Trail 1363 (Peaches Ridge Trail); N and E along US Forest Service Trail 1363 (Peaches Ridge Trail) to US Forest Service Trail 1367; SE along US Forest Service 1367 to South Fork Taneum Creek; E down the South Fork Taneum Creek to Taneum Creek; E down Taneum Creek to the elk fence; SE along the elk fence to Bradshaw Rd; E on Bradshaw Rd to South Branch Extension Canal; SE along the South Branch Extension Canal to Umtanum Rd; N on Umtanum Rd to Yakima River; S down the Yakima River to Wilson Creek; NE up Wilson Creek to Thrall Rd; E on Thrall Rd to I-82; SE and SW on I-82 to SR 821 and the point of beginning.

**GMU 342-UMTANUM (Kittitas and Yakima counties):**

Beginning at US Forest Service Rd 1701 and Barber Springs Rd (WA Dept. of Natural Resources Rd W5000) at T17N, R15E, NE 1/4 of Section 12; SE on Barber Springs Rd to the North Fork Wenas Rd (Audubon Rd); SE on the North Fork Wenas Rd to Wenas-Ellensburg Rd; NE on Wenas-Ellensburg Rd to Umtanum Creek; E down the Umtanum Creek to the Yakima River; S down the Yakima River to I-82; SE on I-82 to US Hwy 12 at the city of Yakima; NW on US Hwy 12

to SR 410; NW on SR 410 to US Forest Service Rd 1701; N on US Forest Service Rd 1701 to Barber Spring Rd-US Forest Service Trail 4W694 intersection and the point of beginning.

**GMU 346-LITTLE NACHES (Yakima and Kittitas counties):**

Beginning at US Forest Service Rd 1388 and US Forest Service Trail 2000 (Pacific Crest Trail) at Blowout Mountain; SE on US Forest Service Rd 1388 to US Forest Service Trail 4W306; SE on US Forest Service Trail 4W306 to US Forest Service Trail 1388; SE on US Forest Service Trail 1388 to US Forest Service Trail 4W307; SE on US Forest Service Trail 4W307 to US Forest Service Trail 4W694; E on US Forest Service Trail 4W694 to US Forest Service Rd 1701 (T17N, R15E, NW 1/4 of Section 12); S on US Forest Service Rd 1701 to SR 410; NW and SW on SR 410 to US Forest Service Trail 2000 (Pacific Crest Trail) near Chinook Pass; N on US Forest Service Trail 2000 (Pacific Crest Trail) to US Forest Service Rd 1388 at Blowout Mountain and the point of beginning.

**GMU 352-NILE (Yakima County):**

Beginning on the Bumping Lake Rd and SR 410; E and S on SR 410 to the Lower Nile Loop Rd; W and N on the Lower Nile Loop Rd to US Forest Service Rd 1500; W on US Forest Service Rd 1500 to US Forest Service Rd 1502 (McDaniel Lake Rd); W on the US Forest Service Rd 1502 (McDaniel Lake Rd) to Rattlesnake Creek; N down Rattlesnake Creek to the North Fork of Rattlesnake Creek; W up the North Fork of Rattlesnake Creek to US Forest Service Trail 973 (Richmond Mine Rd); N on US Forest Service Trail 973 (Richmond Mine Trail) to US Forest Service Rd 1800 (Bumping Lake Rd); N on the US Forest Service Rd 1800 (Bumping Lake Rd) to SR 410 and the point of beginning.

**GMU 356-BUMPING (Yakima County):**

Beginning on US Forest Service Trail 2000 (Pacific Crest Trail) and SR 410 at Chinook Pass; NE on SR 410 to US Forest Service Rd 1800 (Bumping Lake Rd); SW on the US Forest Service Rd 1800 (Bumping Lake Rd) to US Forest Service Trail 973 (Richmond Mine Rd); SE on US Forest Service Trail 973 (Richmond Mine Rd) to the north fork of Rattlesnake Creek; SE down the north fork of Rattlesnake Creek to US Forest Service Rd 1502 (McDaniel Lake Rd); SE on US Forest Service Rd 1502 (McDaniel Lake Rd) to US Forest Service Rd 1500; S on US Forest Service Rd 1500 to US Hwy 12; W on US Hwy 12 to US Forest Service Trail 2000 (Pacific Crest Trail) at White Pass; N on the US Forest Service Trail 2000 (Pacific Crest Trail) to SR 410 at Chinook Pass and the point of beginning. (Lands within the boundary of Mt. Rainier National Park along the Pacific Crest Trail are not open to hunting.)

**GMU 360-BETHEL (Yakima County):**

Beginning on SR 410 and the Lower Nile Loop Rd; SE on SR 410 to US Hwy 12; SW on US Hwy 12 to US Forest Service Rd 1500; N and E on US Forest Service Rd 1500 to Nile Loop Rd; SE on Nile Loop Rd to SR 410, southeast of the town of Nile, and the point of beginning.

**GMU 364-RIMROCK (Yakima County):**

Beginning on US Forest Service Trail 2000 (Pacific Crest Trail) and US Hwy 12 at White Pass; E on US Hwy 12 to US Forest Service 1302 (Jump Off Rd) at Windy Point; SW on US Forest Service 1302 (Jump Off Rd) to US Forest Service Trail 1127, southeast of the Jump Off Lookout; SW on US Forest Service Trail 1127 to US Forest Service Rd 613; SW on US Forest Service Rd 613 to US Forest Service Rd 1020; SW on US Forest Service Rd 1020 to US Forest Service Rd 615; SW on US Forest Service Rd 615 to US Forest Service Trail 1136; SW on US Forest Service Trail 1136 to its southernmost point; W from US Forest Service Trail 1136 to Spenser Point; NW on the Yakima Indian reservation boundary from Spenser Point to the US Forest Service Trail 2000 (Pacific Crest Trail); N on the US Forest Service Trail 2000 (Pacific Crest Trail) to US Hwy 12 at White Pass and the point of beginning.

**GMU 368-COWICHE (Yakima County):**

Beginning on US Hwy 12 to US Forest Service Rd 1302 (Jump Off Rd) at Windy Point; NE and SE on US Hwy 12 to I-82; NW on I-82 to the Yakima River; S down the Yakima River to Ahtanum Creek; W up Ahtanum Creek to the south fork of Ahtanum Creek; SW up the south fork of Ahtanum Creek to its junction with Reservation Creek; SW up Reservation Creek ~~((to its headwaters))~~ and the Yakima Indian Reservation boundary to the main divide between the Diamond Fork drainage and Ahtanum Creek drainage; N along the crest of the main divide between the Diamond Fork drainage and the Ahtanum Creek drainage to Darland Mountain; NE on US Forest Service Trail 615 to US Forest Service Rd 1020; NE on US Forest Service Rd 1020 to US Forest Service Rd 613; NE on US Forest Service Rd 613 to US Forest Service Trail 1127; NE on US Forest Service Trail 1127 to US Forest Service Rd 1302 (Jump Off Rd), SE of the Jump Off Lookout Station; NE on US Forest Service Rd 1302 (Jump Off Rd) to US Hwy 12 and the point of beginning.

**GMU 371-ALKALI (Kittitas and Yakima counties):**

Beginning at the Vantage Bridge where I-90 crosses the Columbia River; S down the Columbia River (Kittitas-Grant and Grant-Yakima county line) to the Priest Rapids Dam; NW on the southern shore of the Columbia River (Priest Rapids Lake) to the Yakima Training Center boundary; S and W along the Yakima Training Center boundary to the main gate on Firing Center Rd; W along Firing Center Rd to I-82; N along I-82 to Yakima Training Center boundary at Vanderbilt Gap; N and E along the Yakima Training Center boundary to I-90; E on I-90 to the Vantage Bridge on Columbia River and the point of beginning.

**GMU 372 RATTLESNAKE HILLS (Benton and Yakima counties):**

Beginning at southern corner of Yakima Training Center border on the Columbia River, northwest of the Priest Rapids Dam; SE on the southern shore of the Columbia River (Priest Rapids Lake) to the Priest Rapids Dam; E along the Columbia River (Yakima-Grant, Grant-Benton county lines) to the Vernita Bridge on SR 24; E and S down the Benton County side of the Columbia River, following the ordinary high water mark of the shoreline, to the mouth of the Yakima River; NW up the Yakima River to SR 823 (Harrison Rd)

south of the town of Pomona; E along SR 823 (Harrison Rd) to SR 821; SE on SR 821 to Firing Center Rd at I-82; E on Firing Center Rd to the main gate of the Yakima Training Center; S and E along the Yakima Training Center boundary to southern corner of the Yakima Training Center boundary on the Columbia River and the point of beginning.

**GMU 373-HORSE HEAVEN (Benton and Yakima counties):**

Beginning at the mouth of the Yakima River and Columbia River; SE down the Columbia River (Franklin-Benton and Benton-Walla Walla county lines) to the Washington-Oregon state line; W on the Columbia River (Washington-Oregon state line) from the southern junction of the Benton-Walla Walla county lines to Alder Creek (including all islands in the Columbia River north of the Oregon state line and between Alder Creek and the junction of the Benton-Walla Walla county lines); N on Alder Creek to SR 14; E on SR 14 to Alderdale Rd; N on the Alderdale Rd to Ridge Rd; W and S on Ridge Rd to Donaho Rd; W on Donaho Rd to Mabton-Bickleton Hwy (Glade Rd); N on Mabton-Bickleton Rd to the power transmission lines; SW on the power transmission lines to the power line access road in Section 3, T6N, R20E; N on power line access road to Yakama reservation Road 272 at the Yakama Indian reservation boundary; NE on the Yakama Indian reservation boundary to the Mabton-Sunnyside Rd; N on the Mabton-Sunnyside Rd to the Yakima River; E along the Yakima River the point of beginning.

**GMU 379-Ringold (Franklin, Grant, and Adams Counties):**

Beginning at the Vernita bridge on SR 24 and the west shore of the Columbia River (Grant/Benton County line); N and E on SR 24 to Muse Rd; E on Muse Rd to Mail Rd; E on Mail Rd to Scootney Rd; N on Scootney Rd to SR 17; S on SR 17 to US 395; S on US 395 through Pasco (via westbound I-182) to the US 395 blue bridge and the Franklin/Benton County line in the Columbia River; W and N along the Columbia River (Benton/Franklin County line) to the Vernita bridge and the point of beginning.

**GMU 381-((~~ESQUATZEL~~)) Kahlotus (Franklin(~~Grant~~) and Adams counties):**

~~Beginning at the ((Vernita Bridge on SR 24 and the west shore of the Columbia River Grant-Benton county line; N and E on SR 24 to Muse Rd; E on Muse Rd to Mail Rd; E on Mail Rd to Scootney Rd; N on Scootney Rd to SR 17;)) junction of SR 17 and SR 26; ((N on SR 17 to SR 26;)) E on SR 26 to Old SR 26; E on Old SR 26 to the Palouse River (Whitman-Franklin county line); S down the Palouse River to Snake River (Franklin-Walla Walla county line); W and SW down the Snake River to the Columbia River (Franklin-Benton-Walla Walla county line junction); NW up the Columbia River (Franklin-Benton county line) to ((a point northeast of the mouth of the Yakima River where it joins the Columbia River; SW to the mouth of the Yakima River; N and W up the Benton county side of the Columbia River, following the ordinary high water mark of the shoreline, to the mouth of the Vernita Bridge on SR 24 and the point of beginning. (Certain portions of the Hanford Reach National Monument are closed to public entry. The Hanford Nuclear Reservation and the Saddle Mountain National Wildlife Refuge are closed to~~

~~unauthorized public entry.)) the US 395 blue bridge; N on US 395 through Pasco (via eastbound I-182) to SR 17; N on SR 17 to the SR 26 junction and the point of beginning.~~

**GMU 382-EAST KLICKITAT (Klickitat County):**

Beginning at the US Hwy 97 Bridge on the Columbia River at the town of Maryhill; N on US Hwy 97 to the Yakama Indian reservation at Satus Pass; E along the Yakama Indian reservation boundary to Yakama Reservation Rd 272 and the power line access road; S and E on the power line access road to the electrical transmission lines; N and E on the electrical transmission lines to the Mabton-Bickleton Hwy (Glade Rd); S on the Mabton-Bickleton Hwy to Donaho Rd; E on Donaho Rd to Ridge Rd; E and N on Ridge Rd to Alderdale Rd; SE and S on Alderdale Rd to SR 14; W on SR 14 to Alder Creek; S down Alder Creek to the Columbia River; W down the Columbia River to the US Hwy 97 Bridge at the town of Maryhill and the point of beginning including all islands in the Columbia River both north of the Washington-Oregon state line and between Alder Creek and the US Hwy 97 Bridge at Maryhill.

**GMU 388-GRAYBACK (Klickitat County):**

Beginning at the US Hwy 97 bridge crossing the Columbia River; W down the Columbia River to the mouth of the Klickitat River at the town of Lyle (including all islands in the Columbia River which are both north of the Washington State line and between the US Hwy 97 bridge and the Klickitat River); N up the Klickitat River to the Fisher Hill Rd (P-2000) at the Fisher Hill bridge; N along Fisher Hill Rd to Lakeside Rd; S on Lakeside Rd to Glenwood-Goldendale Hwy; E and SE on Glenwood-Goldendale Hwy to Summit Creek Rd; NE on Summit Creek Rd to the Yakama Indian Reservation; E along the southern boundary of the Yakama Indian Reservation to US Hwy 97 (Satus Pass Hwy); S on US Hwy 97 to US Hwy 97 bridge crossing the Columbia River and the point of beginning.

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

**Reviser's note:** The typographical 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 06-06-097**

**PROPOSED RULES**

**DEPARTMENT OF  
FISH AND WILDLIFE**

[Filed March 1, 2006, 11:30 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 06-02-096.

Title of Rule and Other Identifying Information: WAC 232-28-335 Game management units (GMUs) boundary descriptions—Region 5.

Hearing Location(s): Comfort Inn and Conference Center, 1620 74th Avenue S.W., Tumwater, WA 98501, (360) 596-9100, on April 7-8, 2006, at 8:00 a.m.

Date of Intended Adoption: April 7, 2006.

Submit Written Comments to: Attn: Wildlife Program Commission Meeting Public Comments, 600 Capitol Way North, Olympia, WA 98501-1091, e-mail Wildthing@dfw.wa.gov, fax (360) 902-2162, by Monday, March 24, 2006.

Assistance for Persons with Disabilities: Contact Nancy Burkhart by April 5, 2006, TTY (360) 902-2207 or (360) 902-2267.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: GMU boundary rules define legal hunting areas. The GMUs need readily discernable boundaries to direct hunters to appropriate hunting areas. Season dates, bag limits, antler restrictions, and other hunting season regulations are typically specified at the GMU scale. Renumbering the GMU to 388 and moving it to the Region 3 WAC (WAC 232-28-333) will better facilitate a management shift for deer in this GMU.

Reasons Supporting Proposal: The proposed boundary language move will facilitate the administration of a new management strategy for deer in this GMU.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

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

Name of Proponent: Washington fish and wildlife commission, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Natural Resources Building, Olympia, (360) 902-2504; and Enforcement: Bruce Bjork, Natural Resources Building, Olympia, (360) 902-2932.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules regulate recreational hunters and do not directly regulate small business.

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

March 1, 2006  
Evan Jacoby  
Rules Coordinator

AMENDATORY SECTION (Amending Order 05-271, filed 1/3/06, effective 2/3/06)

**WAC 232-28-335 Game management units (GMUs) boundary descriptions—Region five.**

**GMU 501-LINCOLN (Lewis, Thurston, Pacific, and Grays Harbor counties):**

Beginning at the intersection of I-5 and SR 6; west on SR 6 to Stevens Rd; NW on Stevens Rd to Elk Creek Rd at the town of Doty; W on Elk Creek Rd to Weyerhaeuser 7000 line; W and N on Weyerhaeuser 7000 line to Weyerhaeuser 7400 line; N on Weyerhaeuser 7400 line to Weyerhaeuser 7050 line; NE on Weyerhaeuser 7050 line to Weyerhaeuser 7000 line; NW and N on Weyerhaeuser 7000 line to the Weyerhaeuser 7800 line; N on Weyerhaeuser 7800 line to Weyerhaeuser 7800 F line; NE on Weyerhaeuser 7800 F line to Weyerhaeuser 720 line; E on Weyerhaeuser 720 line to Weyerhaeuser 723 line; NW on Weyerhaeuser 723 line to the Weyerhaeuser C line; NE on Weyerhaeuser C line to Garrard

Creek Rd; NE on Garrard Creek Rd to South Bank Rd; E on South Bank Rd to North State St; N on North State St to US Hwy 12 at the town of Oakville; E on US Hwy 12 to I-5; S on I-5 to SR 6 and point of beginning.

**GMU 503-RANDLE (Lewis County):**

Beginning at the intersection of US Hwy 12 and the Rainier Timber 100 Mainline (Kosmos Rd, Old Champion Haul Rd); E on US Hwy 12 to SR 131; S on SR 131 to US Forest Service Rd 25; S on the US Forest Service Rd 25 to the Cispus River; W on the Cispus River to Rainier Timber 271 line; S on the Rainier Timber 271 line to the Rainier Timber 300 line; W on the Rainier Timber 300 line to the Rainier Timber 100 line; N on the Rainier Timber 100 line (Kosmos Rd) to US Hwy 12 and the point of beginning.

**GMU 504-STELLA (Cowlitz County):**

Beginning at the mouth of the Cowlitz River on the Columbia River; W down the Columbia River to the mouth of Germany Creek (including all islands in the Columbia River which are both north of the Washington-Oregon state line and between the Cowlitz River and Germany Creek); N up Germany Creek to SR 4; E on SR 4 to Germany Creek Rd; N on Germany Creek Rd to International Paper 1000 line; N on International Paper 1000 line to International Paper 1050 line; E on International Paper 1050 line to International Paper 2200 line; E and S on International Paper 2200 to Woodside Dr; NE on Woodside Dr to Delameter Rd; E on Delameter Rd to the three power lines; N along the three power lines to Weyerhaeuser 9312 line; E on Weyerhaeuser 9312 line to Growlers Gulch Rd; E on Growlers Gulch Rd to Public Highway 10 Rd; E along the Public Highway 10 Rd to the A Street bridge over the Cowlitz River at the town of Castle Rock; S down the Cowlitz River to the Columbia River and point of beginning.

**GMU 505-MOSSYROCK (Lewis County):**

Beginning on I-5 and the Cowlitz River; NE up the Cowlitz River to the Mayfield Dam; NE along the south shore of Mayfield Lake to the US Hwy 12 bridge; NE on US Hwy 12 to Winston Creek Rd; SE on Winston Creek Rd to Longbell Rd; E on Longbell Rd to Perkins Rd; NE on Perkins Rd to Green Mountain Rd; E on Green Mountain Rd to the outlet of Swofford Pond; E along the Swofford Pond outlet to Riffe Lake; E along the south shore of Riffe Lake to the Cowlitz River; up the Cowlitz River to the Rainier Timber 100 Mainline; N on the Rainier Timber 100 Mainline to US Hwy 12; W on US Hwy 12 to SR 7 at the town of Morton; N on SR 7 to SR 508; W on Highway 508 to Centralia-Alpha Rd; W and N on Centralia-Alpha Rd to Salzer Valley Rd; W on Salzer Valley Rd to Summa St at the town of Centralia; W on Summa St to Kresky Rd; N on Kresky Rd to Tower St; N on Tower St to SR 507; W on SR 507 (Cherry St, Alder St, and Mellen St) to I-5; S on I-5 to the Cowlitz River and point of beginning.

**GMU 506-WILLAPA HILLS (Wahkiakum, Pacific and Lewis counties):**

Beginning at SR 6 and 3rd St South at the town of Pe Ell; S on 3rd St South to Muller Rd; S on Muller Rd to Weyerhaeuser 1000 line; S on Weyerhaeuser 1000 line to Weyerhaeuser 1800 line; S on Weyerhaeuser 1800 line to Weyerhaeuser 500 line; SE on Weyerhaeuser 500 line to SR 407 (Elo-

choman Valley Rd) at Camp 2; S on SR 407 (Elochoman Valley Rd) to the Elochoman River; down the Elochoman River to Foster Rd; N on Foster Rd to Risk Rd; W and N along Risk Rd to SR 4; W on SR 4 to Skamokawa Creek; SW down Skamokawa Creek to the Columbia River; W along Columbia River to the mouth of the Deep River (including all islands in the Columbia River which are both north of the Washington state line and between Skamokawa Creek and Deep River); N along the Deep River to SR 4; NW on SR 4 to the Salmon Creek Rd; NE on Salmon Creek Rd to Weyerhaeuser 5000 line; N on Weyerhaeuser 5000 line to Weyerhaeuser 5800 line; NE on Weyerhaeuser 5800 line to power transmission line; N on the power transmission line to SR 6; E on SR 6 to the town of Pe Ell and the point of beginning.

**GMU 510-STORMKING (Lewis County):**

Beginning on US Hwy 12 at the Silver Creek bridge; N up Silver Creek to Silverbrook Rd; E on Silverbrook Rd to US Forest Service Rd 47; N on US Forest Service Rd 47 to US Forest Service Rd 85; W and N on US Forest Service Rd 85 to US Forest Service Rd 52; N on US Forest Service Rd 52 to the Nisqually River; W down the Nisqually River to SR 7; S on Hwy 7 to US Hwy 12 at the town of Morton; E on US Hwy 12 to the Silver Creek bridge and point of beginning.

**GMU 513-SOUTH RAINIER (Lewis County):**

Beginning on US Hwy 12 at the Silver Creek bridge; N up Silver Creek to Silverbrook Rd; E on Silverdale Rd to US Forest Service Rd 47; N on US Forest Service Rd 47 to US Forest Service Rd 85; W and N on US Forest Service Rd 85 to US Forest Service Rd 52; W and N on US Forest Service Rd 52 to the Nisqually River; E up the Nisqually River to the southern boundary of Mount Rainier National Park; E along the south park boundary to the Pacific Crest Trail (US Forest Service Trail 2000); S along the Pacific Crest Trail (US Forest Service Trail 2000) to US Hwy 12; W on US Hwy 12 to the Silver Creek bridge and point of beginning.

**GMU 516-PACKWOOD (Lewis and Skamania counties):**

Beginning at US Hwy 12 and Pacific Crest Trail at White Pass; S on Pacific Crest Trail (US Forest Service Trail 2000) to US Forest Service Trail 98 at Sheep Lake; W on US Forest Service Trail 98 to US Forest Service Rd 2160 at Walupt Lake; W on US Forest Service Rd 2160 to US Forest Service Rd 21; S and W on US Forest Service Rd 21 to US Forest Service Rd 23; S on US Forest Service Rd 23 to US Forest Service Trail 263; S and W on US Forest Service Trail 263 to US Forest Service Trail 261; S on US Forest Service Trail 261 to US Forest Service Trail 1; W on US Forest Service Trail 1 to US Forest Service Rd 99; W on US Forest Service Rd 99 to US Forest Service Rd 26; N on US Forest Service Rd 26 to US Forest Service Rd 2612; W on US Forest Service Rd 2612 to US Forest Service Trail 217; N and W on US Forest Service Trail 217 to Weyerhaeuser 2600 line; Weyerhaeuser 2600 line to Weyerhaeuser 2658 line; N on Weyerhaeuser 2658 line to Rainier Timber (Campbell Group) 430 line; N on Rainier Timber 430 line to the Rainier Timber Mainline 400 line; N and E on Rainier Timber Mainline 400 line to Rainier Timber 300 line; E on Rainier Timber 300 line to Rainier Timber 271 line; N on Rainier Timber 271 line to the Cispus River; E on the Cispus River to US Forest Service Rd 25; N on US Forest Service Rd 25 to SR 131; N on SR 131 to

US Hwy 12; E on US Hwy 12 to the Pacific Crest Trail (US Forest Service Trail 2000) at White Pass and beginning.

**GMU 520-WINSTON (Cowlitz, Lewis and Skamania counties):**

Beginning at the bridge at intersection of I-5 and the Cowlitz River; S down the Cowlitz River to the Toutle River; E up the Toutle River to the South Fork Toutle River; SE up South Fork Toutle River to Johnson Creek; NE up Johnson Creek to Weyerhaeuser 4400 line; N along Weyerhaeuser 4400 line to Weyerhaeuser 2421 line; N along Weyerhaeuser 2421 line to Weyerhaeuser 2400 line; NW along Weyerhaeuser 2400 line to Alder Creek; NW down Alder Creek to North Fork Toutle River; W down the North Fork Toutle River to the Green River; E up the Green River to US Forest Service Rd 2612; E on US Forest Service Rd 2612 to US Forest Service Trail 217; N and W on US Forest Service Trail 217 to Weyerhaeuser 2600 line; W on Weyerhaeuser 2600 line to Weyerhaeuser 2658 line; N on Weyerhaeuser 2658 line to Rainier Timber (Campbell Group) 430 line; N on Rainier Timber 430 line to Rainier Timber 400 Mainline; N and E on Rainier Timber 400 Mainline to Rainier Timber 100 Mainline; N on Rainier Timber 100 Mainline to Cowlitz River; W down the Cowlitz River to Riffe Lake; W along the south shore to the Swofford Pond outlet; W along the Swofford Pond outlet to Green Mountain Rd; W on Green Mountain Rd to Perkins Rd; SW on Perkins Rd to Longbell Rd; W on Longbell Rd to Winston Creek Rd; NW on Winston Creek Rd to US Hwy 12; SW on US Hwy 12 to the Mayfield Lake bridge at Mayfield Lake; SW down the south shore of Mayfield Lake to the Cowlitz River at Mayfield Dam; SW down the Cowlitz River to I-5 bridge crossing the Cowlitz River and point of beginning.

**GMU 522-LOO-WIT (Cowlitz and Skamania counties):**

Beginning on the North Fork Toutle River at the mouth of Hoffstadt Creek; SE up the North Fork Toutle River to Deer Creek; SE up Deer Creek to Weyerhaeuser 3020 line; NW along Weyerhaeuser 3020 line to Weyerhaeuser 3000 line; E along Weyerhaeuser 3000 line to US Forest Service Trail 216G; SE along US Forest Service Trail 216G to the intersection of US Forest Service Trail 238 and US Forest Service Trail 216; S on US Forest Service Trail 238 to South Fork of the Toutle River; E along South Fork Toutle River to its headwaters and Mount St. Helens crater's edge; E along the Mount St. Helens crater's southern edge to the headwaters of Ape Canyon Creek; NE down Ape Canyon Creek to US Forest Service Trail 225 (Smith Creek Trail); N and NW on US Forest Service Trail 225 (Smith Creek Trail) to US Forest Service Rd 99; NE along US Forest Service Rd 99 to US Forest Service Rd 26; N on US Forest Service Rd 26 to US Forest Service Trail 1; W on US Forest Service Trail 1 to US Forest Service Trail 214; NW on US Forest Service Trail 214 to US Forest Service Trail 211; W on US Forest Service Trail 211 to Coldwater Creek; W down Coldwater Creek to Coldwater Lake; SW along the northwest shore of Coldwater Lake to the outlet of Coldwater Lake; SW down the outlet stream from Coldwater Lake to SR 504 bridge at mile post 45; W on SR 504 to Hoffstadt Creek Bridge on Hoffstadt Creek; S and W down Hoffstadt Creek to the North Fork Toutle River and point of beginning.

**GMU 524-MARGARET (Cowlitz, Skamania and Lewis counties):**

Beginning on the North Fork Toutle River at the mouth of the Green River; SE up the North Fork Toutle River to the mouth of Hoffstadt Creek; N and E up Hoffstadt Creek to the SR 504 bridge over Hoffstadt Creek; E on SR 504 to the bridge over the outlet to Coldwater Lake at mile post 45; NE up the outlet stream of Coldwater Lake to Coldwater Lake; NE along the northwest shoreline of Coldwater Lake to Coldwater Creek inlet; E up Coldwater Creek to US Forest Service Trail 211; NE on US Forest Service Trail 211 to US Forest Service Trail 214; SE on US Forest Service Trail 214 to US Forest Service Trail 1; E on US Forest Service Trail 1 to US Forest Service Rd 26; N on the US Forest Service Rd 26 (Ryan Lake Rd) to US Forest Service Rd 2612; W on US Forest Service Rd 2612 to the Green River; W down the Green River to its mouth on the North Fork of the Toutle River and point of beginning.

**GMU 530-RYDERWOOD (Cowlitz, Lewis and Wahkiakum counties):**

Beginning at Stevens Rd and SR 6, south of the town of Doty; E on SR 6 to I-5 at the town of Chehalis; S on I-5 to the Cowlitz River; S along the Cowlitz River to Public Hwy 10 on the A Street bridge at the town of Castle Rock; W on the Public Hwy 10 to Growler's Gulch Rd; W on Growler's Gulch Rd to Weyerhaeuser 9312 line; W on Weyerhaeuser 9312 line to three power lines; S on the three power lines to Delameter Rd; SW on Delameter Rd to Woodside Dr; SW on Woodside Dr to International Paper Rd 2200; N and W on International Paper Rd 2200 to International Paper Rd 1050; W on International Paper Rd 1050 to International Paper Rd 1000; S on International Paper Rd 1000 to the Germany Creek Rd; S on the Germany Creek Rd to SR 4; W on SR 4 to Germany Creek; S along Germany Creek to its mouth at the Columbia River; W along the Columbia River to Skamokawa Creek (including all islands in the Columbia River which are both north of the Washington state line and between Skamokawa Creek and Germany Creek); NE up Skamokawa Creek to SR 4; E on SR 4 to Risk Rd; SE on Risk Rd to Foster Rd; S on Foster Rd to the Elochoman River; SE up the Elochoman River to SR 407 (Elochoman Valley Rd); NE on SR 407 (Elochoman Valley Rd) to Weyerhaeuser 500 line at Camp 2; NW on Weyerhaeuser 500 line to Weyerhaeuser 1800 line; N on Weyerhaeuser 1800 line to Weyerhaeuser 1000 line; N on Weyerhaeuser 1000 line to Muller Rd; N on Muller Rd to 3rd St South in the town of Pe Ell; N on 3rd St South to SR 6 at the town of Pe Ell; N on SR 6 to Stevens Rd, south of the town of Doty, and the point of beginning.

**GMU 550-COWEEMAN (Cowlitz County):**

Beginning at the mouth of the Toutle River on the Cowlitz River; E along the Toutle River to the South Fork Toutle River; up the South Fork Toutle River to Weyerhaeuser 4100 line; E on Weyerhaeuser 4100 line to Weyerhaeuser 4950 line; S and E on Weyerhaeuser 4950 line to Weyerhaeuser 235 line; SE on Weyerhaeuser 235 line to Weyerhaeuser 200 line; W on Weyerhaeuser 200 line to Weyerhaeuser 240 line; SE on Weyerhaeuser 240 line to Weyerhaeuser 243 line; E on Weyerhaeuser 243 line to Weyerhaeuser 135A line; S on Weyerhaeuser 135A line to Weyerhaeuser 135 line; E on Weyerhaeuser 135 line to Weyerhaeuser 134 line; SW on

Weyerhaeuser 134 line to Weyerhaeuser 133 line; SW on Weyerhaeuser 133 line to Weyerhaeuser 130 line; SW on Weyerhaeuser 130 line to Weyerhaeuser 1680 line; W on Weyerhaeuser 1680 line to Weyerhaeuser 1600 line; SE on Weyerhaeuser 1600 line to Weyerhaeuser 1400 line; W on Weyerhaeuser 1400 line to Weyerhaeuser 1420 line which is the Kalama/Coweeman Summit; SE on Weyerhaeuser 1420 line to Weyerhaeuser 1426 line; W on Weyerhaeuser 1426 line to Weyerhaeuser 1428 line; SW on Weyerhaeuser 1428 line to Weyerhaeuser 1429 line which turns into Weyerhaeuser 6400 line; SW down Weyerhaeuser 6400 line to Weyerhaeuser 6000 line; E on Weyerhaeuser 6000 line to Weyerhaeuser 6450 line; SE for approximately one mile on Weyerhaeuser 6450 line (crossing the Kalama River) to Weyerhaeuser 6452 line; SE on Weyerhaeuser 6452 line to Dubois Rd; SE on Dubois Rd to SR 503; W on SR 503 to Cape Horn Creek; SE down Cape Horn Creek to Merwin Reservoir; SW along the north shore of Merwin Reservoir to the Lewis River; SW down the Lewis River to the power transmission lines in Section 4, T5N, R2E; NW along the power transmission lines to Northwest Natural Gas Pipeline located east of the town of Kalama, approximately 1/2 mile east of China Gardens Rd; N up the Natural Gas Pipeline right of way to Ostrander Creek; W down Ostrander Creek to the Cowlitz River; N on the Cowlitz River to the Toutle River and point of beginning.

**GMU 554-YALE (Cowlitz and Clark counties):**

Beginning on SR 503 at its crossing of Cape Horn Creek; E on SR 503 to Weyerhaeuser 6600 line (Rock Creek Rd); NE on Weyerhaeuser 6600 line (Rock Creek Rd) to Weyerhaeuser 6690 Rd; N and E on Weyerhaeuser 6690 line to Weyerhaeuser 6696 line; N on Weyerhaeuser 6696 line to West Fork Speelyai Creek; SE down West Fork Speelyai Creek to the main stem of the Speelyai Creek; SW and SE down Speelyai Creek to SR 503; NE on SR 503 to Dog Creek; S down Dog Creek to Yale Reservoir; S and W along western shore of Reservoir to Yale Dam and the North Fork Lewis River; W along the northern shore of the North Fork Lewis River to State Route 503 bridge crossing; S and W along SR 503 to N.E. 221st Ave; N about 1/4 mile on N.E. 221st Ave to N.E. Cedar Creek Rd; W along N.E. Cedar Creek Rd to N.E. Pup Creek Rd; N on N.E. Pup Creek Rd to N.E. Buncome Hollow Rd; N about 1/4 mile on N.E. Buncome Hollow Rd to electrical transmission line; S and W on the electrical transmission line to the north shore of the North Fork Lewis River; NE along the north shore of the North Fork Lewis River to Merwin Reservoir at the Merwin Dam; NE along the north shore of Merwin Reservoir to Cape Horn Creek; NW up Cape Horn Creek to SR 503 and the point of beginning.

**GMU 556-TOUTLE (Cowlitz County):**

Beginning on the intersection of SR 503 (Lewis River Rd) and US Forest Service Rd 81 (Merrill Lake Rd); N on US Forest Service Rd 81 to Weyerhaeuser 7200 line; NW on Weyerhaeuser 7200 line to Weyerhaeuser 7400 line; N on Weyerhaeuser 7400 line to Weyerhaeuser 5500 line; E and N on Weyerhaeuser 5500 line to Weyerhaeuser 5670 line; N and E on Weyerhaeuser 5670 line to Weyerhaeuser 5660 line; N on Weyerhaeuser 5660 line about a 1/4 mile to the South Fork Toutle River; E on the South Fork Toutle River to US

Forest Service Trail 238; N on US Forest Service Trail 238 to the intersection of US Forest Service Trail 216 and US Forest Service Trail 216G; NW on US Forest Service Trail 216G to Weyerhaeuser 3000 line; W on Weyerhaeuser 3000 line to Weyerhaeuser 3020 line; SE on Weyerhaeuser 3020 line to Deer Creek; NW down Deer Creek to the North Fork Toutle River; down the North Fork Toutle River to Alder Creek; up Alder Creek to Weyerhaeuser 2400 line; S on Weyerhaeuser 2400 line to Weyerhaeuser 2421 line; S on Weyerhaeuser 2421 line to Weyerhaeuser 4400 line; S and W along Weyerhaeuser 4400 line to Johnson Creek; S along Johnson Creek to the South Fork Toutle River; SE up the South Fork Toutle River to Weyerhaeuser 4100 line; E on Weyerhaeuser 4100 line to the Weyerhaeuser 4950 line; S and E on Weyerhaeuser 4950 line to Weyerhaeuser 235 line; SE on Weyerhaeuser 235 line to Weyerhaeuser 200 line; W on Weyerhaeuser 200 line to Weyerhaeuser 240 line; SE on Weyerhaeuser 240 line to Weyerhaeuser 243 line; E on Weyerhaeuser 243 line to Weyerhaeuser 135A line; S on Weyerhaeuser 135A line to Weyerhaeuser 135 line; E on Weyerhaeuser 135 line to Weyerhaeuser 134 line; SW on Weyerhaeuser 134 line to Weyerhaeuser 133 line; SW on Weyerhaeuser 133 line to Weyerhaeuser 130 line; SW on Weyerhaeuser 130 line to Weyerhaeuser 1680 line; W on Weyerhaeuser 1680 line to Weyerhaeuser 1600 line; SE on Weyerhaeuser 1600 line to Weyerhaeuser 1400 line; W on Weyerhaeuser 1400 line to Weyerhaeuser 1420 line which is the Kalama/Coweeman Summit; SE on Weyerhaeuser 1420 line to Weyerhaeuser 1426 line; W on Weyerhaeuser 1426 line to Weyerhaeuser 1428 line; SW on Weyerhaeuser 1428 line to Weyerhaeuser 1429 line; SW on Weyerhaeuser 1429 line to Weyerhaeuser 6400 line; SW on Weyerhaeuser 6400 line to Weyerhaeuser 6000 line; E on Weyerhaeuser 6000 line to Weyerhaeuser 6450 line; SE for approximately one mile on Weyerhaeuser 6450 line (crossing the Kalama River) to Weyerhaeuser 6452 line; SE on Weyerhaeuser 6452 line to Dubois Rd; SE on Dubois Rd to SR 503; E on SR 503 to Weyerhaeuser 6600 line (Rock Creek Rd); NE on Weyerhaeuser 6600 line (Rock Creek Rd) to Weyerhaeuser 6690 Rd; N and E on Weyerhaeuser 6690 line to Weyerhaeuser 6696 line; N on Weyerhaeuser 6696 line to West Fork Speelyai Creek; SE down West Fork Speelyai Creek to the main stem of Speelyai Creek; SW and SE down Speelyai Creek to SR 503; NE on SR 503 to US Forest Service Rd 81 and point of beginning.

**GMU 560-LEWIS RIVER (Cowlitz, Skamania, Klickitat, Yakima and Lewis counties):**

Beginning on SR 141 and Mount Adams Recreational Area Rd at the town of Trout Lake; N on the Mount Adams Recreational Area Rd to US Forest Service Rd 80 (Mount Adams Recreational Area Rd); N on US Forest Service Rd 80 (Mount Adams Recreational Area Rd) to US Forest Service Rd 82 (Mount Adams Recreational Area Rd); N on US Forest Service Road 82 to Yakama Indian Reservation boundary (Section 16, T7N, R11E); N along the Yakama Indian reservation boundary (Cascade Mountain Range Crest) to US Forest Service Trail 2000 (Pacific Crest Trail) in Section 3, T11N, R11E; S on US Forest Service Trail 2000 (Pacific Crest Trail) to US Forest Service Trail 98 at Sheep Lake; W on US Forest Service Trail 98 to US Forest Service Rd 2160 at Walupt Lake; W on US Forest Service Rd 2160 to US For-

est Service Rd 21; S and W on US Forest Service Rd 21 to US Forest Service Rd 23; S on US Forest Service Rd 23 to US Forest Service Trail 263; S and W on US Forest Service Trail 263 to US Forest Service Trail 261; S on US Forest Service Trail 261 to US Forest Service Trail 1; W on US Forest Service Trail 1 to US Forest Service Rd 99; S and W on US Forest Service Rd 99 to US Forest Service Trail 225 (Smith Creek Trail); S on US Forest Service Trail 225 to Ape Canyon Creek; S and W up Ape Canyon Creek to Mount St. Helens crater's eastern edge; W along Mount St. Helens crater's southern edge to headwaters of S Fork Toutle River; W along S Fork Toutle River to Weyerhaeuser 5660 line; S along Weyerhaeuser 5660 line to Weyerhaeuser 5670 line; S and W on Weyerhaeuser 5670 line to Weyerhaeuser 5500 line; S and W on Weyerhaeuser 5500 line to Weyerhaeuser 7400 line; S and E on Weyerhaeuser 7400 line to Weyerhaeuser 7200 line; S and E on Weyerhaeuser 7200 line to US Forest Service Rd 81; S on US Forest Service Rd 81 to State Route 503; N and E on State Route 503 to Dog Creek; S down Dog Creek to the N shore of Yale Reservoir; E along N shore of Yale Reservoir to N Fork Lewis River; E up the Lewis River to Swift Dam and Swift Reservoir; E along the N shore of Swift Reservoir to N Fork Lewis River; E up N Fork Lewis River to US Forest Service Rd 90 Bridge (Eagle Cliff); E on US Forest Service Rd 90 to US Forest Service Rd 51 (Curly Creek Rd); SE on US Forest Service Rd 51 (Curly Creek Rd) to US Forest Service Rd 30; NE on US Forest Service Rd 30 to US Forest Service Rd 24; SE on US Forest Service Rd 24 to SR 141; NE on SR 141 to Mount Adams Recreational Area Rd, at the town of Trout Lake and point of beginning.

**GMU 564-BATTLE GROUND (Clark, Skamania, and Cowlitz counties):**

Beginning at the mouth of Ostrander Creek on the Cowlitz River; E up Ostrander Creek approximately 1 1/2 miles to the second Northwest Natural Gas Pipeline right of way crossing Ostrander Creek, east of the railroad crossing; S along the Northwest Natural Gas Pipeline right of way to the power transmission lines right of way located east of the town of Kalama, approximately 1/2 mile east of China Garden Rd; SE along the power transmission lines right of way across the north fork of the Lewis River in the northeast corner of Section 4, T5N, R2E to N.E. Buncome Hollow Rd; S on N.E. Buncome Hollow Rd to N.E. Pup Creek Rd; S on N.E. Pup Creek Rd to N.E. Cedar Creek Rd; E on N.E. Cedar Creek Rd to 221st Ave; S along 221st Ave about 1/4 mile to SR 503; SE along SR 503 to N.E. Amboy Rd; S on N.E. Amboy Rd to N.E. Yacolt Rd; E on Yacolt Rd to Railroad Ave; SE on Railroad Ave to Lucia Falls Rd; W on Lucia Falls Rd to Hantwick Rd; SE on Hantwick Rd to Basket Flats Rd; W on Basket Flats Rd to N.E. 197th Ave; S on N.E. 197th Ave to N.E. 279th St; W on N.E. 279th St to N.E. 182nd Ave; S on N.E. 182nd Ave to N.E. 259th St; E on N.E. 259th St to N.E. 220th Ave; S on N.E. 220th Ave to N.E. Cresap Rd; SE on N.E. Cresap Rd to N.E. 222nd Ave; S on N.E. 222nd Ave to N.E. Allworth Rd; E on N.E. Allworth Rd to NE 232nd Ave; S on N.E. 232nd Ave to N.E. 237th St; E on N.E. 237th St to N.E. 240th Ave; S on N.E. 240th Ave to N.E. Berry Rd; NE on N.E. Berry Rd to the DNR L-1410 Rd; SE on L-1410 Rd to the DNR L-1400 Rd; W on L-1400 Rd to N.E. Rawson Rd;

W on N.E. Rawson Rd to N.E. Powell Rd; SW on N.E. Powell Rd to N.E. 212th Ave; S on N.E. 212th Ave to N.E. 109th St; E on N.E. 109th St to N.E. 222nd Ave; S on N.E. 222nd Ave to N.E. 83rd St; W on N.E. 83rd St to N.E. 217th Ave; S on N.E. 217th Ave to N.E. 68th St; E on N.E. 68th St to N.E. 232nd Ave; S on N.E. 232nd Ave to SR 500; SE on SR 500 to N.E. 53rd St; E on N.E. 53rd St to N.E. 292nd Ave; S on N.E. 292nd Ave to N.E. Ireland Rd; E on N.E. Ireland Rd to N.E. Stauffer Rd; SW on N.E. Stauffer Rd to N.E. 292nd Ave; S on N.E. 292nd Ave to N.E. Reilly Rd; SW on N.E. Reilly Rd to N.E. Blair Rd; SE on N.E. Blair Rd to N.E. Zeek Rd; E on N.E. Zeek Rd to N.E. 10th St; E on N.E. 10th St to N.E. 312th Ave; S on N.E. 312th Ave to N.E. 9th St; E on N.E. 9th St to N.E. 322nd Ave; N on N.E. 322nd Ave to N.E. Ammeter Rd; NE on N.E. Ammeter Rd approximately 1/8th mile to the power transmission lines; E along the northern margin of the power transmission lines to N.E. Hughes Rd; N on N.E. Hughes Rd to N.E. 392nd Ave; N on N.E. 392nd Ave to N.E. 28th St; E on N.E. 28th St to N.E. Miller Rd; NE on N.E. Miller Rd to N.E. 39th St; E on N.E. 39th St to Skye Rd; SE on Skye Rd to Washougal River Rd; S on Washougal River Rd to SR 140; SE on SR 140 to Cape Horn Rd; S on Cape Horn Rd to Columbia River; W down the Columbia River to the Cowlitz River (including all islands in the Columbia River which are both on the Washington side of the state line and between Cape Horn Rd and the Cowlitz River); N along Cowlitz River to Ostrander Creek and point of beginning.

**GMU 568-WASHOUGAL (Clark and Skamania counties):**

Beginning on the Lewis River at SR 503; E on Lewis River (Cowlitz-Clark County line) to Canyon Creek; SE along Canyon Creek to N.E. Healy Rd; E on N.E. Healy Rd to US Forest Service Rd 54; E on US Forest Service Rd 54 to US Forest Service Rd 37; NW on US Forest Service Rd 37 to US Forest Service Rd 53; S on US Forest Service Rd 53 to US Forest Service Rd 4205 (Gumboat Rd); S on US Forest Service Rd 4205 to US Forest Service Rd 42 (Green Fork Rd); SW on US Forest Service Rd 42 to US Forest Service Rd 41 at Sunset Falls; E on US Forest Service Rd 41 to US Forest Service Rd 406 at Little Lookout Mountain; SE on US Forest Service Rd 406 to the boundary of the Gifford Pinchot National Forest; due E on the national forest boundary to Rock Creek; SE along Rock Creek to the Columbia River at the town of Stevenson; W down the Columbia River to the Cape Horn Rd (including all islands in the Columbia River which are both on the Washington side of the state line and between Cape Horn Rd and Rock Creek); N on Cape Horn Rd to SR 140; W on SR 140 to Washougal River Rd; E on Washougal River Rd to Skye Rd; NW on Skye Rd to N.E. 39th St; W on N.E. 39th St to N.E. Miller Rd; SW on N.E. Miller Rd to N.E. 28th St; W on N.E. 28th St to N.E. 392nd Ave; S on N.E. 392nd Ave to N.E. Hughes Rd; S on N.E. Hughes Rd approximately 1/8th mile to the power transmission lines; W along the northern margin of the power transmission lines to N.E. Ammeter Rd; SW on N.E. Ammeter Rd to N.E. 322nd Ave; S on N.E. 322nd Ave to N.E. 9th St; W on N.E. 9th St to N.E. 312th Ave; N on N.E. 312th Ave to N.E. 10th St; W on N.E. 10th St to N.E. Zeek Rd; W on N.E. Zeek Rd to N.E. Blair Rd; NW on N.E. Blair Rd to N.E. Reilly Rd; NE on N.E.

Reilly Rd to N.E. 292nd Ave; NE on N.E. 292nd Ave to N.E. Stauffer Rd; NE on N.E. Stauffer Rd to N.E. Ireland Rd; W on N.E. Ireland Rd to N.E. 292nd Ave; N on N.E. 292nd Ave to N.E. 53rd St; W on N.E. 53rd St to SR 500; NW on SR 500 to N.E. 232nd Ave; N on N.E. 232nd Ave to N.E. 68th St; W on N.E. 68th St to N.E. 217th Ave; N on N.E. 217th Ave to N.E. 83rd St; E on N.E. 83rd St to N.E. 222nd Ave; N on N.E. 222nd Ave to NE 109th St; W on N.E. 109th St to N.E. 212th Ave; N on N.E. 212th Ave to N.E. Powell Rd; NE on N.E. Powell Rd to N.E. Rawson Rd; E on Rawson Rd to DNR L-1400 Rd; E on DNR L-1400 Rd to DNR L-1410 Rd; NW on DNR L-1410 Rd to N.E. Berry Rd; SW on N.E. Berry Rd to N.E. 240th Ave; N on N.E. 240th Ave to N.E. 237th St; W on N.E. 237th St to N.E. 232nd Ave; N on N.E. 232nd Ave to N.E. Allworth Rd; W on N.E. Allworth Rd to N.E. 222nd Ave; N on N.E. 222nd Ave to N.E. Cresap Rd; NW on N.E. Cresap Rd to N.E. 220th Ave; N on N.E. 220th Ave to N.E. 259th St; W on N.E. 259th St to N.E. 182nd Ave; N on N.E. 182nd Ave to N.E. 279th St; E on N.E. 279th St to N.E. 197th Ave; N on N.E. 197th Ave to N.E. Basket Flats Rd; E on N.E. Basket Flats Rd to N.E. Hantwick Rd; NW on N.E. Hantwick Rd to Lucia Falls Rd; E on Lucia Falls Rd to Railroad Ave; NW on Railroad Ave to N.E. Yacolt Rd; W on N.E. Yacolt Rd to N.E. Amboy Rd; N on N.E. Amboy Rd to N.E. 221st Ave; N on 221st Ave to SR 503; NE along SR 503 to the Lewis River and point of beginning.

**GMU 572-SIOUXON (Skamania and Clark counties):**

Beginning at the Yale Dam at Yale Lake; N then E along the shore of Yale Lake to the Lewis River; NE along the Lewis River to Swift Reservoir; E along the north shore Swift Reservoir to US Forest Service Rd 90 at the Eagle Cliff bridge; E on US Forest Service Rd 90 to US Forest Service Rd 51 (Curly Creek Rd); SE on US Forest Service Rd 51 to US Forest Service Rd 30 (Wind River Rd); N on US Forest Service Rd 30 to US Forest Service Rd 24 (Twin Butte Rd); S on US Forest Service Rd 24 to US Forest Service Rd 60 (Carson Guler Rd); SW on US Forest Service Rd 60 to US Forest Service Rd 65; SW on US Forest Service Rd 65 to the Wind River Rd; NW on the Wind River Rd to Hemlock Rd at the town of Stabler; W on Hemlock Rd to US Forest Service Rd 41 (Sunset-Hemlock Rd); W on the US Forest Service Rd 41 to US Forest Service Road 42 (Green Fork Rd) at Sunset Falls; NE on US Forest Service Rd 42 to US Forest Service Rd 4205 (Gumboat Rd); N on US Forest Service Rd 4205 to US Forest Service Rd 53; NW on US Forest Service Rd 53 to US Forest Service Rd 54 (N.E. Healy Rd); W on US Forest Service Rd 54 to Canyon Creek; N down Canyon Creek to the Lewis River; NE up the Lewis River to the Yale Dam and the point of beginning.

**GMU 574-WIND RIVER (Skamania and Klickitat counties):**

Beginning at SR 141 and US Forest Rd 86, SW of the town of Trout Lake; S on US Forest Service Rd 86 to US Forest Service Rd 1840; S on US Forest Service Rd 1840 to US Forest Service Rd 18 (Oklahoma Rd); S on US Forest Service Rd 18 to Willard Rd, at the town of Willard; E on Willard Rd to the Little White Salmon River; S down the Little White Salmon River to the Columbia River; W down the Columbia River to the mouth of Rock Creek (including all islands in the Colum-



bia River that are both north of the Washington state line and between the Little White Salmon River and Rock Creek); NW along Rock Creek through the town of Stevenson to the southern boundary of the Gifford Pinchot National Forest; W along the southern boundary of the Gifford Pinchot National Forest to US Forest Service Rd 4100-406; NW on US Forest Service Rd 4100-406 to the US Forest Service Rd 41 (Sunset-Mowich Rd) at Little Lookout Mountain; E on US Forest Service Rd 41 to Hemlock Rd; E on Hemlock Rd to Wind River Rd at the town of Stabler; SE on Wind River Rd to Old State Rd; E on Old State Rd to US Forest Service Rd 65 (Panther Creek Rd); N on US Forest Service Rd 65 to US Forest Service Road 60 (Carson-Guler); NE on US Forest Service 60 to US Forest Service 24 (also called Carson-Guler); E on US Forest Service Rd 24 to SR 141; NE, E and SE on SR 141 to US Forest Service Rd 86, SW of the town of Trout Lake, and the point of beginning.

**GMU 578-WEST KLICKITAT (Klickitat, Yakima, and Skamania counties):**

Beginning at the mouth of the Little White Salmon River on the Columbia River; N up the Little White Salmon River to Willard Road bridge, E of Willard; W on Willard Rd to US Forest Service Rd 18 (Oklahoma Rd); N on US Forest Service Rd 18 to US Forest Service 1840; N on US Forest Service Rd 1840 to US Forest Service Rd 86; N on US Forest Service Road 86 to SR 141; NE on SR 141 to Mount Adams Recreation Area Road, at the town of Trout Lake; N on the Mount Adams Recreational Area Rd to US Forest Service Rd 80 (Mount Adams Recreational Area Rd); N on US Forest Service Rd 80 (Mount Adams Recreational Area Rd) to US Forest Service Rd 82 (Mount Adams Recreational Area Rd); N on US Forest Service Road 82 to Yakama Indian Reservation boundary (Section 16, T7N, R11E); S along the Yakama Indian Reservation boundary to the Reservation's SW corner at King Mountain (Section 27, T7N, R11E); E along the Yakama Indian Reservation boundary to the end of King Mountain Rd, about 1 mile; N along the Yakama Indian Reservation boundary to its corner in Section 2, T7N, R11E; E along the Yakama Indian Reservation boundary to the NE corner of Section 4, T7N, R12E; SE along the Yakama Indian Reservation boundary to Summit Creek Rd; SW on Summit Creek Rd to Glenwood-Goldendale Hwy; NW on Glenwood-Goldendale Hwy to Lakeside Rd; S on Lakeside Rd to Fisher Hill Rd (P-2000); S on Fisher Hill Rd to the Fisher Hill bridge crossing the Klickitat River; S and SW down the Klickitat River to the Columbia River; W down the Columbia River to the mouth of the Little White Salmon River and the point of beginning (including all islands in the Columbia River which are both north of the Washington state line and between the Klickitat River and the Little White Salmon River).

~~((GMU 588 GRAYBACK (Klickitat County):~~

~~Beginning at the US Hwy 97 bridge crossing the Columbia River; W down the Columbia River to the mouth of the Klickitat River at the town of Lyle (including all islands in the Columbia River which are both north of the Washington state line and between the US Hwy 97 bridge and the Klickitat River); N up the Klickitat River to the Fisher Hill Rd (P-2000) at the Fisher Hill bridge; N along Fisher Hill Rd to Lakeside Rd; S on Lakeside Rd to Glenwood-Goldendale~~

~~Hwy; E and SE on Glenwood-Goldendale Hwy to Summit Creek Rd; NE on Summit Creek Rd to the Yakama Indian Reservation; E along the southern boundary of the Yakama Indian Reservation to US Hwy 97 (Satus Pass Hwy); S on US Hwy 97 to US Hwy 97 bridge crossing the Columbia River and point of beginning.))~~

**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 06-06-098**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
 [Filed March 1, 2006, 11:30 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 06-02-096.

Title of Rule and Other Identifying Information: WAC 232-28-336 Game management units (GMUs) boundary descriptions—Region 6.

Hearing Location(s): Comfort Inn and Conference Center, 1620 74th Avenue S.W., Tumwater, WA 98501, (360) 596-9100, on April 7-8, 2006, at 8:00 a.m.

Date of Intended Adoption: April 7, 2006.

Submit Written Comments to: Attn: Wildlife Program Commission Meeting Public Comments, 600 Capitol Way North, Olympia, WA 98501-1091, e-mail Wildthing@dfw.wa.gov, fax (360) 902-2162, by Monday, March 24, 2006.

Assistance for Persons with Disabilities: Contact Nancy Burkhart by April 5, 2006, TTY (360) 902-2207 or (360) 902-2267.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: GMU boundary rules define legal hunting areas. The GMUs need readily discernable boundaries to direct hunters to appropriate hunting areas. The change will allow the department to implement two different harvest strategies for elk in two different locations. A portion of GMU 653 will be moved into GMU 654 to better deal with elk harvest and elk management in Pierce County.

Reasons Supporting Proposal: Two separate harvest strategies are needed to manage the elk populations in the current GMU 653. Moving the portion of GMU 653 that is consistent with the current management strategy for elk in GMU 654 will better accommodate two separate harvest season structures.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

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

Name of Proponent: Washington fish and wildlife commission, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittel, Natural Resources Building, Olympia, (360) 902-2504; and Enforcement: Bruce

Bjork, Natural Resources Building, Olympia, (360) 902-2932.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules regulate recreational hunters and do not directly regulate small business.

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

March 1, 2006  
Evan Jacoby  
Rules Coordinator

AMENDATORY SECTION (Amending Order 05-271, filed 1/3/06, effective 2/3/06)

**WAC 232-28-336 Game management units (GMUs) boundary descriptions—Region six.**

**GMU 601-HOKO (Clallam County):**

Beginning on the Makah Indian reservation boundary and the Strait of Juan de Fuca; SE along the shore of the Strait of Juan de Fuca to the mouth of the Hoko River; S along the Hoko River to SR 112; SE on SR 112 to the Hoko-Ozette Rd; SW on the Hoko-Ozette Rd to the Olympic National Park boundary near Ozette; N along the Olympic National Park boundary to the Makah Indian reservation boundary; E and N along the Makah Indian reservation boundary to the Strait of Juan de Fuca and the point of beginning.

**GMU 602-DICKEY (Clallam County):**

Beginning at the mouth of the Hoko River and the Strait of Juan de Fuca; SE along the shore of the Strait of Juan de Fuca to the mouth of the Clallam River; S along the Clallam River to SR 112; S on SR 112 to the Burnt Mountain Rd (SR 113); S on the Burnt Mountain Rd (SR 113) to US Hwy 101 at the town of Sappho; SW on US Hwy 101 to the LaPush Rd; SW on the LaPush Rd to the Olympic National Park boundary; N along the Olympic National Park boundary to the Hoko-Ozette Rd; NE on the Hoko-Ozette Rd to SR 112; NW on SR 112 to the Hoko River; NW on the Hoko River to its mouth on the Strait of Juan De Fuca and the point of beginning.

**GMU 603-PYSHT (Clallam County):**

Beginning at the mouth of the Clallam River on Strait of Juan de Fuca; E along the shore of the Strait of Juan de Fuca to the mouth of the Elwha River; S along the Elwha River to the Olympic National Park boundary; W along the Olympic National Park boundary to one mile west of Lake Crescent; S on the Olympic National Park boundary to US Hwy 101; W on US Hwy 101 to the Burnt Mountain Rd (SR 113); N on the Burnt Mountain Rd (SR 113) to SR 112; N on SR 112 to the Clallam River; N along the Clallam River to its mouth and the point of beginning.

**GMU 607-SOL DUC (Clallam County):**

Beginning at US Hwy 101 at the town of Sappho; E on US Hwy 101 to the Olympic National Park boundary; S and W along the Olympic National Park boundary to the Bogachiel River; W along the Bogachiel River to US Hwy 101; N on US Hwy 101, through the town of Forks, to the town of Sappho and the point of beginning.

**GMU 612-GOODMAN (Jefferson and Clallam counties):**

Beginning approximately two miles east of the town of LaPush on the Olympic National Park boundary and LaPush Rd intersection; NE on LaPush Rd to US Hwy 101 at the town of Forks; S on US Hwy 101, across the Hoh River, and west to Olympic National Park Boundary; N on the Olympic National Park boundary to LaPush Rd and the point of beginning.

**GMU 615-CLEARWATER (Jefferson County):**

Beginning on US Hwy 101 and the Bogachiel River; E along the Bogachiel River to the Olympic National Park boundary; SE and W on the Olympic National Park boundary to the Quinault Indian reservation boundary; W on the Quinault Indian reservation boundary to the Olympic National Park boundary; N along the Olympic National Park boundary to US Hwy 101; E, N, and W on US Hwy 101 to the Bogachiel River and the point of beginning.

**GMU 618-MATHENY (Jefferson and Grays Harbor counties):**

Beginning at the boundary junction of Olympic National Park and the Quinault Indian reservation, east of the Queets River Rd; N, E, S, and W along the Olympic National Park boundary to the park and Quinault Indian reservation boundary junction north of Lake Quinault; NW along the Quinault Indian reservation boundary to its junction with the boundary of Olympic National Park, east of the Queets River Rd, and the point of beginning, including the Olympic National Forest land and private land one mile west of Lake Quinault and bounded by the Olympic National Park and the Quinault Indian reservation.

**GMU 621-OLYMPIC (Jefferson, Clallam and Mason counties):**

Beginning at the Olympic National Park boundary and the Elwha River; N along the Elwha River to US Hwy 101; E on US Hwy 101, through Port Angeles and Sequim, to the Chimacum Center Rd at the town of Quilcene; N on the Chimacum Center Rd to the East Quilcene Rd; E on the East Quilcene Rd to Quilcene Bay; S along the shore of Quilcene Bay to Dabob Bay; S along the shore of Dabob Bay to Hood Canal; SW along the shore of Hood Canal to Finch Creek; upstream on Finch Creek to US Hwy 101; S on US Hwy 101 to SR 119; W on SR 119 to Standstill Dr (Power Dam Rd); W on Standstill Dr (Power Dam Rd) to Upper Cushman Dam and the shore of Lake Cushman; NW on the west shore of Lake Cushman to the North Fork Skokomish River; N along the North Fork Skokomish River to the Olympic National Park boundary; N and W on the Olympic National Park boundary to the Elwha River and the point of beginning.

**GMU 624-COYLE (Clallam and Jefferson counties):**

Beginning at the mouth of the Elwha River and the Strait of Juan de Fuca; north from the mouth of the Elwha River to the Clallam county line in the Strait of Juan De Fuca; NE on the Clallam county line to Clallam-San Juan county line; NE on the Clallam-San Juan county line to the Jefferson-San Juan county line; NE on the Jefferson-San Juan county line to the Jefferson-Island county line; S then SE on the Jefferson-Island county line to the Kitsap-Island county line; SE on the Kitsap-Island county line to a point due east of Point No

Point; W from the Kitsap-Island county line to Point No Point; NW, S, N, and SW along the coast of the Kitsap peninsula to Cougar Spit; W from Cougar Spit to Finch Creek at the town of Hoodspport; NE along the east shore of Hood Canal to Dabob Bay; N along the shore of Dabob Bay and Quilcene Bay to East Quilcene Rd; W on East Quilcene Rd to the Chimacum Center Rd; S on Chimacum Center Rd to US Hwy 101; N and W on US Hwy 101 through Sequim and Port Angeles to the Elwha River; N down the Elwha River to its mouth and the Strait of Juan de Fuca and the point of beginning.

**GMU 627-KITSAP (Kitsap, Mason, and Pierce counties):** Beginning at the Hood Canal Bridge; E, S, N, and SE along the shore of the Kitsap peninsula to Point No Point; due E from Point No Point to Kitsap-Island county line in the Puget Sound; S along the Kitsap-Island county line to the Kitsap-Snohomish county line; S along the Kitsap-Snohomish county line to Kitsap-King county line; S along the Kitsap-King county line to the King-Pierce county line; S on the King-Pierce county line to the outlet of the Tacoma Narrows; S through the Tacoma Narrows, past Fox Island (which is included in this GMU), to Carr Inlet; NW up Carr Inlet around McNeil and Gertrude Islands (which are excluded from this GMU), to Pitt Passage; SW through Pitt Passage and Drayton Passage to the Pierce-Thurston county line in the Nisqually Reach; NW along the Pierce-Thurston county line to the Pierce-Mason county line; NW on the Pierce-Mason county line in the Nisqually Reach to North Bay; along the east shore of North Bay to SR 3 at the town of Allyn; N on SR 3 to the Old Belfair Hwy at the town of Belfair; N on the Old Belfair Hwy to the Bear Creek-Dewatto Rd; W on the Bear Creek-Dewatto Rd to the Dewatto Rd West; N along the Dewatto Rd to its intersection with the Albert Pfundt Rd; N on the Albert Pfundt Rd to Anderson Creek; E down Anderson Creek to the east shore of the Hood Canal; N from Anderson Creek along the east shore of Hood Canal to the Hood Canal bridge and the point of beginning.

**GMU 633-MASON (Mason and Kitsap counties):** Beginning at the mouth of Anderson Creek on the eastern shore of Hood Canal; W along Anderson Creek to Albert Pfundt Rd; S on the Albert Pfundt Rd to West Dewatto Rd; S on West Dewatto Rd to Bear Creek-Dewatto Rd; E along Bear Creek-Dewatto Rd to Old Belfair Hwy; S on Old Belfair Hwy to SR 3 at the town of Belfair; S on SR 3 to North Bay at the town of Allyn; N along the west shore of North Bay; S along the east shore of North Bay to Pierce-Mason county line at Case Inlet; SE along the Pierce-Mason county line through Case Inlet to the Mason-Thurston county line; W along the Mason-Thurston county line through Dana Passage, Squaxin Passage, and Totten Inlet to US Hwy 101 at Oyster Bay; N on US Hwy 101 Finch Creek at the town of Hoodspport; E from Finch Creek across Hood Canal to Cougar Spit on the east shore of the Hood Canal; N from Cougar Spit along the east shore of Hood Canal to the mouth of Anderson Creek and the point of beginning.

**GMU 636-SKOKOMISH (Grays Harbor and Mason counties):** Beginning on the Olympic Park boundary and the North Fork Skokomish River; S along the North Fork Skokomish River

to Lake Cushman; SE along the west shore of Lake Cushman to Standstill Dr (Power Dam Rd) at the Upper Cushman Dam; E on the Standstill Dr to SR 119; SE on Lake Cushman Rd to US Hwy 101 at the town of Hoodspport; S on US Hwy 101 to the Shelton-Matlock Rd at the town of Shelton; W on the Shelton-Matlock Rd to the Matlock-Brady Rd; S on the Matlock-Brady Rd to Deckerville Rd south of the town of Matlock; W on Deckerville Rd to Boundary Rd (Middle Satsop Rd); W and S on Boundary Rd (Middle Satsop Rd) to Kelly Rd; N on Kelly Rd to US Forest Service Rd 2368 (Simpson Timber 500 line); N on US Forest Service Rd 2368 (Simpson Timber 500 line) to US Forest Service Rd 2260 (Simpson Timber 600 line); W on US Forest Service Rd 2260 (Simpson Timber 600 line) to Wynoochee Rd (US Forest Service Rd 22); NW and W on US Forest Service Rd 22 (Wynoochee Rd) to US Forest Service Rd 2294, 1/4 mile east of Big Creek; NW on US Forest Service Rd 2294 which parallels Big Creek, to junction with US Forest Service Rd 2281; W on US Forest Service Rd 2281, to the watershed divide between the Humptulips River watershed and the Wynoochee River watershed; N on the ridge between the Humptulips River watershed and Wynoochee River watershed to Olympic National Park boundary; E along the Olympic National Park boundary to the north fork of the Skokomish River and the point of beginning.

**GMU 638-QUINAULT RIDGE (Grays Harbor and Jefferson counties):**

Beginning on the Olympic National Park boundary and the Quinault Indian reservation boundary at the northwest corner of Lake Quinault; NE along the west shore of Lake Quinault to the Quinault River; NE on the Olympic National Park boundary, along the Quinault River, to the Olympic National Park boundary west of Bunch Creek; S and NE on the Olympic National Park boundary to the ridge between the Wynoochee River watershed and Humptulips River watershed; S along the ridge between the Humptulips River watershed and the Wynoochee River watershed to its intersection with US Forest Service Rd 2281; E along US Forest Service Rd 2281 to US Forest Service Rd 2294; SE on US Forest Service Rd 2294, paralleling Big Creek, to US Forest Service Rd 22 (Donkey Creek Rd); W on the US Forest Service Rd 22 (Donkey Creek Rd) to US Hwy 101; N on US Hwy 101 to the Quinault Indian reservation boundary; NE on the reservation boundary to Lake Quinault; NW along the south shore of Lake Quinault to the Olympic National Park boundary and the point of beginning.

**GMU 642-COPALIS (Grays Harbor County):**

Beginning at the Quinault Indian reservation and US Hwy 101 south of Lake Quinault; S on US Hwy 101 to the Hoquiam River in the city of Hoquiam; S along the Hoquiam River to the north shore of Grays Harbor; W along the north shore of Grays Harbor to the Pacific Ocean; N along the shore of the Pacific Ocean to the Quinault Indian reservation boundary; E and NE along the Quinault Indian reservation to US Hwy 101 south of Lake Quinault and the point of beginning.

**GMU 648-WYNOOCHEE (Grays Harbor County):**

Beginning at the junction of US Hwy 101 and the Donkey Creek Rd; NE along the Donkey Creek Rd (US Forest Ser-

vice Rd 22) to its junction with the Donkey Creek-Grisdale Rd; continuing E on this road (US Forest Service Rd 22) to Camp Grisdale (south of Wynoochee Lake); S along the Wynoochee Rd (US Forest Service Rd 22) to US Forest Service Rd 2260 (Simpson Timber 600 line); E on US Forest Service Rd 2260 (Simpson Timber 600 line) to US Forest Service Rd 2368 (Simpson Timber 500 line); S on US Forest Service Rd 2368 (Simpson Timber 500 line) to Kelly Rd; S on Kelly Rd to Boundary Rd (Middle Satsop Rd); S on Boundary Rd (Middle Satsop Rd) to Cougar Smith Rd; W on Cougar Smith Rd to the west fork of the Satsop River; S down the west fork Satsop River to the Satsop River; S down the Satsop River to US Hwy 12; W along US Hwy 12 to its junction with US Hwy 101 in the town of Aberdeen; SE along US Hwy 101 to the north shore of the Chehalis River; W along the north shore of the Chehalis River to the north shore of Grays Harbor; W along the north shore of Grays Harbor to the mouth of the Hoquiam River; N up the Hoquiam River to US Hwy 101; W and N along US Hwy 101 to its junction with the Donkey Creek Rd (US Forest Service Rd 22) and the point of beginning. INCLUDES Rennie Island.

**GMU 651-SATSOP (Grays Harbor, Mason and Thurston counties):**

Beginning at the US Hwy 12 bridge on the Satsop River; N up the Satsop River to its junction with the west fork of the Satsop River; N up the west fork of the Satsop River to Cougar Smith Rd; E on Cougar Smith Rd to Boundary Rd (Middle Satsop Rd); N and E on Boundary Rd (Middle Satsop Rd) to Deckerville Rd; E on Deckerville Rd to Matlock-Brady Rd; N on Matlock-Brady Rd to the town of Matlock; E on Shelton-Matlock Rd to its junction with US Hwy 101 west of the town of Shelton; S on US Hwy 101 to its junction with SR 8; W on SR 8 to its junction with US Hwy 12; W along US Hwy 12 to bridge over the Satsop River and the point of beginning.

**GMU 652-PUYALLUP (Pierce and King counties):**

Beginning at Redondo Junction on the shore of Puget Sound and Redondo Way South; SE on Redondo Way South to SR 509; E on SR 509 to Pacific Hwy South (Old Hwy 99) (SR 99); S on Pacific Hwy South to SR 18 at the city of Auburn; E on SR 18 to SR 164; SE on SR 164 to SR 410 (Chinook Pass Hwy) at the town of Enumclaw; E on SR 410 to the second set of power transmission lines near the Mud Mountain Dam Rd; SW on the power transmission lines to the White River; NW along the White River to the Kapowsin Tree Farm ownership line (along west line of Section 6, T19N, R7E); W and S along the Kapowsin Tree Farm ownership line to South Prairie Creek (Section 14, T19N, R6E); S up South Prairie Creek to the first intersection with a power transmission line; SW on this power transmission line to Orville Rd East at the Puyallup River; S on Orville Rd East to SR 161; S on SR 161 to the Mashel River; down the Mashel River to the Nisqually River (Pierce-Thurston county line); NW along the Nisqually River, which is the Pierce-Thurston county line, to the Nisqually Reach in the Puget Sound; NW along the Thurston-Pierce county line in the Nisqually Reach to a point on the Thurston-Pierce county line southeast of Drayton Passage Channel; NE through Drayton Passage and Pitt Passage to Carr Inlet; E and S around McNeil Island to a point southwest

of the Tacoma Narrows (including McNeil, Gertrude, Anderson and Ketron Islands); NE through the Tacoma Narrows to a point on the Pierce-King county line northeast of the main channel of the Tacoma Narrows; E on the Pierce-King county line to the point where the county line turns southeast, northwest of Dash Point; E to Redondo Junction on the eastern shore of the Puget Sound and the point of beginning.

**GMU 653-WHITE RIVER (King and Pierce counties):**

Beginning at the lookout station at Grass Mountain mainline (US Forest Service Rd 7110) and ~~((the))~~ city of Tacoma Green River Watershed boundary; E on ~~((the))~~ Green River Watershed boundary to US Forest Service Rd 7032; E along US Forest Service Rd 7032 to US Forest Service Rd 7030; SE along US Forest Service Rd 7030 to Forest Service Rd 7036; SE along US Forest Service Rd 7036 to US Forest Service Rd 7038; SE on US Forest Service Rd 7038 to US Forest Service Trail 2000 (Pacific Crest Trail) at its closest point to US Forest Service Rd 7038 near Windy Gap north of Pyramid Peak; S on ~~((the-))~~ US Forest Service Trail 2000 ~~((Pacific Crest Trail))~~ to ~~((the))~~ Mount Rainier National Park boundary at Chinook Pass; N and W on ~~((the))~~ Mount Rainier National Park boundary to ~~((the))~~ Carbon River; ~~((NW))~~ W down ~~((the))~~ Carbon River to ~~((the power transmission line; NE along the power transmission line to South Prairie Creek; N along South Prairie Creek to intersection with Kapowsin Tree Farm ownership line (Section 14, T19N, R6E); E and N along Kapowsin Tree Farm ownership line to the White River (along west line of Section 6, T19N, R7E); SE along the White River to the power transmission lines on the north side of the White River near Mud Mountain Dam Rd))~~ western boundary of US Forest Service ownership at west border of S34, T18N, R7E; N and E on outer US Forest Service ownership boundary to Canyon Creek at a point about 1/2 mile N of Cedar Lake; N down Canyon Creek to White River (King/Pierce County border); W down White River (Mud Mountain Lake) on King/Pierce County border to power transmission lines on N side of White River near Mud Mountain dam road; NE on the power transmission lines to SR 410; E on SR 410 to US Forest Service Rd 7110; N on US Forest Service Rd 7110 to ((the)) city of Tacoma Green River Watershed and the point of beginning.

**GMU 654-MASHEL (Pierce County):**

Beginning at the power transmission line at the Puyallup River Bridge on Orville Rd East; NE on the power transmission line to ~~((the Carbon River; SE along the Carbon River to the west boundary of Mt. Rainier National Park))~~ S Prairie Creek; N along S Prairie Creek to intersection with Hancock ownership line (Kapowsin Tree Farm) (S14, T19N, R6E); NE along Hancock ownership line (Kapowsin Tree Farm) to White River (along W line of S6, T19N, R7E; SE on White River (King/Pierce County border) through Mud Mountain Lake to Canyon Creek; S up Canyon Creek to US Forest Service boundary about 1/2 mile N of Cedar Lake; W and S on US Forest Service boundary to Carbon River; SW on Carbon River to W boundary of Mt. Rainier National Park; S on ((the)) Mt. Rainier National Park boundary to ((the)) Nisqually River; W down ((the)) Nisqually River to ((the)) mouth of ((the)) Mashel River; N up ((the)) Mashel River to ((the)) SR 161 bridge (Eatonville-LaGrande Rd); N on SR

161 through Eatonville to Orville Rd (~~(East (Kapowsin-Eatonville Rd); N on Orville Rd East)~~); E to ~~((the))~~ Puyallup River bridge and the point of beginning.

**GMU 658-NORTH RIVER (Grays Harbor and Pacific counties):**

Beginning at the Pacific Ocean and the south shore of Grays Harbor at the Westport Jetty; E along the south shore of Grays Harbor to the mouth of the Chehalis River at the town of Aberdeen; E up the Chehalis River to the US Hwy 101 bridge and US Hwy 101; S on US Hwy 101 to the Willapa River at the town of Raymond; W down the Willapa River to Willapa Bay; W along the north shore of Willapa Bay to the Pacific Ocean; N along the Pacific Ocean to the south shore of Grays Harbor at the Westport Jetty and the point of beginning.

**GMU 660-MINOT PEAK (Grays Harbor and Pacific counties):**

Beginning at the intersection of US Hwy 12 and US Hwy 101 at the town of Aberdeen; E and S on US Hwy 12 to North State St at the town of Oakville; S on North State St to South Bank Rd; W on South Bank Rd to Garrard Creek Rd; SW on Garrard Creek Rd to Oakville-Brooklyn Rd; W on Oakville-Brooklyn Rd to North River Valley Rd; W on North River Valley Rd to Smith Creek Rd; W on Smith Creek Rd to US Hwy 101; N on US Hwy 101 to US Hwy 12 at the town of Aberdeen and the point of beginning.

**GMU 663-CAPITOL PEAK (Grays Harbor and Thurston counties):**

Beginning at US Hwy 12 and SR 8 at the town of Elma; E on SR 8 to US Hwy 101; E on US Hwy 101 to Delphi Rd SW; S on Delphi Road SW to 110th Ave SW; E on 110th Ave SW to Littlerock Rd; S on Littlerock Rd to US Hwy 12; NW on US Hwy 12 to SR 8 at the town of Elma and the point of beginning.

**GMU 666-DESCHUTES (Thurston County):**

Beginning on US Hwy 101 at the Mason-Thurston county line southeast of Oyster Bay; NE on the Mason-Thurston county line, through Totten Inlet, Squaxin Passage and Dana Passage, to the Pierce-Thurston county line in the Nisqually Reach; SE through the Nisqually Reach along the Pierce-Thurston county line to the mouth of the Nisqually River; SE on the Nisqually River to SR 507; SW on SR 507 to Old Hwy 99 SE (SR 99) at the town of Tenino; SW on Old Hwy 99 SE (SR 99) to I-5; W on SR 12 to Littlerock Rd; N on the Littlerock Rd to 110th Ave SW; W on 110th Ave SW to Delphi Rd SW; N on Delphi Rd SW to US Hwy 101; NW on US Hwy 101 to the Mason-Thurston county line southeast of Oyster Bay and the point of beginning.

**GMU 667-SKOOKUMCHUCK (Thurston and Lewis counties):**

Beginning at the SR 507 bridge on the Nisqually River; SE up the Nisqually River (Pierce-Thurston county line) SR 7 bridge at the town of Elbe on Alder Lake; S on SR 7 to SR 508 at the town of Morton; W on SR 508 to the Centralia-Alpha Rd; W and N on the Centralia-Alpha Rd to Salzer Valley Rd; W on Salzer Valley Rd to Summa St at the town of Centralia; W on Summa St to Kresky Rd; N on Kresky Rd to

Tower St; N on Tower St to SR 507; W on SR 507 (Cherry St, Alder St, and Mellen St) to I-5; N on I-5 to Old Hwy 99 SE (SR 99); NE on Old Hwy 99 SE (SR 99) to SR 507; NE on SR 507 to the Nisqually River bridge and the point of beginning.

**GMU 672-FALL RIVER (Pacific, Lewis and Grays Harbor counties):**

Beginning at the intersection of US Hwy 101 and SR 6 at the town of Raymond; N on US Hwy 101 to Smith Creek Rd; NE on Smith Creek Rd to North River Valley Rd; E on North River Valley Rd to Oakville-Brooklyn Rd; E on the Oakville-Brooklyn Rd to Garrard Creek Rd; S on Garrard Creek Rd to Weyerhaeuser C line at mile post 5; W on the Weyerhaeuser C line to Weyerhaeuser 723 line; S on the Weyerhaeuser 723 line to the Weyerhaeuser 720 line; W on the Weyerhaeuser 720 line to Weyerhaeuser 7800 F line; S on Weyerhaeuser 7800 F line to Weyerhaeuser 7800 line; S and SE on Weyerhaeuser 7800 line to Weyerhaeuser 7000 line; SW on Weyerhaeuser 7000 line to Weyerhaeuser 7050 line; S on Weyerhaeuser 7050 line to Weyerhaeuser 7400 line; S and E on Weyerhaeuser 7400 line to Weyerhaeuser 7000 line; E on the Weyerhaeuser 7000 line to Elk Creek Rd; E on Elk Creek Rd to Stevens Rd at the town of Doty; E on Stevens Rd to SR 6; S, W and NW on SR 6 to US Hwy 101 at the town of Raymond and the point of beginning.

**GMU 673-WILLIAMS CREEK (Pacific County):**

Beginning at US Hwy 101 bridge crossing the Willapa River at the town of Raymond; S on US Hwy 101 to SR 6; SE on SR 6 to the Trap Creek A line; S and W on the Trap Creek A line to power transmission lines; S and SW on the power transmission lines to Weyerhaeuser 5800 line (Section 22, T11N, R8W); SW along the Weyerhaeuser 5800 line to Weyerhaeuser 5000 line (Deep River main line); SW on the Weyerhaeuser 5000 line (Deep River main line) to the Salmon Creek Rd; SW along the Salmon Creek Rd to SR 4; W on SR 4 to US Hwy 101 at Johnson's Landing; W on US Hwy 101 to the Naselle River bridge; W down the Naselle River to Willapa Bay; N along the east shore of Willapa Bay to the Willapa River; SE and NE up the Willapa River to the US Hwy 101 bridge and the point of beginning.

**GMU 681-BEAR RIVER (Pacific and Wahkiakum counties):**

Beginning at the US Hwy 101 bridge at the Naselle River; E on US Hwy 101 to SR 4; SE on SR 4 to Deep River bridge; S down the Deep River to the Columbia River; W along the shore of the Columbia River to the mouth of the Wallacut River (including all islands in the Columbia both north of the Washington-Oregon state line and between the Deep River and the Wallacut River); N up the Wallacut River to US Hwy 101; NW on US Hwy 101 to alternate US Hwy 101, north of the Ilwaco Airport; N on alternate US Hwy 101 to US Hwy 101; E and NE on US Hwy 101 to Bear River; N down Bear River to Willapa Bay; N along the eastern shore of Willapa Bay to the mouth of the Naselle River; SE up the Naselle River to the US Hwy 101 bridge and the point of beginning.

**GMU 684-LONG BEACH (Pacific County):**

Beginning at the mouth of Bear River on Willapa Bay; S up Bear River to US Hwy 101; W and SW on US Hwy 101 to alternate US Hwy 101 north of the Ilwaco Airport; S on alter-

nate US Hwy 101 to US Hwy 101; W on US Hwy 101 to the Wallacut River; S along the Wallacut River to the Columbia River; W down the Columbia River to its mouth on the Pacific Ocean (including all islands in the Columbia River both north of the Washington-Oregon state line and between the Wallacut River and the mouth of the Columbia River); N, E, S, and E along the shoreline of the Long Beach peninsula to Bear River and the point of beginning.

**GMU 699-LONG ISLAND (Pacific County):**

Includes all of Long Island.

**WSR 06-06-099**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
 [Filed March 1, 2006, 11:31 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 06-02-096.

Title of Rule and Other Identifying Information: WAC 232-28-337 Deer and elk areas.

Hearing Location(s): Comfort Inn and Conference Center, 1620 74th Avenue S.W., Tumwater, WA 98501, (360) 596-9100, on April 7-8, 2006, at 8:00 a.m.

Date of Intended Adoption: April 7, 2006.

Submit Written Comments to: Attn: Wildlife Program Commission Meeting Public Comments, 600 Capitol Way North, Olympia, WA 98501-1091, e-mail Wildthing@dfw.wa.gov, fax (360) 902-2162, by Monday, March 24, 2006.

Assistance for Persons with Disabilities: Contact Nancy Burkhart by April 5, 2006, TTY (360) 902-2207 or (360) 902-2267.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The proposed language adjusts some existing deer and elk area boundaries to allow staff to be more effective in dealing with damage concerns. New deer and elk areas are also proposed to facilitate hunting seasons on a smaller scale than the game management unit (GMU).

Reasons Supporting Proposal: The proposed language makes existing boundaries more appropriate when the department is dealing with damage issues. Four additional elk areas and eight additional deer areas will help facilitate new hunts.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

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

Name of Proponent: Washington fish and wildlife commission, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Natural Resources Building, Olympia, (360) 902-2504; and Enforcement: Bruce Bjork, Natural Resources Building, Olympia, (360) 902-2932.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules regulate

recreational hunters and do not directly regulate small business.

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

March 1, 2006

Evan Jacoby

Rules Coordinator

AMENDATORY SECTION (Amending Order 05-271, filed 1/3/06, effective 2/3/06)

**WAC 232-28-337 Deer and elk area descriptions.**

**ELK AREAS**

**Elk Area No. 1010 (Columbia County):** GMU 162 excluding National Forest land and the Rainwater Wildlife Area.

**Elk Area No. 1011 (Columbia County):** That part of GMU 162 east of the North Touchet Road, excluding National Forest land.

**Elk Area No. 1012 (Columbia County):** That part of GMU 162 west of the North Touchet Road, excluding National Forest land and the Rainwater Wildlife Area.

**Elk Area No. 1013 (Asotin County):** GMU 172, excluding National Forest lands.

**Elk Area No. 1014 (Columbia-Garfield counties):** That part of GMU 166 Tucannon west of the Tucannon River and USFS Trail No. 3110 (Jelly Spr.-Diamond Pk. Trail).

**Elk Area No. 2032 Malaga (Kittitas and Chelan counties):** Beginning at the mouth of Davies Canyon on the Columbia River; west along Davies Canyon to the cliffs above (north of) the North Fork Tarpiscan Creek; west and north along the cliffs to the Bonneville Power Line; southwest along the power line to the North Fork Tarpiscan Road in Section 9, Township 20N, Range 21E; north and west along North Fork Tarpiscan Road to Colockum Pass Road (Section 9, Township 20N, Range 21E); south and west on Colockum Pass Road to section line between Sections 8 & 9; north along the section line between Sections 8 and 9 as well as Sections 4 & 5 (T20N, R21E) & Sections 32 & 33 (T21N, R21E) to Moses Carr Road; west and north on Moses Carr Road to Jump Off Road; south and west on Jump Off Road to Shaller Road; north and west on Shaller Road to Upper Basin Loop Road; north and west on Upper Basin Loop Road to Wheeler Ridge Road; north on Wheeler Ridge Road to the Basin Loop Road (pavement) in Section 10 (T21N, R20E); north on Basin Loop Road to Wenatchee Heights Road; west on Wenatchee Heights Road to Squilchuck Road; south on Squilchuck Road to Beehive Road (USFS Rd 9712); northwest on Beehive Road to USFS Rd 7100 near Beehive Reservoir; north and west on USFS Rd 7100 to Peavine Canyon Road (USFS Rd 7101); north and east on Peavine Canyon Road to Number Two Canyon Road; north on Number Two Canyon Road to Crawford Street in Wenatchee; east on Crawford Street to the Columbia River; south and east along the Columbia River to Davies Canyon and point of beginning. (Naneum Green Dot, Washington Gazetteer, Wenatchee National Forest)

**Elk Area No. 2033 Peshastin (Chelan County):** Beginning at Crawford Street and the Columbia River in Wenatchee; west on Crawford Street and Number Two Canyon Road to USFS 7101 Road (Peavine Canyon); west on USFS 7101 Road to Mission Creek Road; north on Mission Creek Road to USFS 7104 Road (Sand Creek Road); west on USFS 7104 Road (Sand Creek Road) to Camas Creek; west up Camas Creek to where Camas Creek crosses USFS 7200 Road, T22N, R18E, Section 4; north along USFS 7200 Road to U.S. Highway 97; north on U.S. Highway 97 to USFS 7300 Road (Mountain Home Road); north on the USFS 7300 Road to the Wenatchee River at Leavenworth; down the Wenatchee River and Columbia River to the point of beginning.

**Elk Area No. 2051 Tronsen (Chelan County):** All of GMU 251 except that portion described as follows: Beginning at the junction of Naneum Ridge Road (WDFW Rd 9) and Ingersol Road (WDFW Rd 1); north and east on Ingersol Road to Colockum Road (WDFW Rd 10); east on Colockum Road and Colockum Creek to the intersection of Colockum Creek and the Columbia River; south on the Columbia River to mouth of Tarpiscan Creek; west up Tarpiscan Creek and Tarpiscan Road (WDFW Rd 14) and North Fork Road (WDFW Rd 10.10) to the intersection of North Fork Road and Colockum Road; southwest on Colockum Road to Naneum Ridge Road; west on Naneum Ridge Road to Ingersol Road and the point of beginning.

**Elk Area No. 3028 Cooke Creek (Kittitas County):** Beginning at the junction of the Naneum Ridge and Swift Creek Road in T20N, R20E, Section 16, east on the Naneum Ridge Road to the Colockum Road; south on the Colockum and Brewton roads to the power lines in T20N, R21E, Section 29; south and west on the power lines to the Coleman Creek Road; north on the Coleman Creek Road to the Swift Creek Road and point of beginning, excluding Arthur Coffin Game Reserve.

**Elk Area No. 3068 Klickitat Meadows (Yakima County):** Beginning at the ~~((high point))~~ Yakama Indian Reservation Boundary on the main divide between the Diamond Fork drainage and the Ahtanum Creek drainage; (Section 18, T12N, R14E) ~~((on the ridge above the headwaters of Reservation Creek; northwest))~~ west to ~~((Spenser))~~ Spencer Point (as represented on the Mt. Adams DNR 100K map); northeast from ~~((Spenser))~~ Spencer Point to USFS Trail 1136; north along USFS Trail 1136 to USFS Road 615 to Darland Mt.; southeast along crest of main divide between Diamond Fork drainage and Ahtanum Creek drainage to the ~~((high point on the ridge above the headwaters of Reservation Creek and))~~ point of beginning.

**Elk Area No. 3721 Corral Canyon (Benton and Yakima counties):** That part of GMU 372 beginning at the Yakima River Bridge on SR 241 just north of Mabton; north along SR 241 to the Rattlesnake Ridge Road (mile post #19); east on Rattlesnake Ridge Road to the Hanford Reach National Monument's (HRNM) southwest corner boundary; east and south along the HRNM boundary to SR 225; south on SR 225 to the Yakima River Bridge in Benton City; west (upstream) along Yakima River to point of beginning (SR 241 Bridge).

**Elk Area No. 3722 Blackrock (Benton and Yakima counties):** That part of GMU 372 beginning at southern corner of the Yakima Training Center border on Columbia River, northwest of Priest Rapids Dam; southeast on southern shore of Columbia River (Priest Rapids Lake) to Priest Rapids Dam; east along Columbia River to the Hanford Reach National Monument's (HRNM) western boundary; south along the HRNM boundary to the Rattlesnake Ridge Road; west on Rattlesnake Ridge Road to SR 241; south on SR 241 to the Yakima River Bridge just north of Mabton; west along Yakima River to SR 823 (Harrison Road) south of town of Pomona; east along SR 823 (Harrison Road) to SR 821; southeast on SR 821 to Firing Center Road at I-82; east on Firing Center Road to main gate of Yakima Training Center; south and east along Yakima Training Center boundary to southern corner of Yakima Training Center boundary on Columbia River and point of beginning.

~~((Elk Area No. 3723 ALE (Benton County): That part of GMU 372 within the boundaries of the Arid Lands Ecology Reserve (ALE) of the Hanford Reach National Monument (HRNM). ALE encompasses the HRNM lands south of SR 24, southwest of SR 240, and west of SR 225.))~~

**Elk Area No. 3911 Fairview (Kittitas County):** Beginning at the intersection of the BPA Power Lines in T20N, R14E, Section 36 and ~~((I-90))~~ Interstate 90; east along the power lines ~~((through Cle Elum to the Teanaway Road; north on the))~~ to Highway 903 (Salmon La Sac Road); northwest along Highway 903 to USFS Road 4305 (Bear Creek Road); west on USFS Road 4305 to West Fork Teanaway River; east along West Fork Teanaway River to North Fork Teanaway River; north along North Fork Teanaway River to Teanaway Road; southeast on Teanaway Road to Ballard Hill Road; east on Ballard Hill Rd and Swauk Prairie Road to Hwy 970; ((north)) northeast on Hwy 970 to Hwy 97; south on Hwy 97 to the power lines in T20N, R17E, Section 34; east on the power lines to Naneum Creek; south on Naneum Creek approximately 1/2 mile to power lines in T19N, R19E, Section 20; east along BPA power lines to Colockum Pass Road in T19N, R20E, Section 16; south on Colockum Pass Road to BPA power lines in T18N, R20E, Section 6; east and south along power lines to Parke Creek Road; north on Parke Creek Road to Whiskey Jim ~~((Road))~~ Creek; east on Whiskey Jim ~~((Road))~~ Creek to Beacon Ridge Road; south on Beacon Ridge Road to the Vantage Highway; east along the Vantage Highway to I-90; west along I-90 to the Yakima Training Center boundary; south and west along the Yakima Training Center boundary to I-82; north on I-82 to Thrall Road; west on Thrall Road to Wilson Creek; south on Wilson Creek to Yakima River; north on Yakima River to gas pipeline crossing in T17N, R18E, Section 25; south and west on the gas pipeline to Umtanum Creek; west on Umtanum Creek to the Durr Road; north on the Durr Road to ~~((Umtanum))~~ Umtanum Road; north on ~~((Umtanum))~~ Umtanum Road to South Branch Canal; west on South Branch Canal to Bradshaw Road; west on Bradshaw Road to the elk fence; north and west along the elk fence to power line crossing in T19N, R16E, Section 10; west along the power line (south branch) to the Cabin Creek Road; east and north on Cabin Creek Road to Easton and I-90; east on I-90 to point of beginning.

**Elk Area No. 3912 Old Naches (Yakima County):** Starting at the elk fence and Roza Canal along the south boundary T14N, R19E, Section 8; following the elk fence to the sheep feeding site in T15N, R16E, Section ((39)) 36; south on the feeding site Access Road to the Old Naches Highway; west and south on the Old Naches Highway to State Route 12 and the Naches River; down the Naches River to the Tieton River; up the Tieton River approximately 2 miles to the elk fence in T14N, R16E, Section 3; due south from the start of the elk fence to the top of the cliff; southwest along the cliff/rimrock to the irrigation canal in T14N, R16E, Section 9; southwest along the irrigation canal to the elk fence in T14N, R16E, Section 8; the elk fence to the township line between T12N, R15E and T12N, R16E; south along the township line to the South Fork Ahtanum Creek; South Fork Ahtanum Creek to Ahtanum Creek to Yakima River; up the Yakima River to Roza Canal and point of beginning.

**Elk Area No. 3944 Clemen (Yakima County):** That portion of GMU 342 beginning at the junction of Highway 410 and USFS Road 1701 (Big Bald Mountain Road); north to USFS Road 1712; east on USFS Road 1712 (Clemen Ridge Road) to the elk fence gate (T15N; R17E; Section 23 NE 1/4) at the top of Austin Spur Road; south and west along the elk fence to Highway 410 to the point of beginning.

**Elk Area No. 4041 Grandy Creek (Skagit County):** Begin at the intersection of CP 190 Road and CP 132 Road (Section 28, T36N, R5E); east along the CP 132 Road to the CP 130 Road; east and south along CP 130 Road to CP 110 Road, west, south and east along CP 110 Road to Childs Creek; south down Childs Creek to State Route 20; east on State Route 20 to Grandy Creek; south down Grandy Creek to the Skagit River; south on a line to South Skagit Hwy; west on South Skagit Hwy to State Route 9; north on State Route 9 to State Route 20; east on State Route 20 to Helmick Road; north on Helmick Road to CP 190 Road to CP 132 Road and the point of beginning. (WA Atlas & Gazetteer & Mt. Baker-Snoqualmie National Forest Map)

**Elk Area No. 4941 Skagit River (Skagit County):** Beginning at the intersection of State Route 9 and State Route 20; east on State Route 20 to Grandy Creek; south down Grandy Creek to the Skagit River; south on a line to South Skagit Highway; west on South Skagit Highway to State Route 9; north on State Route 9 to point of beginning.

**Elk Area No. 5029 Toledo (Lewis and Cowlitz counties):** Beginning at the Cowlitz River and State Highway 505 junction; east along the Cowlitz River to the Weyerhaeuser 1800 Road; south along Weyerhaeuser 1800 Road to Cedar Creek Road; east along Cedar Creek Road to Due Road; south on Due Road to Weyerhaeuser 1823 Road; south along Weyerhaeuser 1823 Road to the Weyerhaeuser 1945 Road; south along the Weyerhaeuser 1945 Road to the Weyerhaeuser 1900 Road; south along the Weyerhaeuser 1900 Road to the North Fork Toutle River; west along the North Fork Toutle River to the Toutle River; west on the Toutle River to the Cowlitz River; North along the Cowlitz River to the junction of State Highway 505 and the point of beginning.

**Elk Area No. 5050 Curtis (Lewis County):** Beginning at the Boistfort Road, State Highway 6 intersection; west to the Mauerman Road; west and southwest on the Mauerman Road to the Pe Ell/McDonald Road; south and east on the Pe Ell/McDonald Road to the Lost Valley Road; south and southeast on the Lost Valley Road to the Boistfort Road; east and north along the Boistfort Road to State Highway 6 and point of beginning.

**Elk Area No. 5051 Green Mountain (Cowlitz County):** Beginning at the junction of the Cowlitz River and the Toutle River; east along the Toutle River to the North Fork Toutle River; east along the North Fork Toutle River to the Weyerhaeuser 1900 Road; south along the Weyerhaeuser 1900 Road to the Weyerhaeuser 1910 Road; south along the Weyerhaeuser 1910 Road to the Weyerhaeuser 2410 Road; south along the Weyerhaeuser 2410 Road to the Weyerhaeuser 4553 Road; south along the Weyerhaeuser 4553 Road to the Weyerhaeuser 4500 Road; south along the Weyerhaeuser 4500 Road to the Weyerhaeuser 4400 Road; south along the Weyerhaeuser 4400 Road to the Weyerhaeuser 4100 Road; east along the Weyerhaeuser 4100 Road to the Weyerhaeuser 4700 Road; south along the Weyerhaeuser 4700 Road to the Weyerhaeuser 4720 Road; west along the Weyerhaeuser 4720 Road to the Weyerhaeuser 4730 Road; west along the Weyerhaeuser 4730 Road to the Weyerhaeuser 4732 Road; west along the Weyerhaeuser 4732 Road to the Weyerhaeuser 4790 Road; west along the Weyerhaeuser 4790 Road to the Weyerhaeuser 1390 Road; south along the Weyerhaeuser 1390 Road to the Weyerhaeuser 1600 Road; west along the Weyerhaeuser 1600 Road to the Weyerhaeuser Logging Railroad Tracks at Headquarters; west along the Weyerhaeuser Logging Railroad Track to Ostrander Creek; west along Ostrander Creek to the Cowlitz River; north along the Cowlitz River to the Toutle River and point of beginning.

**Elk Area No. 5052 Mossyrock (Lewis County):** Beginning at the intersection of Winston Creek Road and State Highway 12; east on State Highway 12 to the Cowlitz River; east on the Cowlitz River to Riffe Lake; southeast along the south shore of Riffe Lake to Swofford Pond outlet creek; south on Swofford Pond outlet creek to Green Mountain Road; west on Green Mountain Road to Perkins Road; west on Perkins Road to Longbell Road; south on Longbell Road to Winston Creek Road; north on Winston Creek Road to State Highway 12 and the point of beginning. (All lands owned and managed by the Cowlitz Wildlife Area are excluded from this Elk Area.)

**Elk Area No. 5053 Randle (Lewis County):** Beginning at the town of Randle and the intersection of U.S. Highway 12 and State Route 131 (Forest Service 23 and 25 roads); south on State Route 131 to Forest Service 25 Road; south on Forest Service 25 Road to the Cispus River; west along the Cispus River to the Champion 300 line bridge; south and west on the Champion 300 line to the Champion Haul Road; north along the Champion Haul Road to Kosmos Road; north on Kosmos Road to U.S. Highway 12; east on U.S. Highway 12 to Randle and point of beginning. (All lands owned and managed by the Cowlitz Wildlife Area are excluded from this Elk Area.)



**Elk Area No. 5054 Boistfort (Lewis County):** Beginning at the town of Vader; west along State Highway 506 to the Wildwood Road; north along the Wildwood Road to the Abernathy 500 line gate (Section 20, T11N, R3W, Willamette Meridian); northwest along the 500, 540, and 560 lines to the Weyerhaeuser 813 line; northwest along the 813, 812, 5000J, 5000 and 4000 lines to the Pe Ell/McDonald Road (Section 15, T12N, R4W); west along the Pe Ell/McDonald Road to the Lost Valley Road; northeast along the Lost Valley Road to the Boistfort Road; north along the Boistfort Road to the King Road; east along the King Road to the town of Winlock and State Highway 603; south along Highway 505 to Interstate 5; south along Interstate 5 to State Hwy 506; west along State Hwy 506 to the town of Vader and the point of beginning.

~~((**Elk Area No. 5055 East Valley (Wahkiakum County):** Within one mile on either side of the line beginning at Wilson Creek Park on East Valley Road; west on East Valley Road to the junction with Middle Valley Road (4.5 miles); north along Middle Valley Road to the junction of Oat Field Road (2.5 miles);))~~

**Elk Area No. 5056 Grays River Valley (Wahkiakum County):** On or within ((+4))  $\frac{3}{4}$  mile of agricultural land in the Grays River Valley within the following sections: T10N, R7W, Sections 8, 9, 17, 18 and T10N, R8W, Sections 13, 23, 24, 26.

**Elk Area No. 5057 Carlton (Lewis County):** That part of 513 (South Rainier) lying east of Highway 123 and north of Highway 12.

**Elk Area No. 5058 West Goat Rocks (Lewis County):** Goat Rocks Wilderness west of the Pacific Crest Trail.

**Elk Area No. 5059 Mt. Adams Wilderness (Skamania and Yakima counties):** The Mt. Adams Wilderness.

**Elk Area No. 5060 Merwin (Cowlitz County):** Begin at the State Route 503 and the Longview Fibre Road WS-8000 junction; north and west on the Longview Fibre Road WS-8000 to Day Place Road; west on Day Place Road to Dubois Road; south on Dubois Road to State Route 503; east on State Route 503 to the State Route 503 and the Longview Fibre Road WS-8000 junction and point of beginning.

**Elk Area No. 5061 Wildwood (Lewis County):** Beginning at the junction of the Pacific West Timber (PWT) 600 Road and the Wildwood Road (SE1/4 S29 T11N R3W); southwest on the 600 Road to the 800 Road (NW1/4 S36 T11N R4W); west on the 800 Road to the 850 Road (SW1/4 S3 T10N R4W); northwest on the 850 Road to the Weyerhaeuser 4720 Road (S20 T11N R4W); north on the Weyerhaeuser 4720 Road to the Weyerhaeuser 4700 Road (S17 T11N R4W); west on the Weyerhaeuser 4700 to the Weyerhaeuser 5822 Road (NE1/4 NW1/4 S16 T11N R4W); west on the Weyerhaeuser 5822 Road to the Weyerhaeuser 5820 Road (SE1/4 NW1/4 S10 T11N R4W); southwest along the Weyerhaeuser 5820 Road to the PWT 574 Road (SE1/4 SE1/4 S10 T11N R4W); south on the PWT 574 Road to the PWT 570 Road (NW1/4 S14 T11N R4W); south on the PWT 570 Road to the PWT 500 Road (NW1/4 S14 T11N R4W); east on the PWT

500 Road to the Wildwood Road (N 1/2 S20 T11N R3W); south on the Wildwood Road to the point of beginning, the PWT 600 Road junction (SE1/4 S29 T11N R3W).

**Elk Area No. 5062 Trout Lake (Klickitat County):** Those portions of GMUs 560 (Lewis River) and 578 (West Klickitat) beginning at the intersection of SR 141 and Sunnyside Road; north on Sunnyside Road to Mount Adams Recreational Area Road; north on Mount Adams Recreational Area Road to USFS Road 23; north on USFS Road 23 to DNR T-4300 Road; west on DNR T-4300 Road to Trout Lake Creek Road; south on Trout Lake Creek Road to SR 141; east and south on SR 141 to the intersection of SR 141 and Sunnyside Road to the point of beginning.

**Elk Area No. 5090 JBH (Wahkiakum County):** The mainland portion of the Julia Butler Hansen National Wildlife Refuge, as administered by the U.S. Fish and Wildlife Service as described: Beginning at the junction of State Route 4 and Steamboat Island Slough Road, northwest on Steamboat Island Slough Road to Brooks Slough Road, east on Brooks Slough Road to State Route 4, south on State Route 4 to Steamboat Slough Road and point of beginning.

**Elk Area No. 5099 Mudflow (Cowlitz County):** That part of GMU 522 (Loo-wit) that is within the boundary of the St. Helens Wildlife Area.

**Elk Area No. 6010 Mallis (Pacific County):** That part of GMUs 506, 672, and 673 within one mile either side of State Road 6 between the east end of Elk Prairie Road and the Mallis Landing Road.

**Elk Area No. 6011 Centralia Mine (Lewis County):** That portion of GMU 667 within Centralia Mine property boundary.

**Elk Area No. 6012 Tri Valley (Grays Harbor and Mason counties):** ~~((All lands))~~ Those portions of GMUs 648 (Wynoochee) and 651 (Satsop) within one mile of Brady-Matlock Road from State Highway 12 north to the junction with Schaefer State Park Road (east Satsop Road) and all lands within one mile of Wynoochee Valley Road from State Highway 12 north to the junction with Cougar Smith Road, and all lands within one mile of Wishkah Valley Road from north Aberdeen city limit to the junction with Wishkah-East Hoquiam Road and all lands within 2 miles north of SR 12 between the western boundary of the city of Elma and the Satsop River.

**Elk Area No. 6054 Puyallup River (Pierce County):** That part of GMU 654 south of the Puyallup River.

**Elk Area No. 6061 Twin Satsop Farms (Mason County):** That portion of GMU 651 starting at the junction of the Deckerville Road and the Brady-Matlock Road; southwest to the junction with the West Boundary Road; north on West Boundary Road to the Deckerville Road; east on the Deckerville Road to the junction of Brady-Matlock Road and point of beginning. In addition, the area within a circle with a radius of two miles centered on the junction of State Route 108 and the Eich Road.

**Elk Area No. 6062 South Bank (Grays Harbor County):** That portion of GMU 660 (Minot Peak) described as follows: Beginning at Highway 12 and Wakefield Road Junction (South Elma); south on Wakefield Road, across the Chehalis River to the South Bank Road; southeast on the South Bank Road to Delezene Road; south on the Delezene Road to a point one mile from the South Bank Road; southeast along a line one mile southwest of the South Bank Road to the Oakville-Brooklyn Road; east on the Oakville-Brooklyn Road to Oakville and Highway 12; northwest on Highway 12 to Wakefield Road to Elma and the point of beginning.

**Elk Area No. 6063 (Grays Harbor and Jefferson counties):** Private lands within Elk Area 6064 east of Highway 101.

**Elk Area No. 6064 Quinault Valley (Grays Harbor and Jefferson counties):** That portion of GMU 638 (Quinault) within the Quinault River watershed.

**Elk Area No. 6066 Chehalis Valley (Grays Harbor County):** That portion of GMU 660 (Minot Peak) beginning at Highway 12 and Highway 107 junction near Montesano; east and south on Highway 12 to Oakville; south on Oakville-Brooklyn Road to a point one mile west of South Bank Road; northwest along a line one mile southwest of South Bank Road to Delezene Road; north along Delezene Road to South Bank Road; northwest along South Bank Road to Wakefield Road; north on Wakefield Road to Chehalis River; west on Chehalis River to Highway 107 bridge; north on Highway 107 to Highway 12 and the point of beginning.

**Elk Area No. 6067 North Minot (Grays Harbor County):** The portion of GMU 660 (Minot Peak) beginning at the junction on State Route 107 and the Melbourne A-line, on the Melbourne A-line to the Vesta F-line; south on Vesta F-line to Vesta H-line (Vesta Creek Road); south on Vesta Creek Road to the North River Road; south and east on North River Road to the Brooklyn Road; east on Brooklyn Road to the Garrard Creek Road; east and north on Garrard Creek Road to the South Bank Road; east on South Bank to South State Street (Oakville); north on South State Street to U.S. 12; northwest and west on U.S. 12 to State Route 107; south and southwest on SR 107 to the Melbourne A-line and the point of beginning.

**Elk Area No. 6068 Willapa (Grays Harbor County):** That part of GMU 658 south of SR 105 between the intersection of SR 105 and Hammond Road and the SR 105 bridge over Smith Creek; and within one mile north of SR 105 west from Hammond Road and east of the SR 105 bridge over Smith Creek.

**Elk Area No. 6069 Hanaford (Lewis and Thurston counties):** ((Beginning)) That part of GMU 667 (Skookumchuck) beginning at the intersection of Salzer Valley Road and Centralia-Alpha Road; east and north on Salzer Valley Road to Little Hanaford Road; west on Little Hanaford Road to Teitzel Road; north on Teitzel Road to Big Hanaford Road; west on Big Hanaford Road to State Route 507; north on State Route 507 to Skookumchuck Road; east on Skookumchuck Road to the first bridge over the Skookumchuck River; east along the Skookumchuck River to the Skookumchuck Road

bridge; east on Skookumchuck Road to the steel tower power line; southwest along the power line to Big Hanaford Road; east and south along Big Hanaford Road to Weyerhaeuser Road E150; east on Weyerhaeuser Road E150 to Weyerhaeuser Road E247; south and west on Weyerhaeuser Road E247 to Weyerhaeuser Road E240; south on Weyerhaeuser Road E240 to North Fork Road; south on North Fork Road to Centralia-Alpha Road; west on Centralia-Alpha Road to Salzer Valley Road and the point of beginning.

**Elk Area No. 6071 Dungeness (Clallam County):** ((Beginning)) Portions of GMU 621 (Olympic) and 624 (Coyle) beginning at the mouth of the Dungeness River; east and south along the coast of the Strait of Juan De Fuca to the mouth of Jimmycomelately Creek on Sequim Bay; south and west up Jimmycomelately Creek to Don Schmith Road; north on Don Schmith Road to Palo Alto Road; west and southwest on Palo Alto Road to US Forest Service Road 2880; southwest on US Forest Service Road 2880 to the Dungeness River; north down the Dungeness River to its mouth and the point of beginning.

**Elk Area No. 6072 Sol Duck Valley (Clallam County):** That portion of GMU 607 (Sol Duck) between the Sol Duck River and Hwy 101 from a point at the Sol Duck River bridge over Hwy 101 approximately 2 miles north of Forks to the westernmost Sol Duck River bridge over Hwy 101 at a point approximately 1 mile east of lake Pleasant.

**Elk Area No. 6073 Clearwater Valley (Jefferson County):** That portion of GMU 615 (Clearwater) within one mile of the Clearwater Road from the Quinault Indian Reservation boundary to a point 4 miles to the east.

#### DEER AREAS

**Deer Area No. 1010 (Columbia County):** GMU 162 excluding National Forest land and the Rainwater Wildlife Area.

**Deer Area No. 1020 Prescott (Columbia and Garfield counties):** That portion of GMU 149 between Hwy 261 and Hwy 127.

**Deer Area No. 1021 Clarkston (Asotin County):** That portion of GMU 178 beginning at the junction of the Highway 12 bridge and Alpowa Creek; east on Highway 12 to Silcott Road; south and east on Silcott Road to Highway 128; southwest on Highway 128 to McGuire Gulch Road; southeast along the bottom of McGuire Gulch to Asotin Creek; east on Asotin Creek to the Snake River; north and west on the Snake River to Alpowa Creek; southwest of Alpowa Creek to the Highway 12 bridge and the point of beginning.

**Deer Area No. 1030 Flat Creek (Stevens County):** That portion of GMU 105, beginning at the junction of Northport-Flat Creek Rd (Co. 4005) and Bull Hill Rd; north on Bull Hill Rd to USFS Rd 240; north on USFS Rd 240 to USFS Rd 230 (Belshazzar Mtn Rd); east and north on USFS Rd 230 to East Boundary of Colville National Forest at Section 24; north on Forest Boundary to Sheep Creek Rd (USFS 15, Co. 4220); west on Sheep Creek Rd to USFS Rd 170 at Kiel Springs; south on USFS Rd 170 to Lael-Flat Creek Rd (USFS 1520);

south on Lael-Flat Creek Rd (USFS 1520, Co. 4181) to Northport-Flat Creek Rd; north on Northport-Flat Creek Rd to Bull Hill Rd junction and point of beginning.

**Deer Area No. 1040 Summit Lake (Stevens County):** That portion of GMU 105, beginning at the intersection of Sand Creek Rd (Co. 4017) and the Kettle River at the Rock Cut Bridge; north and east on Sand Cr Rd to Lael-Flat Cr Rd (Co. 4181, USFS Churchill Mine Rd, 1520); east on Lael-Flat Cr Rd (Churchill Mine Rd) to intersection with USFS Rd 15 near Fisher Cr; north and east on USFS Rd 15 to USFS Rd 180; north and west on USFS Rd 180 and continue west on Box Canyon-Deep Creek Rd (USFS Rd 030, Co. 4212) to the intersection of Box Canyon-Deep Creek Rd and the Kettle River; south on the Kettle River to the intersection of Sand Creek Rd and the Kettle River at the Rock Cut Bridge and the point of beginning.

**Deer Area No. 2010 Benge (Adams County):** That part of GMU 284 beginning at the town of ~~((Benge, west on Benge-Washtucna Road to Cow Creek; north along Cow Creek to McCall Road))~~ Washtucna; north on SR 261 to Weber Road; east on Weber Road to Bengel Road; north on Bengel Road to Wellsandt Road; east on Wellsandt Road to McCall Road; east on McCall Road to Gering Road; east on Gering Road to Lakin Road; east on Lakin Road to Revere Road; south on Revere Road to Rock Creek; south along Rock Creek to the Palouse River; south and west along the Palouse River to SR 26; west on SR 26 to ((Beckley Road; north on Beckley Road to Negro Road; north on Negro Road to Beckley Road; north on Beckley Road to Benge-Winona Road; west on Benge-Winona Road to Benge)) Washtucna and the point of beginning.

**Deer Area No. 2011 Lakeview (Grant County):** That part of GMU 272 beginning at the junction of SR 28 and First Avenue in Ephrata; west on First Avenue to Sagebrush Flats Road; west on Sagebrush Flats Road to Davis Canyon Road; north on Davis Canyon Road to E Road NW; north on E Road NW to the Grant-Douglas county line; east along the county line to the point where the county line turns north; from this point continue due east to SR 17; south on SR 17 to SR 28 at Soap Lake; south on SR 28 to the junction with First Avenue in Ephrata and the point of beginning.

**Deer Area No. 3071 Whitcomb (Benton County):** That part of GMU 372 made up by the Whitcomb Unit of the Umatilla National Wildlife Refuge.

**Deer Area No. 3072 Paterson (Benton County):** That part of GMU 372 made up by the Paterson Unit of the Umatilla National Wildlife Refuge.

**Deer Area No. 3081 (Franklin County):** That part of GMU 381 that is west of Highways 395 and 17.

**Deer Area No. 4004 (San Juan County):** That part of GMU 410 made up of Shaw Island.

**Deer Area No. 4005 (San Juan County):** That part of GMU 410 made up of Lopez Island.

**Deer Area No. 4006 (San Juan County):** That part of GMU 410 made up of Orcas Island.

**Deer Area No. 4007 (San Juan County):** That part of GMU 410 made up of Decatur Island.

**Deer Area No. 4008 (San Juan County):** That part of GMU 410 made up of Blakely Island.

**Deer Area No. 4009 (Skagit County):** That part of GMU 410 made up of Cypress Island.

**Deer Area No. 4010 (San Juan County):** That part of GMU 410 made up of ~~((all of the islands in))~~ San Juan ~~((County))~~ Island.

**Deer Area No. 4011 (Island County):** That part of GMU 410 made up of Camano Island.

**Deer Area No. 4012 (Island County):** That part of GMU 410 made up of Whidbey Island.

**Deer Area No. 4013 (King County):** That part of GMU 454 made up of Vashon and Maury islands.

**Deer Area No. ~~((4014))~~ 6014 (Pierce County):** That part of GMU 652 made up of Anderson Island.

**Deer Area No. 4926 Guemes (Skagit County):** That part of GMU 407 (North Sound) on Guemes Island.

~~((Deer Area No. 5051 Fisher Island (Cowlitz County): The islands in the Columbia River known as Fisher Island and Hump Island in Game Management Unit 504.))~~

**Deer Area No. 3088 High Prairie (Klickitat County):** That portion of GMU 388 (Grayback) that is south of SR 142.

**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 06-06-100**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
[Filed March 1, 2006, 11:31 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 06-02-096.

Title of Rule and Other Identifying Information: WAC 232-28-248 Special closures and firearm restrictions and 232-12-809 Definition of eastern and western Washington.

Hearing Location(s): Comfort Inn and Conference Center, 1620 74th Avenue S.W., Tumwater, WA 98501, (360) 596-9100, on April 7-8, 2006, at 8:00 a.m.

Date of Intended Adoption: April 7, 2006.

Submit Written Comments to: Attn: Wildlife Program Commission Meeting Public Comments, 600 Capitol Way North, Olympia, WA 98501-1091, e-mail Wildthing@dfw.wa.gov, fax (360) 902-2162, by Monday, March 24, 2006.

Assistance for Persons with Disabilities: Contact Nancy Burkhart by April 5, 2006, TTY (360) 902-2207 or (360) 902-2267.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: WAC 232-28-248, the proposed rule amendments would add more restrictive firearm rules to areas in Whatcom, Skagit, Snohomish, San Juan, King, and Skamania counties open to archery only. The effect will maintain some limited hunting opportunity in these areas and also provide an effective level of harvest to help control deer populations causing damage and nuisance, especially on the islands in Puget Sound.

WAC 232-12-809, the proposed language adjusts the boundary that defines eastern and western Washington for the purposes of rules made by the fish and wildlife commission. Adjustment of the boundaries will help staff deal with changes in wildlife management strategies.

Reasons Supporting Proposal: WAC 232-28-248, the proposed language retains some limited level of hunting that is compatible with urban expansion. Also helps deal with deer and elk damage and nuisance problems.

WAC 232-12-809, the proposed language makes the boundary defining eastern and western Washington more appropriate for current and proposed deer and elk management strategies. The boundary change will help facilitate consistent management between game management units with similar populations and similar management objectives.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

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

Name of Proponent: Washington fish and wildlife commission, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Natural Resources Building, Olympia, (360) 902-2504; and Enforcement: Bruce Bjork, Natural Resources Building, Olympia, (360) 902-2932.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules regulate recreational hunters and do not directly regulate small business.

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

March 1, 2006  
Evan Jacoby  
Rules Coordinator

**AMENDATORY SECTION** (Amending Order 05-271, filed 1/3/06, effective 2/3/06)

**WAC 232-28-248 Special closures and firearm restriction areas.**

**RESTRICTED AND PROHIBITED HUNTING AREAS.**

These areas are closed by Fish and Wildlife Commission action. Other areas may be closed to hunting by local, state or federal regulations.

IT IS ILLEGAL TO HUNT EXCEPT WHERE PROVIDED IN THE FOLLOWING AREAS:

1. Parker Lake: All lands south of Ruby Creek Road (USFS Road 2489), north of Tacoma Creek Road

(USFS Road 2389) and west of Bonneville Power Administration power lines are designated as "CLOSED AREA" to the hunting of wild animals and wild birds year round. The Parker Lake closure was established to provide a protected area for the Air Force Military Survival Training Program.

2. Columbia River and all the islands in the river, and the Benton County shoreline below the high water mark, and any peninsula originating on the Benton County shoreline, between Vernita Bridge (Highway 24) downstream to the old Hanford townsite powerline crossing (wooden towers) in Section 24, T 13 N, R 27 E, is designated as a "CLOSED AREA" to the hunting of wild animals and wild birds.
3. Green River (GMU 485): Except for special permit hunters, who may also take a black bear and/or cougar with the appropriate license/tag options, all lands within GMU 485 are designated as a "CLOSED AREA" to the hunting of big game by Department of Fish and Wildlife regulated hunters throughout the year. During the general westside elk season and general and late deer seasons, all lands within GMU 485 are also designated as a "CLOSED AREA" to the hunting of all wild animals (including wild birds). The City of Tacoma enforces trespass within GMU 485 on lands owned or controlled by the City during all times of the year.
4. McNeil Island: McNeil Island (part of GMU 652) is closed to the hunting of all wild animals (including wild birds) year around.
5. Loo-wit (GMU 522): Closed to hunting and trapping within GMU 522 (Loo-wit), except for the hunting of elk by special permit holders during established seasons and designated areas.
6. The Voice of America Dungeness Recreation Area County Park in Clallam County is closed to all hunting except Wednesdays, weekends, and holidays, from the first weekend in October to the end of January.

**BIG GAME CLOSURES**

1. Clark, Cowlitz, Pacific, and Wahkiakum counties are closed to Columbian Whitetail Deer hunting.
2. Cathlamet: Beginning in the town of Skamokawa; then east along SR 4 to the Risk Road; then south and east along the Risk Road to Foster Road; then south along the Foster Road to the Elochoman River; then upstream along the Elochoman River to the Elochoman Valley Road (old SR 407); then west along the Elochoman Valley Road to SR 4; then east along SR 4 to SR 409; then south along SR 409 to the Cathlamet Channel of the Columbia River; then east along the north shore of the Cathlamet Channel to Cape Horn; then south in the Columbia River to the state line; then west along the state line to a point directly south of the mouth of Skamokawa Creek; then north on Skamokawa Creek to SR 4 and the point of beginning. This area is closed to all deer and elk hunting, to protect the Columbian White-tail Deer.
3. Willapa National Wildlife Refuge: Except for Long Island, Willapa National Wildlife Refuge is closed to all big game hunting.

- 4. Walla Walla Mill Creek Watershed (GMU 157): All lands in the Mill Creek Watershed are designated as a "CLOSED AREA" to the hunting of all wild animals (including wild birds) except for the hunting of elk by the holders of GMU-157 special elk permits during the established open season. This area is closed to motorized vehicles. Entry is allowed only by Forest Service permit for the duration of the hunt. Any entry into the Mill Creek Watershed at other times is prohibited.
- 5. Westport: Closed to hunting of all big game animals on that part of Westport Peninsula lying north of State Highway 105 from the west end of the Elk River Bridge and the Schafer Island Road to the ocean beach.

**FIREARM RESTRICTION AREAS**

The firearm restriction areas listed below have been established by the Fish and Wildlife Commission. Centerfire and rimfire rifles are not legal for hunting in any of these areas.

In firearm restriction areas, hunters may hunt only during the season allowed by their tag. Archery tag holders may hunt during archery seasons with archery equipment. Muzzleloaders may hunt during muzzleloader seasons with muzzleloader equipment. Modern firearm tag holders may hunt during modern firearm seasons with bows and arrows, muzzleloaders or revolver-type handguns meeting the equipment restrictions or legal shotguns firing slugs or buckshot.

Additional firearm restrictions may be listed under the area description.

COUNTY	AREA
Chelan	That portion of GMU 251 (Mission) beginning at the intersection of the Duncan Road and Highway 2; south on Duncan Road to Mountain Home Road; south along Mountain Home Road to the Icicle Irrigation Ditch; south and west along the Icicle Irrigation Ditch to the Snow Lake Trail; west and north along the Snow Lake Trail and across the Icicle River to Icicle River Road; east and north along Icicle River Road to the Wenatchee River; northwest along the Wenatchee River to Highway 2; north and east on Highway 2 to Duncan Road and the point of beginning.
Clallam	That portion of GMU 624 (Coyle) located within Clallam County.
Clark	GMU 564 (Battleground) That portion of GMU 554 in Clark County.
Cowlitz	GMU 554 (Yale) GMU 504 (Stella) That portion of GMU 564 (Battleground) in Cowlitz County.

COUNTY	AREA
Grays Harbor	That portion of GMU 658 (North River) beginning at Bay City; then west along Highway 105 to Twin Harbors State Park; then south along Highway 105 to Grayland Grocery; then east on Cranberry Road to Turkey Road; then east and north on Turkey Road to Bayview Logging Road; then north and east along Bayview Logging Road to Mallard Slough; then east and south along the Bayview Road to Andrews Creek; then north along main channel of Andrews Creek to Grays Harbor; then north and west along the main navigation channel to Bay City and point of beginning.  The Chehalis Valley restriction applies only during elk seasons:  That portion of GMU 660 (Minot Peak) described as follows: Beginning at Highway 12 and Highway 107 junction near Montesano; east and south on Highway 12 to Oakville; south on the Oakville-Brooklyn Road to a point one mile west of South Bank Road; northwest along a line one mile southwest of the South Bank Road to Delzene Road; north along Delzene Road to South Bank Road; northwest along South Bank Road to Wakefield Road; north on Wakefield Road to the Chehalis River; west along the Chehalis River to Highway 107 bridge; north on Highway 107 to Highway 12 to the point of beginning.
Island	That portion of GMU 410 (Island) located on Camano and Whidbey islands.
Jefferson	Indian and Marrowstone islands.
King	The area west of Highway 203 (Monroe-Fall City, <u>then</u> Fall City-Preston Road) to Interstate 90 (I-90), I-90 to Highway 18, Highway 18 to Interstate 5 (I-5), I-5 to the Pierce-King County line; Vashon and Maury islands.  This area is restricted to archery only:  The following portion of GMU 652 (Puyallup): Beginning at the intersection of State Highway 410 and the southeast Mud Mountain Dam Road near the King/Pierce County line north of Buckley; then east along the southeast Mud Mountain Road to 284th Avenue Southeast; then north along 284th Avenue Southeast to State Highway 410; then west along Highway 410 to the point of the beginning.

COUNTY	AREA
Kitsap	East of State Highway 16 originating at the Tacoma Narrows Bridge to Gorst, and east of Highway 3 to Newbury Hill Road, north of Newbury Hill Road and the Bremerton-Seabeck Highway to Big Beef Creek Bridge; all of Bainbridge Island, and Bangor Military Reservation.
Kittitas	GMU 334 (Ellensburg) Closed to center-fire rifles during deer and elk seasons.
<u>Klickitat</u>	<u>Elk Area 5062 (Trout Lake) closed to centerfire rifles, handguns, and muzzleloaders October 1 to December 15.</u>
Mason	GMU 633 (Mason Lake) south of Hammersley Inlet; and all of Harstene Island.
Pacific	GMU 684 (Long Beach) west of Sand Ridge Road. The portion of GMU 658 (North River) south and west of State Highway 105 and Airport Road between Raymond and North River Bridge. GMU 681 between U.S. Highway 101, Chinook Valley Road and the Columbia River from Astoria-Megler bridge to the Wallcut River.
Pierce	GMU 652 (Anderson and Ketron islands) limited to archery, shotgun, and muzzle-loader. McNeil Island closed to hunting. See GMU 652 restriction area outlined for King County. GMU 627 (Kitsap) south of Highway 302 on the Longbranch Peninsula is a firearm restriction area.
<u>San Juan</u>	<u>All San Juan County.</u>
Snohomish	<u>((West of Highway 9.)) All areas west of Highway 9, until the intersection of Highway 9 and Highway 2, then east along Highway 2 to Highway 203, then all areas west of Highway 203 to the Snohomish/King County line.</u>
Skagit	<u>((Guemes Island and March Point north of State Highway 20.)) All mainland areas and islands in Skagit County west of I-5 and north of the Skagit/Snohomish County line.</u>
Skamania	That portion of GMU 564 (Battle Ground) in Skamania County.
Thurston	GMU 666 (Deschutes) north of U.S. Highway 101 and Interstate 5 between Oyster Bay and the mouth of the Nisqually River.)

COUNTY	AREA
Whatcom	<u>((Area west of I-5 and north of Bellingham city limits including Lummi Island and Point Roberts.)) All mainland areas and islands of Whatcome County that are west of I-5.</u>

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

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

**AMENDATORY SECTION** (Amending Order 271, filed 4/10/86)

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

Eastern Washington - all lands lying east ~~((of the Cascade Crest Trail and east of the Big White Salmon River in Klickitat County))~~ a line drawn from the Canadian border south on the Pacific Crest Trail and along the Yakama Indian Reservation boundary in Yakima County to Klickitat County; in Klickitat County along the Yakama Indian Reservation boundary to Summit Creek Road; southwest on Summit Creek Road to the Glenwood-Goldendale Highway; northwest on the Glenwood-Goldendale Highway to Lakeside Road; south on Lakeside Road to Fisher Hill Road (P-2000); south on Fisher Hill Road to Fisher Hill bridge crossing Klickitat River; southwest down Klickitat River to the Columbia River.

Western Washington - all lands lying west of ~~((the Cascade Crest Trail and west of and including the Big White Salmon River in Klickitat County))~~ a line drawn from the Canadian border south on the Pacific Crest Trail and along the Yakama Indian Reservation boundary in Yakima County to Klickitat County; in Klickitat County along the Yakama Indian Reservation boundary to Summit Creek Road; southwest on Summit Creek Road to the Glenwood-Goldendale Highway; northwest on the Glenwood-Goldendale Highway to Lakeside Road; south on Lakeside Road to Fisher Hill Road (P-2000); south on Fisher Hill Road to Fisher Hill bridge crossing Klickitat River; southwest down Klickitat River to the Columbia River.

**WSR 06-06-101**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
 [Filed March 1, 2006, 11:32 a.m.]

Original Notice.  
 Preproposal statement of inquiry was filed as WSR 06-02-096.

Title of Rule and Other Identifying Information: WAC 232-28-273 2005 Moose, bighorn sheep, and mountain goat seasons and permit quotas.

Hearing Location(s): Comfort Inn and Conference Center, 1620 74th Avenue S.W., Tumwater, WA 98501, (360) 596-9100, on April 7-8, 2006, at 8:00 a.m.

Date of Intended Adoption: April 7, 2006.

Submit Written Comments to: Attn: Wildlife Program Commission Meeting Public Comments, 600 Capitol Way North, Olympia, WA 98501-1091, e-mail Wildthing@dfw.wa.gov, fax (360) 902-2162, by Monday, March 24, 2006.

Assistance for Persons with Disabilities: Contact Nancy Burkhardt by April 5, 2006, TTY (360) 902-2207 or (360) 902-2267.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This rule establishes 2006 seasons and permit quotas for moose, bighorn sheep, and mountain goats. The purpose of the rule is to maximize recreational hunting opportunities for these species while meeting the population and recreational objectives for each herd as indicated in the game management plan.

The proposed changes include: Establishing a rocky mountain bighorn sheep permit in the Blue Mountains; and minor statewide permit level changes for moose (+4 permits), bighorn sheep (+7 permits), and mountain goats (-1 permits).

Reasons Supporting Proposal: Recommended adjustments are based on maximizing recreational hunting opportunities while meeting population objectives for each species as indicated in the game management plan.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

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

Name of Proponent: Washington fish and wildlife commission, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Natural Resources Building, Olympia, (360) 902-2504; and Enforcement: Bruce Bjork, Natural Resources Building, Olympia, (360) 902-2932.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules regulate recreational hunters and do not directly regulate small business.

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

March 1, 2006  
Evan Jacoby  
Rules Coordinator

AMENDATORY SECTION (Amending Order 05-89, filed 5/10/05, effective 6/10/05)

**WAC 232-28-273 ((2005)) 2006-2008 Moose, bighorn sheep, and mountain goat seasons and permit quotas.**

**((2005)) Moose Permit Hunts**

**Who May Apply:** Anyone may apply; EXCEPT those who harvested a moose previously in Washington state. An individual may only harvest one moose during their lifetime (except waived for antlerless only hunts and raffle and auction hunts).

**Bag Limit:** One moose of either sex, EXCEPT antlerless only for the 49 Degrees North B persons with disabilities hunt, Hangman B Hunt, Mt. Spokane B Hunt and the Mt. Spokane Youth Hunt.

**Weapon Restrictions:** Permit holders may use any legal weapon.

Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	((2005)) Permits
Kettle Range	Oct. 1-Nov. 30	((GMU)) <u>GMUs</u> 101, 105	Any Moose	1
Selkirk Mtns.	Oct. 1-Nov. 30	GMU 113	Any Moose	20
Mt. Spokane A	Oct. 1-Nov. 30	GMU 124(;) east of Hwy 395	Any Moose	10
Mt. Spokane B	Oct. 1-Nov. 30	GMU 124(;) east of Hwy 395	Antlerless Only	12
Mt. Spokane Youth Only <sup>a</sup>	Oct. 1-Nov. 30	GMU 124(;) east of Hwy 395	Antlerless Only	8
49 Degrees North <u>A</u>	Oct. 1-Nov. 30	GMU 117	Any Moose	22
49 Degrees North B <sup>b</sup>	Oct. 1-Nov. 30	GMU 117	Antlerless Only	3
Three Forks	Oct. 1-Nov. 30	GMUs 108, 111	Any Moose	((6)) <u>8</u>
Hangman A	Oct. 1-Nov. 30	((GMU)) <u>GMUs</u> 127, 130	Any Moose	5
Hangman B	Oct. 1-Nov. 30	((GMU)) <u>GMUs</u> 127, 130	Antlerless Only	((3)) <u>5</u>
Huckleberry Range	Oct. 1-Nov. 30	((GMU)) <u>GMUs</u> 121, 124 west of Hwy 395	Any Moose	6

<sup>a</sup>Applicants must be eligible to purchase a youth moose permit application. Youth hunters must be accompanied by an adult during the hunt.

<sup>b</sup>Applicants must possess a Disabled Hunter Permit.

**((2005 Mountain)) Bighorn Sheep ((Bighorn)) Permit Hunts**

**Who May Apply:** Anyone may apply; EXCEPT those who harvested a bighorn sheep previously in Washington state. An individual may only harvest one bighorn sheep during their lifetime. (Except waived for raffle and auction hunts.)

**Bag Limit:** One bighorn ram.

Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	((2005)) Permits
Vulcan Mountain	Sept. 15-Oct. 10	Sheep Unit 2	Any Legal Weapon	1
<del>((Umtanum/))Selah Butte</del> <del>((A))</del>	<del>((Sept. 15-Oct. 2))</del> <u>Nov. 7-30</u>	Sheep Unit 4 <del>((and 5))</del>	Any Legal Weapon	<del>((4))</del> <u>5</u>
Umtanum <del>((/Selah Butte B))</del>	<del>((Nov. 7-30))</del> <u>Sept. 15-Oct. 10</u>	Sheep Unit <del>((4 and))</del> 5	Any Legal Weapon	<del>((3))</del> <u>5</u>
Cleman Mountain A	Sept. 15-Oct. 2	Sheep Unit 7	Any Legal Weapon	5
Cleman Mountain B	Nov. 7-30	Sheep Unit 7	Any Legal Weapon	<del>((4))</del> <u>5</u>
Mt. Hull	Sept. 15-Oct. 10	Sheep Unit 10	Any Legal Weapon	<del>((+))</del> <u>2</u>
<u>Wenaha</u>	<u>Sept. 15-Oct. 10</u>	<u>Sheep Unit 11</u>	<u>Any Legal Weapon</u>	<u>1</u>
Lincoln Cliffs	Sept. 15-Oct. 10	Sheep Unit 12	Any Legal Weapon	1
Quilomene A	Sept. 15-Oct. 2	Sheep Unit 13	Any Legal Weapon	3
Quilomene B	Nov. 7-30	Sheep Unit 13	Any Legal Weapon	2
Swakane	Sept. 15-Oct. 10	Sheep Unit 14	Any Legal Weapon	1
Tieton	Sept. 15-Oct. 10	Sheep Unit 15	Any Legal Weapon	<del>((2))</del> <u>3</u>
Manson	Nov. 7-30	Sheep Unit 16	Any Legal Weapon	2

~~((Mountain (Bighorn)))~~ **Bighorn Sheep Units:**

**Sheep Unit 2 Vulcan Mountain:** Permit Area: Ferry County north of the Kettle River near Curlew.

**Sheep Unit 4 Selah Butte:** Permit Area: That part of Yakima and Kittitas counties between Ellensburg and Yakima east of the Yakima River and north of Selah Creek, west of Interstate 82 and south of Interstate 90.

**Sheep Unit 5 Umtanum:** Permit Area: Those portions of Yakima and Kittitas counties west of the Yakima River, north of Wenas Creek, and east of USFS Road 1701 to Manastash Lake and its drainage; south and east along the South Fork Manastash Creek to Manastash Creek and the Yakima River.

**Sheep Unit 7 Cleman Mountain:** Permit Area: That part of Yakima County south of Wenas Creek and east of USFS Road 1701, north of Highway 410 and Highway 12 and west of the Yakima River.

**Sheep Unit 10 Mt. Hull:** Permit Area: That part of Okanogan County within the following described boundary: Beginning at Oroville; then south along U.S. Highway 97 to the Swanson's Mill Road (old Mt. Hull Road) near Lake Andrews; then east to the Dry Gulch Road; then north to the Oroville-Toroda Creek Road (Molson Grade Road); then west to Oroville and the point of beginning.

**Sheep Unit 11 Wenaha Wilderness:** Permit Area: That part of GMU 169 within Crooked Creek drainage.

**Sheep Unit 12 Lincoln Cliffs:** Permit Area: That part of Lincoln County north of Highway 2.

**Sheep Unit 13 Quilomene:** Permit Area: ~~((GMU))~~ GMUs 329, 330, and 251 south of Colockum Creek.

**Sheep Unit 14 Swakane:** Permit Area: GMU 250.

**Sheep Unit 15 Tieton:** Permit Area: GMU 360.

**Sheep Unit 16 Manson:** Permit Area: GMU 243.

**2005 Mountain Goat Permit Hunts**

**Who May Apply:** Anyone may apply; except those who harvested a mountain goat in Washington state after 1998. An individual may only harvest one mountain goat during their lifetime, except for those who harvested a goat prior to 1999. (Except waived for raffle and auction hunts.)

**Bag Limit:** One (1) adult goat of either sex with horns four (4) inches or longer. WDFW urges hunters to refrain from shooting nannies with kids. Permit hunters may start hunting Sept. 1 with archery equipment.

Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	((2005)) Permits
Chelan North	Sept. 15-Oct. 31	Goat Unit 2-1	Any Legal Weapon	1
Methow	Sept. 15-Oct. 31	Goat Unit 2-2	Any Legal Weapon	2
Naches Pass/Corral Pass	Sept. 15-Oct. 31	Goat <del>((Unit))</del> <u>Units</u> 3-6, 4-38	Any Legal Weapon	2
Bumping River	Sept. 15-Oct. 31	Goat Unit 3-7	Any Legal Weapon	2
Blazed Ridge	Sept. 15-Oct. 31	Goat Unit 3-10	Any Legal Weapon	2
Kachess Ridge	Sept. 15-Oct. 31	Goat Unit 3-11	Any Legal Weapon	0
Jack Mountain	Sept. 15-Oct. 31	Goat Unit 4-9	Any Legal Weapon	0



Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	((2005)) Permits
Tatoosh	Sept. 15-Oct. 31	Goat Unit 5-2	Any Legal Weapon	1
Smith Creek	Sept. 15-Oct. 31	Goat Unit 5-3	Any Legal Weapon	1
Goat Rocks/Tieton River	Sept. 15-Oct. 31	Goat Units 3-9, 5-4	Any Legal Weapon	((6)) 5

**Mountain Goat Units:**

**Goat Unit 2-1 Chelan N. (Chelan County):** Permit Area: Beginning at the mouth of Fish Creek on Lake Chelan (Moore Point); then northeast up Fish Creek and USFS trail 1259 to the Sawtooth crest near Deephole Spring; then south-east along the Sawtooth crest, which separates Chelan and Okanogan County, to Horsethief Basin and the headwaters of Safety Harbor Creek; then south along Safety Harbor Creek to Lake Chelan, then northwest along the north shore of Lake Chelan to the mouth of Fish Creek at Moore Point and the point of beginning.

**Goat Unit 2-2 Methow Area:** Permit Area: Okanogan County within the following described boundary: Beginning at the Town of Twisp, westerly along the Twisp River Road (County Road 4440) to Roads End; west up the Twisp Pass Trail 432 to Twisp Pass and the Okanogan County line; northerly along the Okanogan County line through Washington Pass to Harts Pass; southeast down Harts Pass (Road 5400) to Lost River; then along the Lost River-Mazama Road to Mazama; then southwest to State Highway 20; then south-easterly along State Highway 20 to Twisp and the point of beginning.

**Goat Unit 3-6 Naches Pass:** Permit Area: Yakima and Kittitas counties within the following described boundary: Beginning at Chinook Pass; then north along the Pacific Crest Trail to Naches Pass; then east to USFS Road 19 and continuing to State Highway 410; then west along State Highway 410 to Chinook Pass and point of beginning.

**Goat Unit 3-7 Bumping River:** Permit Area: GMU 356(~~EXCEPT Timberwolf Mountain, which is closed~~).

**Goat Unit 3-9 Tieton River:** Permit Area: (~~Yakima County within the following described boundary: Beginning at White Pass and Pacific Crest Trail; then south to the Yakama Indian Reservation Boundary; then east to USFS Jeep Trail 1137; then west to USFS Road 1070-578 Spur; then west to Road 1000; then north to USFS Road 12; then north to State Highway 12; then west on State Highway 12 to point of beginning~~) GMU 364.

**Goat Unit 3-10 Blazed Ridge:** Permit Area: Kittitas and Yakima counties within the following described boundary: Beginning at the mouth of Cabin Creek on the Yakima River; then west along Cabin Creek to the headwaters near Snowshoe Butte; then south along the Cascade Crest separating the Green and Yakima river drainage to Pyramid Peak; then southeast along the North Fork, Little Naches, and Naches River to the Yakima River; then north along the Yakima River to the mouth of Cabin Creek and point of beginning.

**Goat Unit 3-11 Kachess Ridge:** Permit Area: Kittitas County within the following described boundary: Beginning at the mouth of the Kachess River on the Yakima River; then

north along the Kachess River and Kachess Lake to USFS Road 4600; then east on USFS Road 4600 to the Cle Elum River; then south along the Cle Elum River and Lake Cle Elum to the Yakima River; then northwest along the Yakima River to the mouth of the Kachess River and point of beginning.

**Goat Unit 4-9 Jack Mountain:** Permit Area: Whatcom County within the following described boundary: Beginning at the confluence of Ruby Creek and Crater Creek; then north up Crater Creek to the ridge line between Jerry Lakes and a pinnacle of Jack Mountain (7,292 ft. elevation); continue due north to Devil's Creek; then west down Devil's Creek to Ross Lake; then south along the east shoreline of Ross Lake to Ruby Arm; then easterly up Ruby Arm and Ruby Creek to the confluence of Crater Creek and the point of beginning.

**Goat Unit 4-38 Corral Pass:** Permit Area: Pierce County within the following described boundary: Beginning where Goat Creek intersects the Corral Pass Road; then southeast up Goat Creek to the Cascade Crest; then north along the Crest to USFS Trail 1188; then northwest along said trail to USFS Trail 1176; then north along said trail to Corral Pass; then west along Corral Pass Road to its intersection with Goat Creek and the point of beginning.

**Goat Unit 5-2 Tatoosh:** Permit Area: Lewis County within the following described boundary: Beginning at the junction of the southern Mount Rainier National Park Boundary and State Highway 123; then south along State Highway 123 to U.S. Highway 12; then southwest along said highway to Skate Creek Road (USFS Road 52); then northwest along said road to the junction of Morse Creek Road (old road to Longmire Campground); then north along said road to the Mount Rainier National Park Boundary; then east along the southern park boundary to the point of beginning.

**Goat Unit 5-3 Smith Creek:** Permit area: Lewis County within the following described boundary: Beginning at the Town of Randle; then east along U.S. Highway 12 to USFS Road 21; then southeast along USFS Road 21 to USFS Road 22; then northeast and northwest along USFS Road 22 to USFS Road 23; then east and northwest on USFS Road 23 to USFS Road 25; then north along USFS Road 25 to Randle and point of beginning.

**Goat Unit 5-4 Goat Rocks:** Permit Area: Lewis County south of the White Pass Highway (U.S. Highway 12) and east of the Johnson Creek Road (USFS Road 1302).

**WSR 06-06-102**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
 [Filed March 1, 2006, 11:32 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 06-02-096.

Title of Rule and Other Identifying Information: WAC 232-28-282 Big game and wild turkey auction, raffle, and special incentive permits and 232-28-291 Special hunting season permits.

Hearing Location(s): Comfort Inn and Conference Center, 1620 74th Avenue S.W., Tumwater, WA 98501, (360) 956-9100, on April 7-8, 2006, at 8:00 a.m.

Date of Intended Adoption: April 7, 2006.

Submit Written Comments to: Attn: Wildlife Program Commission Meeting Public Comments, 600 Capitol Way North, Olympia, WA 98501-1091, e-mail Wildthing@dfw.wa.gov, fax (360) 902-2162, by Monday, March 24, 2006.

Assistance for Persons with Disabilities: Contact Nancy Burkhart by April 5, 2006, TTY (360) 902-2207 or (360) 902-2267.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: WAC 232-28-282, the rule provides seasons, bag limits, and hunt areas for big game auction and raffle hunting opportunities. Recommended changes include: (1) Season dates of September 1 to December 31 for all big game auction and raffle hunts, (2) allowing California bighorn sheep and mountain goat hunters to hunt any open sheep or goat unit with at least two permits, respectively, (3) changing one GMU for the Rocky Mountain bighorn sheep raffle hunt area, and (4) editorial changes.

WAC 232-28-291, the purpose is to establish rules for conducting drawings for hunting season permits. The proposed change removes language regarding refunds of licenses and transport tags, refunds are now addressed in WAC 220-55-040.

Reasons Supporting Proposal: WAC 232-28-282, the purpose of the proposed changes is aimed at increasing revenue with no additional population impacts.

WAC 232-28-291, consolidate language regarding refunds for hunting licenses and transport tags.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

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

Name of Proponent: Washington fish and wildlife commission, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Natural Resources Building, Olympia, (360) 902-2504; and Enforcement: Bruce Bjork, Natural Resources Building, Olympia, (360) 902-2932.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules regulate recreational hunters and do not directly regulate small business.

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

March 1, 2006

Evan Jacoby

Rules Coordinator

AMENDATORY SECTION (Amending Order 05-271, filed 1/3/06, effective 2/3/06)

**WAC 232-28-282 Big game and wild turkey auction, raffle, and special incentive permits.**

**BIG GAME AUCTION PERMITS**

The director will select a conservation organization(s) to conduct annual auction(s). Selection of the conservation organizations will be based on criteria adopted by the Washington department of fish and wildlife. Big game and wild turkey auctions shall be conducted consistent with WAC 232-28-292.

**SPECIES - ONE WESTSIDE DEER PERMIT**

Hunting season dates: ~~((2005 and thereafter,))~~ September 1 - December 31

Hunt Area: Western Washington EXCEPT GMU 485 and those GMUs closed to deer hunting by the fish and wildlife commission.

Weapon: Any legal weapon.

Bag limit: One additional any buck deer

**SPECIES - ONE EASTSIDE DEER PERMIT**

Hunting season dates: ~~((2005 and thereafter,))~~ September 1 - December 31

Hunt Area: Eastern Washington EXCEPT those GMUs closed to deer hunting by the fish and wildlife commission.

Weapon: Any legal weapon.

Bag limit: One additional any buck deer

**SPECIES - ONE WESTSIDE ELK PERMIT**

~~((Hunting season dates: September 1 - December 31, 2005~~

~~Hunt Area: Western Washington except those GMUs closed to elk hunting and those GMUs not opened to branch antlered bull elk hunting by the fish and wildlife commission.~~

~~Weapon: Any legal weapon.~~

~~Bag limit: One additional any bull elk))~~

Hunting season dates: September 1 - December 31 ~~((, 2006 and thereafter))~~

Hunt Area: Western Washington EXCEPT GMU 485, those GMUs closed to elk hunting, and those GMUs not opened to branch antlered bull elk hunting by the fish and wildlife commission.

Weapon: Any legal weapon.

Bag limit: One additional any bull elk

**SPECIES - ONE EASTSIDE ELK PERMIT**

Hunting season dates: September 1 - December 31

Hunt Area: Eastern Washington EXCEPT GMU 157, those GMUs closed to elk hunting, and those GMUs not opened to branch antlered bull elk hunting by the fish and wildlife commission.

Weapon: Any legal weapon.

Bag limit: One additional any bull elk

SPECIES - ONE CALIFORNIA BIGHORN SHEEP PERMIT

~~((Hunting season dates: September 1 - October 31, 2005~~

~~Hunt Area: Sheep Unit 4 (Selah Butte), Sheep Unit 5 (Umtanum), Sheep Unit 7 (Cleman Mountain), Sheep Unit 12 (Lincoln Cliffs), or Sheep Unit 13 (Quilomene).~~

~~Weapon: Any legal weapon, except must use archery equipment during archery seasons and muzzleloader equipment during muzzleloader seasons.~~

~~Bag limit: One bighorn ram))~~

Hunting season dates: September 1 - ~~((October 31, 2006 and thereafter))~~ December 31

Hunt Area: ~~((Sheep Unit 4 (Selah Butte), Sheep Unit 5 (Umtanum), Sheep Unit 7 (Cleman Mountain), or Sheep Unit 13 (Quilomene)))~~ Any open sheep unit with two (2) or more permits during the respective license year, except sheep units in Walla Walla, Columbia, Garfield, Asotin, or Pend Oreille counties.

Weapon: Any legal weapon, EXCEPT must use archery equipment during archery seasons and muzzleloader equipment during muzzleloader seasons.

Bag limit: One bighorn ram

SPECIES - ONE MOOSE PERMIT

Hunting season dates: ~~((October 1 - November 30))~~ September 1 - December 31

Hunt Area: Any open moose unit.

Weapon: Any legal weapon, EXCEPT must use archery equipment during archery seasons and muzzleloader equipment during muzzleloader seasons.

Bag limit: One moose of either sex

SPECIES - ONE MOUNTAIN GOAT PERMIT

Hunting season dates: ~~((September 15 - October 31))~~ September 1 - December 31

Hunt Area: ~~((Goat Unit 3-6 (Naehes Pass), Goat Unit 3-9 (Tieton River), Goat Unit 3-10 (Blazed Ridge), or Goat Unit 5-4 (Goat Rocks)))~~ Any open goat unit with two (2) or more permits during the respective license year.

Weapon: Any legal weapon, EXCEPT must use archery equipment during archery seasons and muzzleloader equipment during muzzleloader seasons.

Bag limit: One mountain goat of either sex

#### RAFFLE PERMITS

Raffle permits will be issued to individuals selected through a Washington department of fish and wildlife drawing or the director may select a conservation organization(s) to conduct annual raffles. Selection of a conservation organization will be based on criteria adopted by the Washington department of fish and wildlife. Big game and wild turkey raffles shall be conducted consistent with WAC 232-28-290.

RAFFLE PERMIT HUNT(S)

WESTSIDE DEER RAFFLE PERMIT HUNT

Bag limit: One additional any buck deer

Open area: Western Washington EXCEPT GMU 485 and those GMUs closed to deer hunting by the fish and wildlife commission.

Open season: ~~((2005 and thereafter,))~~ September 1 - December 31

Weapon: Any legal weapon.

Number of permits: 1

~~((Raffle ticket cost: \$5.00 including a 50-cent vendor fee.))~~

EASTSIDE DEER RAFFLE PERMIT HUNT

Bag limit: One additional any buck deer

Open area: Eastern Washington EXCEPT those GMUs closed to deer hunting by the fish and wildlife commission.

Open season: ~~((2005 and thereafter,))~~ September 1 - December 31

Weapon: Any legal weapon.

Number of permits: 1

~~((Raffle ticket cost: \$5.00 including a 50-cent vendor fee.))~~

WESTSIDE ELK RAFFLE PERMIT HUNT

~~((Bag limit: One additional any bull elk~~

~~Open area: Western Washington except those GMUs closed to elk hunting and those GMUs not open to branch antlered bull elk hunting by the fish and wildlife commission.~~

~~Open season: September 1 - December 31, 2005.~~

~~Weapon: Any legal weapon.~~

~~Number of permits: 1~~

~~Raffle ticket cost: \$5.00 including a 50-cent vendor fee.))~~

Bag limit: One additional any bull elk

Open area: Western Washington EXCEPT GMU 485, those GMUs closed to elk hunting, and those GMUs not open to branch antlered bull elk hunting by the fish and wildlife commission.

Open season: September 1 - December 31~~((, 2006 and thereafter)).~~

Weapon: Any legal weapon.

Number of permits: 1

~~((Raffle ticket cost: \$5.00 including a 50-cent vendor fee.))~~

EASTSIDE ELK RAFFLE PERMIT HUNT

Bag limit: One additional any bull elk

Open area: Eastern Washington EXCEPT GMU 157, those GMUs closed to elk hunting, and those GMUs not opened to branch antlered bull elk hunting by the fish and wildlife commission.

Open season: September 1 - December 31.

Weapon: Any legal weapon.

Number of permits: 1

~~((Raffle ticket cost: \$5.00 including a 50-cent vendor fee.))~~

CALIFORNIA BIGHORN SHEEP RAFFLE PERMIT HUNT

~~((Bag limit: One bighorn ram~~

~~Open area: Sheep Unit 4 (Selah Butte), Sheep Unit 5 (Umtanum), Sheep Unit 7 (Cleman Mountain), Sheep Unit 12 (Lincoln Cliffs), or Sheep Unit 13 (Quilomene).~~

~~Open season: September 1 - October 31, 2005.~~

~~Weapon: Hunter may use any legal weapon.~~

~~Number of permits: 1~~

~~Raffle ticket cost: \$10.00 including a 50-cent vendor fee.))~~

Bag limit: One bighorn ram

Open area: (~~Sheep Unit 4 (Selah Butte), Sheep Unit 5 (Umtanum), Sheep Unit 7 (Cleman Mountain) or Sheep Unit 13 (Quilomene)~~) Any open bighorn sheep unit with two (2) or more permits during the respective license year, except sheep units in Walla Walla, Columbia, Garfield, Asotin, or Pend Oreille counties.

Open season: (~~September 1 – October 31, 2006 and thereafter~~) September 1 - December 31.

Weapon: Hunter may use any legal weapon.

Number of permits: 1

(~~Raffle ticket cost: \$10.00 including a 50-cent vendor fee.~~)

#### MOOSE RAFFLE PERMIT HUNT

Bag limit: One moose of either sex

Open area: Any open moose unit.

Open season: (~~October 1 – November 30~~) September 1 - December 31.

Weapon: Hunter may use any legal weapon.

Number of permits: 1

(~~Raffle ticket cost: \$5.00 including a 50-cent vendor fee.~~)

#### MOUNTAIN GOAT RAFFLE PERMIT HUNT

Bag limit: One mountain goat of either sex

Open area: (~~Goat Unit 3-6 (Naches Pass), Goat Unit 3-9 (Tieton River), Goat Unit 3-10 (Blazed Ridge), or Goat Unit 5-4 (Goat Rocks)~~) Any open goat unit with two (2) or more permits during the respective license year.

Open season: (~~September 15 – October 31~~) September 1 - December 31.

Weapon: Hunter may use any legal weapon.

Number of permits: 2

(~~Raffle tickets cost: \$5.00 including a 50-cent vendor fee.~~)

#### TURKEY RAFFLE PERMIT HUNTS

Bag limit: Three (3) additional wild turkeys, but not to exceed more than one turkey in Western Washington or two turkeys in Eastern Washington.

Open area: Statewide.

Open season: April 1 - May 31.

Weapon: Archery or shotgun only.

Number of permits: 2

(~~Raffle ticket cost: \$5.00 including a 50-cent vendor fee.~~)

#### DIRECTOR AUTHORIZED BIG GAME AUCTION OR RAFFLE PERMITS

The director shall determine which method of permit opportunity, auction or raffle, taking into consideration impacts to the wildlife resource, opportunity to the hunting community, other resource management issues, and expected revenue. The director may select a conservation organization(s) to conduct annual auction(s) or raffle(s). Selection of the conservation organization will be based on criteria adopted by the Washington department of fish and wildlife. Big game auctions and raffles shall be conducted consistent with WAC 232-28-292.

#### ROCKY MOUNTAIN BIGHORN SHEEP AUCTION OR RAFFLE PERMIT

Hunting season dates: (~~2005 and thereafter~~) September 1 - (~~October~~) December 31

Hunt Area: GMUs (~~166~~), 169, 172, 181, 186.

Weapon: Hunter may use any legal weapon.

Bag limit: One bighorn ram

#### SPECIAL INCENTIVE PERMITS

Hunters will be entered into a drawing for special deer and elk incentive permits for prompt reporting of hunting activity in compliance with WAC 232-28-299.

(a) There will be two (2) any elk special incentive permits for Western Washington.

Open area: Western Washington EXCEPT GMUs 418, 485, 522, and those GMUs closed to elk hunting or closed to branch antlered bull elk hunting by the fish and wildlife commission.

Open season: September 1 - December 31.

Weapon: Any legal weapon, EXCEPT must use archery equipment during archery seasons and muzzleloader equipment during muzzleloader seasons.

Bag limit: One additional elk.

There will be two (2) any elk special incentive permits for Eastern Washington.

Open area: Eastern Washington EXCEPT GMU 157 and those GMUs closed to elk hunting or closed to branch antlered bull elk hunting by the fish and wildlife commission.

Open season: September 1 - December 31.

Weapon: Any legal weapon, EXCEPT must use archery equipment during archery seasons and muzzleloader equipment during muzzleloader seasons.

Bag limit: One additional elk.

(b) There will be five (5) statewide any deer special incentive permits, for use in any area open to general or permit hunting seasons EXCEPT GMUs 157, 418, 485, 522, and those GMUs closed to deer hunting by the fish and wildlife commission.

Open season: September 1 - December 31.

Weapon: Any legal weapon, EXCEPT must use archery equipment during archery seasons and muzzleloader equipment during muzzleloader seasons and any legal weapon at other times if there are no firearm restrictions.

Bag limit: One additional any deer.

#### Auction, raffle, and special incentive hunt permittee rules

(1) Permittee shall contact the appropriate regional office of the department of fish and wildlife when entering the designated hunt area or entering the region to hunt outside the general season.

(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.

(5) The permit is valid during the hunting season dates for the year issued.

(6) The permittee will present the head and carcass of the bighorn sheep killed to any department office within 72 hours of date of kill.

(7) The permittee must abide by all local, state, and federal regulations including firearm restriction areas and area closures.

(8) Hunters awarded the special incentive permit will be required to send the appropriate license fee to the department of fish and wildlife headquarters in Olympia. The department will issue the license and transport tag and send it to the special incentive permit winner.

**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.

AMENDATORY SECTION (Amending Order 04-327, filed 1/3/05, effective 2/3/05)

**WAC 232-28-291 Special hunting season permits.**

The commission may establish special hunting seasons limited to species and/or weapon type.

~~1. ((Deer, elk, cougar, or black bear special hunting season permit applications:~~

~~A-)) To apply for special hunting season permits for deer, elk, cougar, or black bear applicants must have a valid Washington big game hunting license and a valid transport tag for the appropriate species. To apply for a particular hunt, each applicant for deer or elk must have the proper transport tag as identified in the special deer or elk permit regulations.~~

~~((B. No refunds or exchanges for deer, elk, cougar, or black bear hunting licenses or transport tags will be made for persons applying for special hunting season permits after the permit drawing has been held.))~~

2. Mountain goat, moose, and bighorn sheep special hunting season permit applications:

A. Persons who have previously harvested a mountain goat, bighorn sheep, or moose in Washington are ineligible to apply for a special hunting season permit for that species. This lifetime harvest restriction does not apply to individuals who harvested a mountain goat before 1999, raffle or auction hunt authorizations, or antlerless-only moose hunts.

B. Successful applicants under this section must purchase the appropriate hunting license within fifteen days of the published notification deadline by the department. Failure to purchase forfeits the permit to an alternate applicant.

~~((C. No refunds for mountain goat, moose, or bighorn sheep hunting licenses will be made for persons successfully drawing and purchasing special hunting season permits.))~~

3. Wild turkey special hunting season permit applications

A. To apply for wild turkey special hunting season permits, each applicant must have a valid small game hunting license.

~~((B. No refunds for small game hunting licenses will be made, regardless of success in the drawing for wild turkey special hunting season permits.~~

~~C-))~~ B. Wild turkey special hunting season permit holders must have a valid turkey transport tag in possession to hunt turkeys in the special hunting season.

4. Special hunting season permit applications:

A. Group applications will be accepted for any species with a group size larger than one. Maximum group sizes are determined for each species. If a group application is drawn, all hunters in the group will receive a special hunting season permit and each hunter in the group can take an animal.

i. Maximum group size for deer is 12.

ii. Maximum group size for elk is 12.

iii. Maximum group size for bear is 2.

iv. Maximum group size for cougar is 2.

v. Maximum group size for mountain goat is 2.

vi. Maximum group size for bighorn sheep is 2.

vii. Maximum group size for turkey is 4.

viii. Maximum group size for moose is 2.

B. An applicant may purchase only one application for a special hunting season permit for each species.

C. Permits will be drawn by computer selection using a weighted point selection system.

D. Incomplete applications will not be accepted.

E. If an applicant makes a mistake, applies for the wrong hunt, and is successfully drawn, the special hunting season permit can be returned to the department of fish and wildlife Olympia headquarters before the opening day of the special hunting season or the opening day of the general hunting season, whichever comes first. The applicant's points will be restored to the level prior to the permit drawing.

F. Anyone may apply for a special hunting season permit for deer, elk, bear, cougar, and wild turkey.

5. In addition to requirements for special hunting season permit applications, following are application requirements for:

A. Special hunting seasons for persons of disability: Only applicants with a Washington disabled hunter permit are eligible to apply for any special hunting season permits for persons of disability.

B. Special hunting seasons for youth: Only persons who are eligible to lawfully purchase a youth hunting license are eligible to apply for special hunting season permits for youth.

C. Special hunting seasons for hunters age 65 and older: Only applicants sixty-five years of age or older on or before March 31 of the current license year will be eligible to apply for special hunting season permits for hunters age 65 and older.

D. Special hunting seasons for advanced hunter education graduates: Only persons who hold a valid certificate from the Washington department of fish and wildlife advanced hunter education (AHE) program are eligible to apply for special hunting season permits for AHE hunters.

6. Citizen reward for reporting violations - bonus points: A person who provides information which contributes substantially to the arrest of another person for illegally hunting or killing big game or an endangered species as defined by Title 77 RCW is eligible to receive ten bonus points toward the special hunting permit drawing for deer or elk special hunting season permits.

A. Only ten bonus points can be awarded for 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.

7. Second deer or elk tag: Second deer or elk tags may be offered under the special hunting season permit application process. Successful applicants under this section may purchase an appropriate second transport tag. The legal bag limit restrictions for second tags will be listed in the respective deer or elk hunting season WACs. Purchase deadline restrictions for second deer or elk tags will be listed in the respective deer or elk hunting season WACs.

**WSR 06-06-103**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
[Filed March 1, 2006, 11:33 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 06-02-096.

Title of Rule and Other Identifying Information: WAC 232-28-286 2007, 2008, and 2009 Spring black bear seasons and regulations, 232-28-272 2003-2004, 2004-2005 and 2005-2006 Black bear and cougar hunting seasons and regulations, 232-12-024 Requirements for sealing of pelts and collection of biological information for river otter, cougar, lynx, and bobcat, and 232-28-284 Spring black bear seasons and regulations.

Hearing Location(s): Comfort Inn and Conference Center, 1620 74th Avenue S.W., Tumwater, WA 98501, (360) 596-9100, on April 7-8, 2006, at 8:00 a.m.

Date of Intended Adoption: April 7, 2006.

Submit Written Comments to: Attn: Wildlife Program Commission Meeting Public Comments, 600 Capitol Way North, Olympia, WA 98501-1091, e-mail Wildthing@dfw.wa.gov, fax (360) 902-2162, by Monday, March 24, 2006.

Assistance for Persons with Disabilities: Contact Nancy Burkhart by April 5, 2006, TTY (360) 902-2207 or (360) 902-2267.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: WAC 232-28-286, the rule establishes spring black bear hunting seasons for 2007, 2008, and 2009. The purpose is to use spring bear hunts to address timber damage, bear complaints, female bear harvest, and to better distribute harvest. The anticipated effect of the recommendation is to reduce damage and complaints with a sustainable bear population.

WAC 232-28-272, the rule establishes hunting seasons for black bear and cougar. The purpose of the recommended change is to maximize recreational hunting opportunities for bear and cougar while maintaining sustainable populations. The anticipated effect of the recommendation is stable bear

populations statewide and declining cougar populations statewide.

WAC 232-12-024, the rule establishes pelt-sealing requirements for river otter, cougar, lynx, and bobcat. The purpose of the recommended change is to clarify that hunters must contact the agency within 72 hours of harvesting a cougar without the aid of dogs, compared to 24 hours with the aid of dogs. The anticipated effect of the recommendation is clarification only.

WAC 232-28-285, rule is being replaced by WAC 232-28-286.

Reasons Supporting Proposal: WAC 232-28-286, to address timber damage, bear complaints, female bear harvest, and to better distribute harvest.

WAC 232-28-272, biological data supports status quo seasons for bear and cougar.

WAC 232-12-024, timely notification of cougar harvest allows the department to manage quota levels for cougar and coordinate sealing times with hunters.

WAC 232-28-285, rule is being replaced by WAC 232-28-286.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

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

Name of Proponent: Washington fish and wildlife commission, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Natural Resources Building, Olympia, (360) 902-2504; and Enforcement: Bruce Bjork, Natural Resources Building, Olympia, (360) 902-2932.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules regulate recreational hunters and do not directly regulate small business.

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

March 1, 2006

Evan Jacoby

Rules Coordinator

NEW SECTION

**WAC 232-28-286 2007, 2008, and 2009 Spring black bear seasons and regulations**

**Who may apply:** Anyone with a valid Washington big game license, which includes black bear as a species option.

**Hunt areas, permit levels, and season dates for each license year:**

Hunt name	Hunt area	Permits	Season dates <sup>b</sup>
Sherman	GMU 101	15	April 15 – May 31
Kelly Hill	GMU 105	10	April 15 – May 31
Douglas	GMU 108	5	April 15 – May 31
Aladdin	GMU 111	10	April 15 – May 31

Hunt name	Hunt area	Permits	Season dates <sup>b</sup>
49 Degrees North	GMU 117	15	April 15 – May 31
Huckleberry	GMU 121	15	April 15 – May 31
Blue Creek	GMU 154	15	April 15 – May 31
Dayton	GMU 162	15	April 15 – May 31
Tucannon	GMU 166	5	April 15 – May 31
Wenaha	GMU 169	30	April 15 – May 31
Mt. View	GMU 172	15	April 15 – May 31
Lick Creek	GMU 175	15	April 15 – May 31
Grande Ronde	GMU 186	5	April 15 – May 31
Copalis <sup>a</sup>	GMU 642	100	April 15 – June 15
Kapowsin South <sup>a</sup>	That portion of GMUs 653 and 654 that is designated as Kapowsin South by Hancock Forest Management	100	April 15 – June 15
Capitol Forest <sup>a</sup>	That portion of Capitol Forest within GMU 663	100	April 15 – June 15

<sup>a</sup>Spring black bear hunting seasons under this area constitute a pilot program to reduce black bear damage to trees.  
<sup>b</sup>Permits are valid for the license year they are issued.

**Bag limit:** One black bear per black bear special permit season.

**License required:** A valid big game hunting license, which includes black bear as a species option, is required to hunt black bear. One black bear transport tag is included with a big game hunting license that has black bear as a species option.

**Hunting method:** Hunters may use any lawful big game modern firearm, archery, or muzzleloader equipment for hunting black bear. The use of dogs or bait to hunt black bear is prohibited statewide.

**Submitting bear teeth:** Successful bear hunters must submit the black bear premolar located behind the canine tooth of the upper jaw.

AMENDATORY SECTION (Amending Order 04-284, filed 10/14/04, effective 11/14/04)

**WAC 232-28-272 ((2003-2004, 2004-2005, and 2005-2006) 2006-2007, 2007-2008, and 2008-2009 Black bear and cougar hunting seasons and regulations.**

**2006-2008 Fall Black Bear Seasons:**

**((2003-Black bear seasons))**

Black Bear Management Unit	Season	Hunt Area
Coastal	Aug. 1 - Nov. 15	GMUs 501, 504, 506, 530, 601, 602, 603, 607-621, 636-651, 658-663, 672-684
Puget Sound	Aug. 1 - Nov. 15	GMUs 407, 410, 454, 624, 627, 633, 652, 666, 667
North Cascades	Aug. 1 - Nov. 15	GMUs 418-450, 460
South Cascades	Aug. 1 - Nov. 15	GMUs 466, 485, <u>503</u> , 505, 510-520, 524, 550-574, 653, 654
Okanogan	Aug. 1 - Nov. 15	GMUs 203, 209-243
East Cascades	Aug. 1 - Nov. 15	GMUs 244-247, 249-251, 328, 329-((374)) <u>368</u> , 382, <u>388</u> , <u>578</u> (( <del>588</del> ))
Northeastern A	Sept.(( <del>2</del> )) <u>5</u> - Nov. 15, <u>2006</u> <u>Sept. 4 - Nov. 15, 2007</u> <u>Sept. 2 - Nov. 15, 2008</u>	GMUs 101-117
Northeastern B	Aug. 1 - Nov. 15	GMUs 121-130, 204
Blue Mountains	Sept. (( <del>2</del> )) <u>5</u> - Nov. 15, <u>2006</u> <u>Sept. 4 - Nov. 15, 2007</u> <u>Sept. 2 - Nov. 15, 2008</u>	GMUs 145-154, 162-186
Columbia Basin	Aug. 1 - Nov. 15	GMUs 133, 136, 139, 142, 248, 254, 260-290, 371-381
<del>((West Side PLWMA</del>	<del>July 15 - Nov. 15</del>	<del>PLWMA 401, 600))</del>

**Black Bear Management Unit**

Long Island

**Season**

Sept. ((2)) 5 - Nov. 15, 2006  
Sept. 4 - Nov. 15, 2007  
Sept. 2 - Nov. 15, 2008

**Hunt Area**

GMU 699

~~((2004 Black bear seasons:~~

~~**Black Bear Management Unit**~~

~~Coastal~~

~~**Season**~~

~~Aug. 1 - Nov. 15~~

~~**Hunt Area**~~

~~GMUs 501, 504, 506, 530, 601, 602, 603, 607-621, 636-651, 658-663, 672-684~~

~~Puget Sound~~

~~Aug. 1 - Nov. 15~~

~~GMUs 407, 410, 454, 624, 627, 633, 652, 666, 667~~

~~North Cascades~~

~~Aug. 1 - Nov. 15~~

~~GMUs 418-450, 460~~

~~South Cascades~~

~~Aug. 1 - Nov. 15~~

~~GMUs 466, 485, 505, 510-520, 524, 550-574, 653, 654~~

~~Okanogan~~

~~Aug. 1 - Nov. 15~~

~~GMUs 203, 209-243~~

~~East Cascades~~

~~Aug. 1 - Nov. 15~~

~~GMUs 244-247, 249-251, 328, 329-371, 382, 578, 588~~

~~Northeastern A~~

~~Sept. 7 - Nov. 15~~

~~GMUs 101-117~~

~~Northeastern B~~

~~Aug. 1 - Nov. 15~~

~~GMUs 121-130, 204~~

~~Blue Mountains~~

~~Sept. 7 - Nov. 15~~

~~GMUs 145-154, 162-186~~

~~Columbia Basin~~

~~Aug. 1 - Nov. 15~~

~~GMUs 133, 136, 139, 142, 248, 254, 260-290, 371-381~~

~~West Side PLWMA~~

~~July 15 - Nov. 15~~

~~PLWMA 401, 600~~

~~Long Island~~

~~Sept. 7 - Nov. 15~~

~~GMU 699~~

~~**2005 Black bear seasons:**~~

~~**Black Bear Management Unit**~~

~~Coastal~~

~~**Season**~~

~~Aug. 1 - Nov. 15~~

~~**Hunt Area**~~

~~GMUs 501, 504, 506, 530, 601, 602, 603, 607-621, 636-651, 658-663, 672-684~~

~~Puget Sound~~

~~Aug. 1 - Nov. 15~~

~~GMUs 407, 410, 454, 624, 627, 633, 652, 666, 667~~

~~North Cascades~~

~~Aug. 1 - Nov. 15~~

~~GMUs 418-450, 460~~

~~South Cascades~~

~~Aug. 1 - Nov. 15~~

~~GMUs 466, 485, 505, 510-520, 524, 550-574, 653, 654~~

~~Okanogan~~

~~Aug. 1 - Nov. 15~~

~~GMUs 203, 209-243~~

~~East Cascades~~

~~Aug. 1 - Nov. 15~~

~~GMUs 244-247, 249-251, 328, 329-371, 382, 578, 588~~

~~Northeastern A~~

~~Sept. 6 - Nov. 15~~

~~GMUs 101-117~~

~~Northeastern B~~

~~Aug. 1 - Nov. 15~~

~~GMUs 121-130, 204~~

~~Blue Mountains~~

~~Sept. 6 - Nov. 15~~

~~GMUs 145-154, 162-186~~

~~Columbia Basin~~

~~Aug. 1 - Nov. 15~~

~~GMUs 133, 136, 139, 142, 248, 254, 260-290, 371-381~~

~~West Side PLWMA~~

~~July 15 - Nov. 15~~

~~PLWMA 401, 600~~

~~Long Island~~

~~Sept. 6 - Nov. 15~~

~~GMU 699))~~

**Bag Limit:** Two (2) black bear per annual hunting season one of which may be taken in Eastern Washington.

**Area Restriction:** Special deer permit required to hunt black bear in GMU 485.

~~((Spring Permit Black Bear Seasons:~~

~~Permit quotas for each license year:~~

<b>Hunt Name</b>	<b>Permit Hunt Boundary</b>	<b>Permit Level</b>
Blue-Creek	GMU-154	15
Dayton	GMU-162	15
Tucannon	GMU-166	10
Wenaha	GMU-169	30
Mt. View	GMU-172	15



Hunt Name	Permit Hunt Boundary	Permit Level
Lick Creek	GMU 175	15
Grande Ronde	GMU 186	5

~~Who May Apply: Anyone with a valid Washington big game license, which includes black bear.~~

~~Bag Limit: One (1) black bear per black bear special permit season.~~

~~Permit Season: April 15 - May 31. Permits are valid for the license year they are issued.)~~

**Requirements for ((Spring and)) Fall Black Bear Seasons:**

**License Required:** A valid big game hunting license, which includes black bear as a species option, is required to hunt

black bear. One black bear transport tag is included with a big game hunting license that has black bear as a species option. A second black bear transport tag must be purchased to take a second bear.

**Hunting Method:** Hunters may use any lawful big game modern firearm, archery, or muzzleloader equipment for hunting black bear. The use of hounds and bait to hunt black bear is prohibited statewide.

**Submitting Bear Teeth:** Successful bear hunters must submit the black bear premolar tooth located behind the canine tooth of the upper jaw.

**2006-2007, 2007-2008, and 2008-2009 Cougar Seasons:**

~~((Seasons for each license year, 2003-2005))~~

Unit	Season	Hunt Area	Special Restrictions
Coastal	Aug. 1 - Mar. 15	GMUs 501, 504, 506, 530, 601-621, 636-651, 658-663, 672-684, 699	Any legal weapon
Puget Sound	Aug. 1 - Mar. 15	GMUs 407, 410, 454, 624-633, 652, 666	Any legal weapon
North Cascades	Aug. 1 - Mar. 15	GMUs 418, 426, 437, 448, 450, 460, 466, 485	Any legal weapon
South Cascades	Aug. 1 - Mar. 15	GMUs <u>503</u> , 505, 510-520, 524, 550-574, 653, 654, 667	Any legal weapon
East Cascades North A	Aug. 1 - Mar. 15	GMUs 328, 329, 334-340	Any legal weapon
East Cascades North B	<del>((Oct. 16 - Nov. 19))</del> <u>Oct. 14 - Nov. 5</u>	GMUs 203, 209-247, 249-251 within Chelan or Okanogan counties	Any legal weapon
East Cascades North C	Sept. 1 - Nov. 30	GMUs 203, 209-247, 249-251 within Chelan or Okanogan counties	Archery deer or elk hunters and muzzleloader deer or elk hunters who possess a valid big game license that includes cougar as a species option may hunt for cougar without the aid of dogs during their respective deer or elk seasons and must use equipment consistent with their deer or elk tag.
East Cascades South	Aug. 1 - Mar. 15	GMUs 342-368, 382, <u>388</u> , 578( <del>-588</del> )	Any legal weapon
Northeastern A	Aug. 1 - Mar. 15	GMUs 124-133	Any legal weapon
Northeastern B	<del>((Oct. 16 - Nov. 19))</del> <u>Oct. 14 - Nov. 5</u>	GMUs 101-121 within Ferry, Stevens, or Pend Oreille counties, 204	Any legal weapon
Northeastern C	Sept. 1 - Nov. 30	GMUs 101-121 within Ferry, Stevens, or Pend Oreille counties, 204	Archery deer or elk hunters and muzzleloader deer or elk hunters who possess a valid big game license that includes cougar as a species option may hunt for cougar without the aid of dogs during their respective deer or elk seasons and must use equipment consistent with their deer or elk tag.

Unit	Season	Hunt Area	Special Restrictions
Blue Mountains	Aug. 1 - Mar. 15	GMUs 145-154, 162-186	Any legal weapon
Columbia Basin	Aug. 1 - Mar. 15	GMUs 136-142, 248, 254-290, 330, 371( <del>(-372, 381)</del> )-381	Any legal weapon

**Requirements for Cougar Seasons:**

**License Required:** A valid big game hunting license which includes cougar as a species option is required to hunt cougar.

**Bag Limit:** Two (2) cougar per license year excluding public safety cougar removals. It is unlawful to kill or possess spotted cougar kittens or adult cougars accompanied by spotted kittens.

**Area Restriction:** Special deer permit required to hunt cougar in GMU 485.

**Tag Information:** One cougar transport tag is included with a big game license that has cougar as a species option. A second cougar transport tag must be purchased to take a second cougar.

**Hunting Method:** Hunters may use any lawful big game modern firearm, archery, or muzzleloader equipment for hunting cougar. The use of hounds to hunt cougar is prohibited except by a public safety cougar removal permit (WAC 232-12-243) or commission authorized hound permit (WAC 232-28-285).

**Cougar Pelt Sealing:** Any person who takes a cougar (~~must notify the department within 72 hours of kill (excluding legal state holidays) and provide the hunter's name, date and location of kill, and sex of animal. The raw pelt of a cougar must be sealed by an authorized department employee within five days of the notification of kill. Any person who takes a cougar must present the cougar skull, in such a manner that teeth and biological samples can be extracted, to an authorized department employee at the time of sealing~~) must comply with the sealing requirements in WAC 232-12-024.

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

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

AMENDATORY SECTION (Amending Order 99-118, filed 8/11/99, effective 9/11/99)

**WAC 232-12-024 Requirements for sealing of pelts and collection of biological information for river otter, cougar, lynx, and bobcat.** (1) It is unlawful to possess river otter, cougar, lynx, or bobcat taken in Washington without a department identification seal which has been attached to the raw pelt, on or off the carcass, prior to the pelt sealing deadline.

(2) Any river otter, cougar, or bobcat raw pelt must be presented by the person harvesting the animal, in such a manner that teeth and biological samples can be extracted, to an authorized department employee for sealing.

(3) The raw pelt of a bobcat or river otter must be sealed by an authorized department employee within 20 days after the close of the appropriate hunting or trapping season in which it was killed.

(4) Any person who takes a cougar without the use of dogs must notify the department within 72 hours of kill (excluding legal state holidays) and provide the hunter's name, date and location of kill, and sex of animal. Any person who takes a cougar with the use of dogs must notify the department within 24 hours of kill (excluding legal state holidays) and provide the hunter's name, date and location of kill, and sex of animal. The raw pelt of a cougar must be sealed by an authorized department employee within five days of the notification of kill.

Any person who takes a cougar must present the cougar skull, in such a manner that teeth and biological samples can be extracted, to an authorized department employee at the time of sealing.

(5) It is unlawful to transport or cause the transport out of Washington a raw pelt of river otter, cougar, lynx, or bobcat taken in Washington without a department seal attached to the pelt.

(6) The raw pelt of a river otter, cougar, lynx, or bobcat taken outside Washington and imported into the state must be identified by a tag and/or seal from the state or country of origin and be accompanied by an invoice or declaration specifying the number of pelts in the shipment.

(7) It is unlawful to possess an unlocked, broken, or otherwise open department seal for river otter, cougar, lynx, or bobcat unless the seal wire or band has been cut through and removed from a pelt that has been received and invoiced by a licensed taxidermist or fur dealer for processing or removed from a pelt that has been processed.

REPEALER

The following section of the Washington Administrative Code is repealed effective June 16, 2006:

WAC 232-28-284                      Spring black bear seasons and regulations

**WSR 06-06-104**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
 [Filed March 1, 2006, 11:33 a.m.]

Original Notice.  
 Preproposal statement of inquiry was filed as WSR 06-02-096.

Title of Rule and Other Identifying Information: WAC 232-28-515 Trapping seasons and regulations.

Hearing Location(s): Comfort Inn and Conference Center, 1620 74th Avenue S.W., Tumwater, WA 98501, (360) 596-9100, on April 7-8, 2006, at 8:00 a.m.

Date of Intended Adoption: April 7, 2006.

Submit Written Comments to: Attn: Wildlife Program Commission Meeting Public Comments, 600 Capitol Way North, Olympia, WA 98501-1091, e-mail Wildthing@dfw.wa.gov, fax (360) 902-2162, by Monday, March 24, 2006.

Assistance for Persons with Disabilities: Contact Nancy Burkhart by April 5, 2006, TTY (360) 902-2207 or (360) 902-2267.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This rule establishes trapping seasons and bag limits for furbearer species. The purpose is to maximize trapping opportunity consistent with population objectives. The anticipated effect is status quo seasons with sustainable furbearer populations.

Reasons Supporting Proposal: Calendar date changes to establish 2006-2008 furbearer trapping seasons and bag limits.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

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

Name of Proponent: Washington fish and wildlife commission, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Natural Resources Building, Olympia, (360) 902-2504; and Enforcement: Bruce Bjork, Natural Resources Building, Olympia, (360) 902-2932.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules regulate recreational hunters and do not directly regulate small business.

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

March 1, 2006  
Evan Jacoby  
Rules Coordinator

AMENDATORY SECTION (Amending Order 04-207, filed 8/11/04, effective 9/11/04)

**WAC 232-28-515 Trapping seasons and regulations.**  
Trapping Regulations

To be issued your first Washington State trapping license an individual must pass the Washington State trapper education exam.

A trapping license will only be issued to a trapper that has returned the mandatory trapper report of catch postmarked on or before April 10 of the previous year. A trapper that fails to submit a report of catch must wait one year before purchasing another trapping license. False reports will be considered the same as failure to return the catch report.

It is unlawful to: Trap for wild animals before October 1, and after March 15, in western Washington, except that owners of, or persons legally controlling a property (or their designee) may trap unclassified wild animals that are causing damage or depredating on said property.

It is unlawful to: Place traps or establish drowning wires and weights prior to 7:00 a.m. on the opening date of the trapping season. All opening and closing season dates are inclusive.

Trapping Seasons:

General Western Washington Trapping Seasons (Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, King, Kitsap, Lewis, Mason, Pacific, Pierce, San Juan, Skagit, Skamania, Snohomish, Thurston, Wahkiakum, Whatcom counties):

SPECIES	OPENING DATE	CLOSING DATE
Bobcat	<del>((November 15, 2003 November 20, 2004 November 19, 2005))</del> November 18, 2006 November 17, 2007 November 15, 2008	<del>((February 15, 2004 February 28, 2005 February 28, 2006))</del> <u>February 28, 2007, 2008, and 2009</u>
Beaver, River Otter, Red Fox, Weasel, Marten, Mink, Muskrat, and Raccoon	<del>((November 15, 2003 November 1, 2004 November 1, 2005))</del> <u>November 1, 2006, 2007, and 2008</u>	<del>((January 31, 2004 March 31, 2005 March 31, 2006))</del> <u>March 31, 2007, 2008, &amp; 2009</u>

Exceptions to General Western Washington Trapping Seasons:

Game Management Unit 522 (Loo-wit) (Cowlitz and Skamania counties) is closed to all trapping.

Island County

The red fox season is closed.

Lewis County

Green River drainage, above and including Miners Creek drainage, is closed to all trapping except for bobcat and coyote.

Skagit and Whatcom counties

Ross Lake National Recreation Area is closed to all trapping. Red fox season is closed, except within the boundaries of Mount Baker-Snoqualmie and Okanogan National Forests.

Skamania County

The following areas are closed to all trapping, except for bobcat and coyote: Muddy River drainage, above and including Bean Creek drainage; Pine Creek drainage above USFS Road 83; and Green River drainage, above and including Miners Creek drainage.

General Eastern Washington Trapping Seasons (Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, and Yakima counties):

SPECIES	OPENING DATE	CLOSING DATE
Bobcat	<del>((November 8, 2003 November 20, 2004 November 19, 2005))</del> <u>November 18, 2006 November 17, 2007 November 15, 2008</u>	<del>((February 28, 2004 February 28, 2005 February 28, 2006))</del> <u>February 28, 2007, 2008, and 2009</u>
Badger, Beaver, Mink, Muskrat, Raccoon, Red Fox, Weasel, Marten, River Otter (Season Bag Limit is 6 River Otter in Eastern Washington)	<del>((November 8, 2003 November 1, 2004 November 1, 2005))</del> <u>November 1, 2006, 2007, and 2008</u>	<del>((February 28, 2004 March 31, 2005 March 31, 2006))</del> <u>March 31, 2007, 2008, and 2009</u>

Exceptions to General Eastern Washington Trapping Seasons:

River otter trapping season is closed in all Eastern Washington counties, except that it is open in Chelan, Ferry, Klickitat, Kittitas, Okanogan, Pend Oreille, Spokane, Stevens, and Yakima counties, as well as in the Snake and Walla Walla River drainages.

**Chelan County**

Beaver season is closed in Swakane and Mudd Creek drainages.

**Columbia County**

Trapping is not allowed on the Umatilla Tribes Rainwater Wildlife Area in Columbia County, as per their management plan.

**Kittitas County**

Beaver season is closed in the following drainages: North fork of Tarpiscan Creek and Umtanum Creek.

Urban Trapping Areas: Special Regulations and Trap Restrictions

The following described areas are closed to the taking of classified furbearing animals, and coyote, opossum, nutria, and skunk, by the use of body-gripping or kill traps **except** by permit under WAC 232-12-141.

Thurston County, within the established city limits (including county islands) of Lacey, Olympia, and Tumwater.

Within Snohomish, King, and Pierce counties: Beginning at the confluence of Snohomish River and Puget Sound; east up Snohomish River to Interstate 5 (I-5); south on I-5 to Interstate 405 (I-405); south on I-405 to I-5; south on I-5 to Pioneer Way; east on Pioneer Way to Waller Road; south on Waller Road to SR 512; west on SR 512 to Highway 7; south on Highway 7 and Highway 507 to Pierce County line; north on Pierce County line to Puget Sound; north along coast to mouth of Snohomish River and point of beginning.

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

**WSR 06-06-105  
PROPOSED RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**  
[Filed March 1, 2006, 11:34 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 06-02-096.

Title of Rule and Other Identifying Information: WAC 232-28-342 2006-07, 2007-08, 2008-09 Small game seasons and 232-28-341 2003-04, 2004-05, 2005-06 Small game seasons.

Hearing Location(s): Comfort Inn and Conference Center, 1620 74th Avenue S.W., Tumwater, WA 98501, (360) 596-9100, on April 7-8, 2006, at 8:00 a.m.

Date of Intended Adoption: April 7, 2006.

Submit Written Comments to: Attn: Wildlife Program Commission Meeting Public Comments, 600 Capitol Way North, Olympia, WA 98501-1091, e-mail Wildthing@dfw.wa.gov, fax (360) 902-2162, by Monday, March 24, 2006.

Assistance for Persons with Disabilities: Contact Nancy Burkhart by April 5, 2006, TTY (360) 902-2207 or (360) 902-2267.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of the new rule is to establish hunting season timing, hunting requirements, and applicable permit levels for the following species: Bobcat, raccoon, fox, coyote, forest grouse, pheasant, chukar, gray partridge, mountain quail, California quail, bobwhite, wild turkey, Canada goose, band-tailed pigeon, mourning dove, cottontail rabbits, snowshoe hare, and crow. It also describes falconry and dog training seasons.

Adoption of the new rule will require WAC 232-28-341 2003-04, 2004-05, 2005-06 Small game seasons to be repealed on June 1, 2006. Major changes found in WAC 232-28-342 are: (1) Increased spring and fall turkey hunting opportunity (including a late fall turkey hunt during the months of November and December), (2) establishment of eastern Washington pheasant season on the first weekend of October, and (3) addition of a fall falconry turkey season.

Reasons Supporting Proposal:

- The upland game advisory committee has reviewed these proposals and is supportive.
- Population levels of turkeys and public concerns over turkey overpopulation (nuisance and damage complaints) in some areas are high enough to warrant expanded hunting opportunity.
- The public has asked for a stable, predictable pheasant season opening date with season lengths at least as long as they have been historically.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

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

Name of Proponent: Washington fish and wildlife commission, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Natural Resources Building, Olympia, (360) 902-2504; and Enforcement: Bruce Bjork, Natural Resources Building, Olympia, (360) 902-2932.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules regulate recreational hunters and do not directly regulate small business.

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

March 1, 2006  
Evan Jacoby  
Rules Coordinator

NEW SECTION

**WAC 232-28-342 2006-07, 2007-08, 2008-09 Small game seasons.**

**STATEWIDE SEASONS:**

**FOREST GROUSE (BLUE, RUFFED, AND SPRUCE)**

BAG AND POSSESSION LIMITS: Three (3) grouse per day, straight or mixed bag, with a total of nine (9) grouse in possession at any time

SEASON DATES: Sept. 1 - Dec. 31, 2006, 2007, 2008

**BOBCAT**

BAG AND POSSESSION LIMIT: No Limit

SEASON DATES: Sept. 5, 2006 - Mar. 15, 2007; Sept. 4, 2007 - Mar. 15, 2008; Sept. 2, 2008 - Mar. 15, 2009

**RACCOON**

BAG AND POSSESSION LIMIT: No Limit

OPEN AREA: Statewide, EXCEPT closed on Long Island within Willapa National Wildlife Refuge

SEASON DATES: Sept. 5, 2006 - Mar. 15, 2007; Sept. 4, 2007 - Mar. 15, 2008; Sept. 2, 2008 - Mar. 15, 2009

**FOX**

BAG AND POSSESSION LIMIT: No Limit

OPEN AREA: Statewide EXCEPT closed within the exterior boundaries of the Mount Baker-Snoqualmie, Okanogan, Wenatchee, and Gifford Pinchot National Forests and GMUs 407 and 410

SEASON DATES: Sept. 5, 2006 - Mar. 15, 2007; Sept. 4, 2007 - Mar. 15, 2008; Sept. 2, 2008 - Mar. 15, 2009

**COYOTE**

BAG AND POSSESSION LIMIT: No Limit

OPEN AREA AND SEASON DATES: Statewide, year around. Coyote may only be killed and/or pursued with hounds during the following period: Sept. 5, 2006 - Mar. 15, 2007; Sept. 4, 2007 - Mar. 15, 2008; Sept. 2, 2008 - Mar. 15, 2009, EXCEPT coyote may be hunted year around with hounds in Grant, Adams, Benton, and Franklin counties.

**COTTONTAIL AND SNOWSHOE HARE (OR WASHINGTON HARE)**

BAG AND POSSESSION LIMITS: Five (5) cottontails or snowshoe hares per day, with a total of fifteen (15) in possession at any time, straight or mixed bag

SEASON DATES: Sept. 1, 2006 - Mar. 15, 2007; Sept. 1, 2007 - Mar. 15, 2008; Sept. 1, 2008 - Mar. 15, 2009

**CROWS**

BAG AND POSSESSION LIMITS: No Limit

SEASON DATES: Oct. 1, 2006 - Jan. 31, 2007; Oct. 1, 2007 - Jan. 31, 2008; Oct. 1, 2008 - Jan. 31, 2009

**JACKRABBIT**

Season closed statewide

**PTARMIGAN, SAGE, AND SHARP-TAILED GROUSE**

Season closed statewide

**WILD TURKEY:**

**YOUTH SEASON**

LEGAL BIRD: Gobblers and turkeys with visible beards only

SEASON DATES: April 7-8, 2007; April 5-6, 2008; April 4-5, 2009

**SPRING SEASON**

LEGAL BIRD: Gobblers and turkeys with visible beards only

SEASON DATES: April 15 - May 31, 2007, 2008, 2009

**EARLY FALL GENERAL SEASON**

LEGAL BIRD: Either sex

LEGAL HUNTER: Open to all hunters with a valid turkey tag

OPEN AREA: GMUs 101-124

SEASON DATES: Sept. 23 - Oct. 6, 2006; Sept. 22 - Oct. 5, 2007; Sept. 27 - Oct. 3, 2008

**EARLY FALL PERMIT SEASON**

LEGAL BIRD: Either sex

LEGAL HUNTER: All hunters who are selected in the early fall turkey special permit drawing

OPEN AREA: GMUs 127, 133, 145-186, 382, 388, 568-578

SEASON DATES: Sept. 23 - Oct. 6, 2006; Sept. 22 - Oct. 5, 2007; Sept. 27 - Oct. 3, 2008.

Permit Area	Number of Permits
GMU 127	150
GMU 133	200
GMUs 149-163	200
GMUs 145, 172-186	100
GMUs 382, 388, 568-578	75

**LATE FALL PERMIT SEASON**

LEGAL BIRD: Either Sex

LEGAL HUNTER: All hunters who are selected in the late fall turkey special permit drawing and who possess a valid fall turkey tag

OPEN AREA: GMUs 101-124

SEASON DATES: Nov. 20 - Dec. 15, 2006, 2007, 2008

PERMITS: 800

**HUNTER EDUCATION INSTRUCTOR INCENTIVE PERMITS**

LEGAL BIRD: Gobblers and turkeys with visible beards only

**LEGAL HUNTER:** Qualified hunter education instructors who are selected through a random drawing. Qualifying hunter education instructors must be certified and have been in active status for a minimum of three consecutive years, inclusive of the year prior to the permit drawing. Instructors who are drawn, accept a permit, and are able to participate in the hunt, will not be eligible for these incentive permits for a period of ten years thereafter.

**OPEN AREA:** Statewide

**SEASON DATES:** April 1 - May 31, 2007, 2008, 2009

**PERMITS:** 2

**OFFICIAL HUNTING HOURS/BAG LIMITS FOR WILD TURKEY:**

**SPRING SEASON BAG LIMIT:** Only two (2) turkeys may be killed in Eastern Washington per year, except only one (1) may be killed in Chelan, Kittitas, or Yakima counties; and one (1) per year in Western Washington, except two (2) may be killed in Klickitat County. The combined spring season limit is three (3) birds.

**EARLY FALL SEASON BAG LIMIT:** One (1) turkey during the early fall hunting seasons combined.

**LATE FALL PERMIT SEASON BAG LIMIT:** One (1) turkey during the late fall permit season.

**HUNTING HOURS:** One-half hour before sunrise to sunset during spring and fall seasons.

**SPECIAL REGULATIONS FOR WILD TURKEY**

1. Turkey season is open for shotgun, archery, and muzzle-loader shotgun.
2. A turkey tag is required for hunting turkey.
3. It is unlawful to use dogs to hunt turkeys.
4. It is unlawful to bait game birds.

**EASTERN WASHINGTON SEASONS:**

**RING-NECKED PHEASANT**

**BAG AND POSSESSION LIMITS:** Three (3) cock pheasants per day, with a total of fifteen (15) cock pheasants in possession at any time

**YOUTH SEASON DATES:** Sept. 23 and 24, 2006; Sept. 22 and 23, 2007; Sept. 20 and 21, 2008. Open only to youth hunters accompanied by an adult at least 18 years old.

**REGULAR SEASON DATES:** Oct. 7, 2006 - Jan 15, 2007; Oct. 6, 2007 - Jan. 21, 2008; Oct. 4, 2008 - Jan. 19, 2009

The director is authorized to close the pheasant season on an emergency basis as conditions warrant.

**CHUKAR**

**BAG AND POSSESSION LIMITS:** Six (6) chukar per day, with a total of eighteen (18) chukar in possession at any time

**YOUTH SEASON DATES:** Sept. 23 and 24, 2006; Sept. 22 and 23, 2007; Sept. 20 and 21, 2008. Open only to youth hunters accompanied by an adult at least 18 years old.

**REGULAR SEASON DATES:** Oct. 7, 2006 - Jan 15, 2007; Oct. 6 2007 - Jan. 21, 2008; Oct. 4, 2008 - Jan. 19, 2009

**GRAY (HUNGARIAN) PARTRIDGE**

**BAG AND POSSESSION LIMITS:** Six (6) gray partridges per day, with a total of eighteen (18) gray partridges in possession at any time

**YOUTH SEASON DATES:** Sept. 23 and 24, 2006; Sept. 22 and 23, 2007; Sept. 20 and 21, 2008. Open only to youth hunters accompanied by an adult at least 18 years old.

**REGULAR SEASON DATES:** Oct. 7, 2006–Jan 15, 2007; Oct. 6 2007–Jan.21, 2008; Oct. 4, 2008–Jan. 19, 2009

**MOUNTAIN QUAIL**

Season closed throughout Eastern Washington

**CALIFORNIA (VALLEY) QUAIL AND NORTHERN BOBWHITE**

**BAG AND POSSESSION LIMITS:** Ten (10) quail per day, with a total of thirty (30) quail in possession at any time, straight or mixed bag

**YOUTH SEASON DATES:** Sept. 23 and 24, 2006; Sept. 22 and 23, 2007; Sept. 20 and 21, 2008. Open only to youth hunters accompanied by an adult at least 18 years old.

**REGULAR SEASON DATES:** Oct. 7, 2006 - Jan 15, 2007; Oct. 6 2007 - Jan. 21, 2008; Oct. 4, 2008 - Jan. 19, 2009

**WESTERN WASHINGTON SEASONS:**

**RING-NECKED PHEASANT**

**BAG AND POSSESSION LIMITS:** Two (2) pheasants of either sex per day, with a total of fifteen (15) pheasants in possession at any time

**YOUTH SEASON DATES:** Sept. 23 and 24, 2006; Sept. 22 and 23, 2007; Sept. 20 and 21, 2008. Open only to youth hunters accompanied by an adult at least 18 years old.

**HUNTERS 65 YEARS OF AGE OR OLDER SEASON DATES:** Sept. 25-29, 2006; Sept. 24-28 2007; Sept. 22-26, 2008

**REGULAR SEASON DATES:** Sept. 30 - Nov. 30, 2006; Sept. 29 - Nov. 30, 2007; Sept. 27 - Nov. 30, 2008. 8 a.m. to 4 p.m.; except Dungeness Recreation Area Site (Clallam County) starting Oct. 7, 2006; Oct. 6, 2007; Oct. 4, 2008

**EXTENDED SEASON DATES:** Dec. 1-15, 2006, 2007, 2008. 8 a.m. to 4 p.m. only on the following release sites: Belfair, Fort Lewis, Kosmos, Lincoln Creek, Scatter Creek, Skookumchuck, and all Whidbey Island release sites except Bayview. Pheasants will not be released during the extended season.

A Western Washington Pheasant Permit is required to hunt pheasant in Western Washington, in addition to a current small game hunting license. Pheasant kills must be recorded. Upon taking a pheasant, the holder of a Western Washington Pheasant Permit must immediately enter on the corresponding space the date and location of kill.

There are three license options available:

- (1) Full Season Option: Allows the harvest of eight (8) pheasants
- (2) Youth Option: Allows the harvest of eight (8) pheasants by youth hunters
- (3) 3-Day Option: Allows the harvest of four (4) pheasants harvested over three consecutive days

Every person possessing a Western Washington Pheasant Permit must, by December 31, return the permit to the department of fish and wildlife. The number of permits purchased per year is not limited.

A hunter shall select one valid option at the time they purchase their Western Washington Pheasant Permit. It is unlawful to purchase an additional permit until the pheasants allowed on the current permit are taken.

**SPECIAL RESTRICTION:** Western Washington pheasant hunters must choose to hunt on either odd-numbered or even-numbered weekend days from 8:00 - 10:00 a.m. at all units of Lake Terrell, Tennant Lake, Snoqualmie, Skagit, Skookumchuck, and Scatter Creek Wildlife Areas, all hunting sites on Whidbey Island, and at the Dungeness Recreation Area, and must indicate their choice on the Western Washington Pheasant Permit by choosing "odd" or "even." Hunters who select the three day option, hunters 65 years of age or older, and youth hunters may hunt during either weekend day morning. Youth hunters must be accompanied by an adult at least 18 years old who must have an appropriately marked pheasant permit if hunting.

#### **MOUNTAIN QUAIL**

**BAG AND POSSESSION LIMITS:** Two (2) mountain quail per day, with a total of four (4) mountain quail in possession at any time

**SEASON DATES:** Oct. 7 - Nov. 30, 2006; Oct. 6 - Nov. 30, 2007; Oct. 4 - Nov. 30, 2008.

#### **CALIFORNIA (VALLEY) QUAIL AND NORTHERN BOBWHITE**

**BAG AND POSSESSION LIMITS:** Ten (10) California (valley) quail or northern bobwhite per day, with a total of thirty (30) California (valley) quail or northern bobwhite in possession at any time, straight or mixed bag

**SEASON DATES:** Oct. 7 - Nov. 30, 2006; Oct. 6 - Nov. 30, 2007; Oct. 4 - Nov. 30, 2008

#### **FALCONRY SEASONS:**

##### **UPLAND GAME BIRD AND FOREST GROUSE - FALCONRY**

**BAG AND POSSESSION LIMIT:** Two (2) pheasants (either sex), six (6) partridge, five (5) California (valley) quail or northern bobwhite, two (2) mountain quail (in Western Washington only), and three (3) forest grouse (blue, ruffed, spruce) per day. Possession limit is twice the daily bag limit

**OPEN AREA:** Statewide

**SEASON DATES:** Aug. 1, 2006 - Mar. 15, 2007; Aug. 1, 2007 - Mar. 15, 2008; Aug. 1, 2008 - Mar. 15, 2009

##### **TURKEY – FALCONRY**

A turkey tag is required to hunt turkey during the turkey falconry season.

**BAG AND POSSESSION LIMIT:** One (1) turkey (either sex) per turkey tag with a maximum of 2 turkeys. Possession limit: Two (2)

**OPEN AREA:** Eastern Washington

**SEASON DATES:** Sept. 1, 2006 - Feb. 15, 2007; Sept. 1, 2007 - Feb. 15, 2008; Sept. 1, 2008 - Feb. 15, 2009

##### **MOURNING DOVE - FALCONRY**

**BAG AND POSSESSION LIMIT:** Three (3) mourning doves per day straight bag or mixed bag with snipe, coots, ducks, and geese during established seasons. Possession limit is twice the daily limit.

**OPEN AREA:** Statewide

**SEASON DATES:** Sept. 1-15 and Oct. 1-Dec. 31, 2006, 2007, 2008

##### **COTTONTAIL AND SNOWSHOE HARE - FALCONRY**

**BAG AND POSSESSION LIMIT:** Five (5) cottontails or snowshoe hares per day, straight or mixed bag. Possession limit is twice the daily bag limit.

**OPEN AREA:** Statewide

**SEASON DATES:** Aug. 1, 2006 - Mar. 15, 2007; Aug. 1, 2007 - Mar. 15, 2008; Aug. 1, 2008 - Mar. 15, 2009

#### **OTHER SEASONS:**

##### **CANADA GOOSE SEPTEMBER SEASON**

**BAG AND POSSESSION LIMITS:**

*Western Washington, except Cowlitz and Wahkiakum counties and that part of Clark County north of the Washougal River:* Five (5) Canada geese per day with a total of ten (10) in possession at any time

*Cowlitz and Wahkiakum counties and that part of Clark County north of the Washougal River:* Three (3) Canada geese per day with a total of six (6) in possession at any time

*Eastern Washington:* Three (3) Canada geese per day with a total of six (6) in possession at any time

**WESTERN WASHINGTON SEASON DATES:** Sept. 9-14, 2006; Sept. 8-13, 2007; Sept. 6-11, 2008. **EXCEPT** Pacific and Grays Harbor counties: Sept. 1-15, 2006, 2007, and 2008

**EASTERN WASHINGTON:** Sept. 9-10, 2006; Sept. 8-9, 2007; Sept. 6-7, 2008.

##### **MOURNING DOVE**

**BAG AND POSSESSION LIMITS:** Ten (10) mourning doves per day with a total of twenty (20) mourning doves in possession at any time

**OPEN AREA:** Statewide

**SEASON DATES:** Sept. 1-15, 2006, 2007, 2008

##### **HIP REQUIREMENTS:**

All hunters age 16 and over of migratory game birds (duck, goose, coot, snipe, mourning dove) are required to complete a Harvest Information Program (HIP) survey at a license dealer, and possess a Washington Migratory Bird validation as evidence of compliance with this requirement when hunting migratory game birds. Youth hunters are required to complete a HIP survey, and possess a free Washington Youth Migratory Bird validation as evidence of compliance with this requirement when hunting migratory game birds.

##### **BAND-TAILED PIGEON**

**BAG AND POSSESSION LIMITS:** 2 band-tailed pigeons per day with a total of 4 band-tailed pigeons in possession at one time

**OPEN AREA:** Statewide

**SEASON DATES:** Sept. 15-23, 2006, 2007, 2008

##### **WRITTEN AUTHORIZATION REQUIRED TO HUNT BAND-TAILED PIGEONS.**

All persons hunting band-tailed pigeons in this season are required to obtain a written authorization and harvest report from the Washington Department of Fish and Wildlife. Application forms must be delivered to a department of fish and wildlife office no later than August 25 or postmarked on or before August 25 in order for applicants to be mailed an authorization before the season starts. Immediately after taking a band-tailed pigeon into possession, hunters must record in ink the information required on the harvest report. By October 15, hunters must return the harvest report to a department of fish and wildlife office, or report harvest information on the department's Internet reporting system. Hunters failing to comply with reporting requirements will be ineligible to participate in the following band-tailed pigeon season.

**BIRD DOG TRAINING SEASON**

Wild upland game birds may be pursued during the dog-training season, but may not be killed except during established hunting seasons. A small game license is required to train dogs on wild game birds. A small game license and a Western Washington Pheasant Permit is required to train dogs on pheasants in Western Washington. Captive raised game birds may be released and killed during dog training if proof of lawful acquisition (invoices) are in possession and the birds are appropriately marked (WACs 232-12-271 and 232-12-044).

OPEN AREA: Statewide

SEASON DATES: Aug. 1, 2006 - Mar. 31, 2007; Aug. 1, 2007 - Mar. 31, 2008; Aug. 1, 2008 - Mar. 31, 2009

Only youth and seniors may train dogs during their respective seasons on designated Western Washington pheasant release sites.

Bird dog training may be conducted year around on areas posted for bird dog training on portions of: Region One - Espanola (T24N, R40E, E 1/2 of section 16); Region Three - South L.T. Murray Wildlife Area; Region Four - Skagit Wildlife Area, Lake Terrell Wildlife Area, and Snoqualmie Wildlife Area; Region Five - Shillapoo/Vancouver Lake Wildlife Area; Region Six - Scatter Creek Wildlife Area, Fort Lewis Military Base.

**HOUND HUNTING DURING DEER AND ELK HUNTING SEASONS**

It is unlawful to hunt any wildlife at night or wild animals with dogs (hounds) during the months of September, October, or November in any area open to a modern firearm deer or elk season. The use of hounds to hunt black bear, cougar (EXCEPT by public safety cougar removal permit (WAC 232-12-243) or a commission authorized hound permit (WAC 232-28-285)), and bobcat is prohibited year around.

**YAKAMA INDIAN RESERVATION:**

The 2006-07, 2007-08, 2008-09 upland bird seasons within the Yakama Indian Reservation shall be the same as the season established by the Yakama Indian Nation.

**COLVILLE INDIAN RESERVATION:**

The 2006-07, 2007-08, 2008-09 upland bird seasons within the Colville Indian Reservation shall be the same as the season established by the Colville Indian Tribe.

**REPEALER**

The following section of the Washington Administrative Code is repealed effective June 1, 2006:

WAC 232-28-341                      2003-04, 2004-05, 2005-06  
Small game seasons

**WSR 06-06-106**

**PROPOSED RULES**

**DEPARTMENT OF  
FISH AND WILDLIFE**

[Filed March 1, 2006, 11:35 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 04-09-010.

Title of Rule and Other Identifying Information: Infractions, the department is proposing that certain rule violations currently charged as criminal offenses be charged as natural resource infractions.

Hearing Location(s): Comfort Inn and Conference Center, 1620 74th Avenue S.W., Tumwater, WA, on April 7-8, 2006, starts at 8:00 a.m. on April 7, 2006.

Date of Intended Adoption: April 7, 2006.

Submit Written Comments to: Rules Coordinator, 600 Capitol Way, Olympia, WA 98501-1091, e-mail jacobesj@dfw.wa.gov, fax (360) 902-2155, by March 31, 2006.

Assistance for Persons with Disabilities: Contact Nancy Burkhart by March 24, 2006, TTY (360) 902-2207 or (360) 902-2267.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Change certain rule violations from criminal offenses to civil infractions.

Reasons Supporting Proposal: It is anticipated that these changes will reduce court appearances by both defendants and officers, thus providing additional field time for the enforcement staff. The reduction in court congestion will also assist the overloaded district court system, by reducing the number of warrants needed to be issued for failure to appear.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.15.020.

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

Name of Proponent: Department of fish and wildlife, governmental.

Name of Agency Personnel Responsible for Drafting: Evan Jacoby, 1111 Washington Street, Olympia, (360) 902-2930; Implementation and Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, (360) 902-2373.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Only two of these proposals affect businesses (game farm and trapper reports). These are current bailable offenses and will continue to be so. If contested and found to have committed the offense charged, the potential fine is reduced. Accordingly, these proposals have no impact on small businesses.

A cost-benefit analysis is not required under RCW 34.05.328. These rule proposals do not affect hydraulics.

March 1, 2006

Evan Jacoby  
Rules Coordinator



AMENDATORY SECTION (Amending Order 06-23, filed 2/14/06, effective 5/1/06)

**WAC 220-56-115 Angling gear—Lawful and unlawful acts.** (1) It is unlawful for any person to use more than one line while angling for personal use except a second line using forage fish jigger gear is lawful while fishing in Catch Record Card Areas 5, 6, 7, 8-1, 8-2, 9, 10, 11, 12, and 13. A violation of this subsection is an infraction, punishable under RCW 77.15.160.

(2) It shall be unlawful for any person to take, fish for or possess fish taken for personal use by any means other than angling with a line attached to a pole held in hand while landing the fish or with a hand-operated line without rod or reel except as follows:

(a) It is lawful to leave the pole in a pole holder while playing or landing the fish if the pole is capable of being readily removed from the pole holder.

(b) It is lawful to use an electric power-operated reel designed for sport fishing attached to a pole.

(c) It is lawful to fish for or possess salmon taken for personal use with hand lines (lines not attached to a handheld pole) except use of hand lines is unlawful in those waters west of the mouth of the Sekiu River, the Pacific Ocean, Washington waters at the mouth of the Columbia River west of a line projected true north and south through Buoy 10, Grays Harbor, and Willapa Bay.

(d) A violation of this subsection is an infraction, punishable under RCW 77.15.160.

(3) It shall be unlawful for any person while angling to fail to keep his angling gear under his direct and immediate physical control.

(4) In areas where a saltwater license is valid, each fisher aboard a vessel may continue to deploy angling gear or shellfish gear until the daily limit of food fish or shellfish for all licensed and juvenile anglers aboard has been retained.

(5) It is unlawful to possess fish or shellfish taken with gear in violation of the provisions of this section. Possession of fish or shellfish while using gear in violation of the provisions of this section is a rebuttable presumption that the fish or shellfish were taken with such gear. Possession of such fish or shellfish is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree, unless the fish or shellfish are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree.

AMENDATORY SECTION (Amending Order 06-23, filed 2/14/06, effective 5/1/06)

**WAC 220-56-116 Statewide saltwater hook rules.** (1) It is unlawful to use more than two hooks to fish in saltwater, except for forage fish jigger gear and squid jig gear, and when fishing from the north jetty of the Columbia River.

(2) It is unlawful to use barbed hooks in Marine Areas 5-13, except for forage fish jigger gear.

(3) It is unlawful to use other than one single barbless hook to fish for sturgeon.

(4) It is unlawful to use other than single barbless hooks to fish for salmon in Marine Areas 1-4, except in the Ocean

Shores and Westport Boat Basins, as provided for in this section.

(5) It is unlawful to fish for or possess salmon taken with terminal gear hooks in violation of nonbuoyant lure restrictions in the following saltwater areas during the periods indicated:

(a) Budd Inlet waters south of a line projected true west from the KGY radio station to the mainland and north of the closed zone provided for in WAC 220-56-128 - July 16 through October 31.

(b) Duwamish waterway downstream from the First Avenue South Bridge to an east-west line through Southwest Hanford Street on Harbor Island parallel to Southwest Spokane Street where it crosses Harbor Island - July 1 through October 31.

(c) Ocean Shores Boat Basin - August 16 through January 31.

(d) Westport Boat Basin - August 16 through January 31.

(6) It is unlawful to fish for or possess gamefish taken with terminal gear hooks in violation of nonbuoyant lure restrictions in the Duwamish waterway downstream from the First Avenue South Bridge to an east-west line through Southwest Hanford Street on Harbor Island parallel to Southwest Spokane Street where it crosses Harbor Island during the period July 1 through October 31.

(7) Use of gear in violation of this section is an infraction, punishable under RCW 77.15.160.

(8) It is unlawful to possess fish or shellfish taken with gear in violation of the provisions of this section. Possession of fish or shellfish while using gear in violation of the provisions of this section is a rebuttable presumption that the fish or shellfish were taken with such gear. Possession of such fish or shellfish is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree, unless the fish or shellfish are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree.

AMENDATORY SECTION (Amending Order 06-23, filed 2/14/06, effective 5/1/06)

**WAC 220-56-122 Statewide bait rules.** (1) It is unlawful to fish for sturgeon except with bait.

(2) It is unlawful to use lamprey as fishing bait, regardless of the source or species of lamprey.

(3) It is lawful to use bait in saltwater, and it is unlawful to use terminal gear other than bait suspended above the bottom by a float in the East Duwamish waterway between a line projected east along the path of southwest Hanford Street and a line projected east from the south tip of Harbor Island.

(4) It is unlawful to chum, broadcast, feed, or distribute into freshwater any bait or other substance capable of attracting fish unless specifically authorized in exceptions to statewide rules.

(5) When fishing for trout with bait, all trout that are lawful to possess and are equal to or greater than the minimum size are counted as part of the daily limit, whether kept or released, and it is unlawful to continue to fish once the daily limit has been achieved, except that steelhead trout may be caught and released until the daily limit is taken.

(6) Use of bait in violation of this section is an infraction, punishable under RCW 77.15.160.

(7) It is unlawful to possess fish taken with bait in violation of the provisions of this section. Possession of fish while using bait in violation of the provisions of this section is a rebuttable presumption that the fish were taken with such bait. Violation of this subsection is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree, unless the fish are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree.

AMENDATORY SECTION (Amending Order 06-23, filed 2/14/06, effective 5/1/06)

**WAC 220-56-123 Statewide freshwater hook rules.**

(1) It is unlawful to use more than three hooks to fish in freshwater, except it is lawful to use forage fish jigger gear in the waters of the Columbia River downstream from a line between Rocky Point and Tongue Point.

(2) It is unlawful to use other than one single barbless hook to fish for sturgeon.

(3) Use of gear in violation of this section is an infraction, punishable under RCW 77.15.160.

(4) It is unlawful to possess fish or shellfish taken with gear in violation of the provisions of this section. Possession of fish or shellfish while using gear in violation of the provisions of this section is a rebuttable presumption that the fish or shellfish were taken with such gear. Possession of such fish or shellfish is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree, unless the fish or shellfish are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree.

AMENDATORY SECTION (Amending Order 06-23, filed 2/14/06, effective 5/1/06)

**WAC 220-56-128 Food fish fishing—Closed areas.**

It is unlawful to fish for or possess food fish taken from the following areas during the times indicated.

(1) It is unlawful at all times to fish for or possess food fish taken for personal use in waters lying within 400 feet below any fish rack, fishway, dam or other artificial or natural obstruction, either temporary or permanent, unless otherwise provided.

(2) Waters of Budd Inlet at Olympia south of the Fourth Avenue Bridge are closed at all times, and all contiguous waters lying between the Fourth Avenue Bridge and a line from the northwesterly corner of the Thriftway Market Building to a point 100 yards north of the railroad bridge located on the western side of the inlet opposite the Thriftway Market Building are closed during the period July 16 through October 31.

(3) The waters of Percival Cove are closed at all times.

(4) Those waters of Hood Canal inshore from yellow marker buoys to the mouth of Finch Creek and waters within the channel created when tidelands are exposed are closed the entire year.

(5) Waters within a radius of 100 yards from the Enetai Hatchery Outfall Creek where it enters saltwater are closed at all times.

(6) Those waters of Sinclair Inlet inside a line fifty yards from the pierhead line of the Puget Sound Naval Shipyard at Bremerton are closed at all times.

(7) Those waters of Hood Canal within 100 feet of the Seabeck Highway Bridge over Big Beef Creek are closed August 1 through November 30.

(8) In Shilshole Bay waters east of a line 175 feet west of the Burlington Northern Railroad Bridge are closed to fishing.

(9) Those waters of the Chinook River upstream from tide gate at the Highway 101 Bridge are closed at all times.

(10) Those waters of the Columbia River between the Vernita Bridge and the Hanford power line crossing (wooden towers at S24, T13N, R27E) are closed October 23 through June 15.

(11) Those waters of the Columbia River between the upstream line of Bonneville Dam to a point 600 feet below the fish ladder at the new Bonneville Dam Powerhouse are closed at all times.

(12) Waters of the Lake Washington Ship Canal west of a north-south line 400 feet east of the eastern end of the north wing wall of Chittenden Locks to the mouth of the Lake Washington Ship Canal are closed to food fish angling at all times.

(13) Waters of Catch Record Card Area 10 west of a line from Point Monroe to Indianola and east of a line from Point Bolin to Battle Point are closed to food fish angling from January 1 through March 31 except it is lawful to fish with gear meeting the fly fishing only requirements of WAC 220-56-210 except it is unlawful to use lead core fly line. Use of gear other than fly fishing gear or use of a lead core line in violation of this subsection is an infraction, punishable under RCW 77.15.160. It is unlawful to retain any fish taken during the period January 1 through March 31.

(14) Chief Joseph Dam - closed to fishing from the Okanogan County shore between the dam and the Highway 17 Bridge. Closed to fishing from a floating device downstream of Chief Joseph Dam to the Corps of Engineers Safety Zone Marker.

(15) Wells Dam - waters between the upstream line of Wells Dam to boundary markers 400 feet below the spawning channel discharge on the Chelan County side and the fish ladder on the Douglas County side.

(16) Rocky Reach, Rock Island and Wanapum Dams - waters between the upstream lines of these dams and boundary markers 400 feet downstream of the fish ladders at Rocky Reach and Rock Island Dams and boundary markers at Wanapum Dam 750 feet below the east fish ladder and 500 feet below the west fish ladder.

(17) Priest Rapids Dam - waters between the upstream line of Priest Rapids Dam and boundary markers 650 feet below the fish ladders.

(18) Jackson (Moran) Creek - all waters of the Priest Rapids hatchery system including Columbia River waters out to midstream between markers located 100 feet upstream and 400 feet downstream of the mouth of the hatchery outlet.

(19) McNary Dam - waters between the upstream line of McNary Dam and a line across the river from the red and white marker on the Oregon shore to the downstream end of the wingwall of the boat lock near the Washington shore.

(20) John Day Dam - waters between the upstream line of John Day Dam and markers approximately 3,000 feet downstream, except that fishing is permitted from the Washington shore to within 400 feet of the fishway entrance.

(21) The Dalles Dam - waters between the upstream line of the Dalles Dam and the upstream side of the Interstate 197 Bridge, except that fishing is permitted from the Washington shore to within 400 feet of the fishway entrance.

(22) Spring Creek - waters within 1/4 mile of the U.S. Fish and Wildlife Service Hatchery grounds between posted boundary markers located 1/4 mile on either side of the fish ladder entrance.

(23) The waters of Catch Area 12 are closed at all times to the taking of food fish other than salmon.

(24) Freshwater Bay - waters south of a line from Angeles Point to Observatory Point (Bachelor Rock) are closed July 1 through August 31.

(25) Tulalip Bay - waters east of line from Mission Point to Hermosa Point are closed at all times.

(26) Waters of Catch Record Card Area 13 within 500 yards of the Toliva Shoal buoy are closed to fishing for food fish June 16 through April 30 and closed to rockfish year-round.

AMENDATORY SECTION (Amending Order 06-23, filed 2/14/06, effective 5/1/06)

**WAC 220-56-130 Unclassified marine invertebrates and fish.** (1) Definitions. For purposes of this section:

(a) "Daily limit" means individual animals retained, alive or dead.

(b) "Sculpins" means individual sculpins of species that are not defined as bottomfish.

(c) "Nudibranch" means individual nudibranchs of any species.

(d) "Unclassified marine invertebrates" and "unclassified marine fish" mean species existing in Washington state marine waters in a wild state that have not been classified as food fish, shellfish, game fish, protected wildlife, or endangered species.

(2) The following limits apply to the taking of unclassified marine invertebrates in Catch Record Card Areas 1 through 13, and the taking of unclassified marine fish in Catch Record Card Areas 5 through 13:

(a) Daily limit of ten unclassified marine invertebrates, except moon snails and nudibranchs.

(b) Daily limit of five moon snails.

(c) Daily limit of two nudibranchs.

(d) Daily limit of two unclassified marine fish per species of fish, except that the daily limit may not contain more than two sculpins and it is unlawful to take, fish for or possess Pacific lamprey or river lamprey.

(e) The possession limit and the daily limit are the same.

(f) Potlatch DNR tidelands are closed to the taking of unclassified marine invertebrates and unclassified marine fish.

(g) Violation of this subsection is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree, unless the fish or shellfish are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree.

(3) Each person possessing unclassified marine invertebrates or unclassified marine fish must retain their take in a separate container. Violation of this subsection is an infraction, punishable under RCW 77.15.160.

AMENDATORY SECTION (Amending Order 93-20, filed 3/31/93, effective 5/1/93)

**WAC 220-56-131 Elliott Bay public fishing pier underwater artificial reef area.** It is unlawful to fish for or possess food fish or shellfish taken within 100 yards of the Elliott Bay public fishing pier except while fishing from the Elliott Bay public fishing pier. Violation of this section is an infraction, punishable under RCW 77.15.160.

AMENDATORY SECTION (Amending Order 93-20, filed 3/31/93, effective 5/1/93)

**WAC 220-56-132 Les Davis public fishing pier underwater artificial reef area.** It is unlawful to fish for or possess food fish or shellfish taken within 100 yards of the Les Davis public fishing pier except while fishing from the Les Davis public fishing pier. Violation of this section is an infraction, punishable under RCW 77.15.160.

AMENDATORY SECTION (Amending Order 89-12, filed 3/16/89)

**WAC 220-56-133 Des Moines public fishing pier.** It is unlawful to fish for or possess food fish or shellfish taken within 100 yards of the Des Moines public fishing pier except while fishing from the Des Moines public fishing pier. Violation of this section is an infraction, punishable under RCW 77.15.160.

AMENDATORY SECTION (Amending Order 95-46, filed 5/31/95, effective 7/1/95)

**WAC 220-56-134 Edmonds public fishing pier.** (1) It is unlawful to fish for or possess food fish or shellfish taken from the following waters except while fishing from the Edmonds public fishing pier: Waters inside a line from a boundary marker on the north breakwater to the southernmost marker buoy then to the north end of the city of Edmonds public beach.

(2) It shall be unlawful to take, fish for or possess food fish or shellfish taken by any means from within the boundaries of the underwater artificial reef surrounding the Edmonds public fishing pier as described in this subsection, except while fishing from the Edmonds public fishing pier.

Underwater artificial reef area: Those waters lying northerly and easterly of the north breakwater of the port of Edmonds marina inside of a line from a boundary marker on the north breakwater, northwesterly 275 feet to a marker buoy thence northeasterly 1350 feet to a marker buoy thence

southeasterly to the northeastern end of the city of Edmonds public beach.

(3) Violation of this section is an infraction, punishable under RCW 77.15.160.

AMENDATORY SECTION (Amending Order 02-53, filed 3/29/02, effective 5/1/02)

**WAC 220-56-210 Fly fishing.** (1) It is unlawful to fish in waters restricted to "fly fishing only" with the use of:

(a) A fixed spool reel.

(b) Fishing line other than conventional fly line, except that other line may be used for backing and leader if it is attached to not less than 25 feet of conventional fly line.

(c) Hooks that exceed 1/2 inch when measured from point to shank.

(d) Not more than two flies each with a barbless single hook.

(e) Bait.

(f) Weight attached to the leader or line.

(g) Violation of this subsection is an infraction, punishable under RCW 77.15.160.

(h) It is unlawful to possess fish taken with gear in violation of the provisions of this section. Possession of fish while using gear in violation of the provisions of this section is a rebuttable presumption that the fish were taken with such gear. Possession of such fish is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree, unless the fish are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree.

(2) "Fly" means a lure on which thread, feathers, hackle, or yarn cover a minimum of half the shank of the hook. Metallic colored tape, tinsel, mylar, or beadeyes may be used as an integral part of the design of the fly pattern.

(3) Notwithstanding the provisions of this section, persons who have a permanent disability that significantly limits the use of one or both upper extremities may use spinning gear in fly fishing only waters as provided for in this section.

(a) A fisher with a disability must apply for a fly fishing special use permit by presenting a letter from a physician stating that the fisher's disability is permanent and that, because of the inability to use one or both upper extremities, the fisher is physically incapable of using conventional fly fishing gear.

(b) The fisher will be issued a fly fishing special use permit in the form of a wearable tag. The fisher must have the special use permit in his or her possession at all times while using spin casting gear in fly fishing only waters, and may display the permit on outer clothing.

(c) It is lawful for persons in possession of a fly fishing special use permit to use the following gear:

(i) Fishers may use spin casting gear with a casting bubble.

(ii) Monofilament line is permitted with no limit on the breaking strength of the line.

(iii) Hook size and barb restrictions, fishing fly requirements, and bait and weight prohibitions as provided for in this section apply to both conventional fly fishing and spin-bubble fly fishing.

AMENDATORY SECTION (Amending Order 06-23, filed 2/14/06, effective 5/1/06)

**WAC 220-56-265 Forage fish—Lawful gear.** (1) It shall be unlawful to take, fish for and possess herring, candle-fish, pilchards, anchovies and smelt taken for personal use except with hand dip net gear not exceeding 36 inches across the bag frame having a maximum mesh size of five-eighths inch stretched mesh size, and forage fish jigger gear having not more than three treble or nine single hooks.

(2) It is unlawful to use a dip bag net to take forage fish unless the operator of the net holds the handle at all times the netting is in the water.

(3) It is unlawful to operate a dip bag net to harvest forage fish from a vessel under power, or to use more than one forage fish dip net at a time.

(4) Only persons with a disability license may use a hand-operated gate on a dip net while fishing for forage fish.

(5) Forage fish jigger gear hooks may not have a gap between the shank and the point exceeding 3/8 inch.

(6) Use of gear in violation of this section is an infraction, punishable under RCW 77.15.160.

(7) It is unlawful to possess forage fish taken with gear in violation of the provisions of this section. Possession of forage fish while using gear in violation of the provisions of this section is a rebuttable presumption that the forage fish were taken with such gear. Violation of this subsection is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree, unless the forage fish are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree.

AMENDATORY SECTION (Amending Order 04-218, filed 8/17/04, effective 9/17/04)

**WAC 220-56-270 Smelt—Areas and seasons.** (1) Smelt fishing is permitted the entire year on Pacific Ocean beaches and in all rivers concurrent with a salmon or game-fish opening, except closed in the Columbia River and tributaries.

(2) Smelt fishing is open in Puget Sound and the Strait of Juan de Fuca the entire year except closed weekly from 8:00 a.m. Wednesday to 8:00 a.m. Friday for all types of gear except forage fish jigger gear and closed year-round in Catch Record Card Area 12. Violation of this subsection is an infraction, punishable under RCW 77.15.160.

(3) It is unlawful to possess smelt taken with gear in violation of the provisions of this section. Possession of smelt while using gear in violation of the provisions of this section is a rebuttable presumption that the smelt were taken with such gear. Possession of such smelt is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree, unless the smelt are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree.

AMENDATORY SECTION (Amending Order 00-29, filed 3/29/00, effective 5/1/00)

**WAC 220-56-280 Carp—Lawful gear and seasons.**

(1) It shall be unlawful to take, fish for and possess in any

quantity carp taken for personal use except by angling or spearing or with bow and arrow. Violation of this subsection is an infraction, punishable under RCW 77.15.160. It is unlawful to possess carp taken with gear in violation of the provisions of this section. Possession of carp while using gear in violation of the provisions of this section is a rebuttable presumption that the carp were taken with such gear. Possession of such carp is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree, unless the carp are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree.

(2) It is unlawful to fish for or possess carp taken from water not open to the taking of gamefish or salmon.

AMENDATORY SECTION (Amending Order 05-15, filed 2/10/05, effective 5/1/05)

**WAC 220-56-282 Sturgeon—Areas, seasons, limits and unlawful acts.** (1) It is lawful to fish for sturgeon the entire year in saltwater, but open in freshwater only concurrent with a salmon or gamefish opening unless otherwise provided.

(2) The daily limit is one sturgeon, with the following size restrictions:

(a) Minimum size 48 inches in length in the Columbia River and tributaries upstream from The Dalles Dam.

(b) Minimum size 42 inches in length in all other state waters.

(c) Maximum size 60 inches in length.

Once the daily limit has been retained, it is lawful to continue to fish for sturgeon in the mainstem of the Columbia River downstream from where the river forms the boundary between Oregon and Washington, provided that all subsequent sturgeon are released immediately.

(3) The possession limit is two daily limits of fresh, frozen or processed sturgeon.

(4) There is an annual personal-use limit of five sturgeon from April 1 through March 31, regardless of where the sturgeon were taken. After the annual limit of sturgeon has been taken, it is lawful to continue to fish for sturgeon in the mainstem Columbia River downstream from where the river forms the common boundary between Oregon and Washington, provided that all subsequent sturgeon are released immediately.

(5) It is unlawful to fish for sturgeon with terminal gear other than bait and one single barbless hook. It is lawful to use artificial scent with bait when fishing for sturgeon. Violation of this subsection is an infraction, punishable under RCW 77.15.160. It is unlawful to possess sturgeon taken with gear in violation of the provisions of this section. Possession of sturgeon while using gear in violation of the provisions of this section is a rebuttable presumption that the sturgeon were taken with such gear. Possession of such sturgeon is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree, unless the sturgeon are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree.

(6) It is unlawful to fish for or possess sturgeon taken for personal use from freshwater, except the Chehalis River,

from one hour after official sunset to one hour before official sunrise.

(7) It is unlawful to possess in the field sturgeon eggs without having retained the intact carcass of the fish from which the eggs have been removed.

(8) It is unlawful to use a gaff or other fish landing aid that penetrates the fish while restraining, handling or landing a sturgeon.

(9) It is unlawful to fail to immediately return to the water any undersize sturgeon.

AMENDATORY SECTION (Amending Order 06-23, filed 2/14/06, effective 5/1/06)

**WAC 220-56-320 Shellfish gear—Unlawful acts.** (1)

It is unlawful for the owner or operator of any personal use shellfish gear to leave such gear unattended in the waters of the state unless said gear is marked with a buoy to which shall be affixed in a permanent visible and legible manner the first and last name and permanent mailing address of the operator. It is unlawful for more than one person's name and address to appear on the same marker buoy. It is unlawful to violate the following provisions regarding unattended shellfish gear:

(a) Unattended shellfish gear must have the line attaching the buoy to the gear weighted sufficiently to prevent the line from floating on the water's surface.

(b) All buoys must consist of durable material and remain visible on the surface at all times except during extreme tidal conditions. It is unlawful to use bleach, anti-freeze or detergent bottles, paint cans or any other container.

(c) All buoys attached to shrimp gear must be yellow or fluorescent yellow in color. Flags and staff, if attached, may be any color.

(d) All buoys attached to crab gear must be half red or half fluorescent red in color and half white in color. Flags and staff, if attached, may be any color.

(2) It is unlawful for the maximum perimeter of any shrimp pot to exceed 10 feet, and the pot shall not exceed 1-1/2 feet in height.

(3) It is unlawful to fish for or possess crab taken with shellfish pot gear that are equipped with tunnel triggers or other devices which prevent free exit of crabs under the legal limit unless such gear is equipped with not less than two escape rings located in the upper half of the pot which are not less than 4-1/4 inches inside diameter in all waters except in the Columbia River the escape ring minimum size is 4 inches inside diameter. It is unlawful to use mesh size for crab pots less than 1-1/2 inches.

(4) It is unlawful to take, fish for or possess shrimp taken for personal use with shellfish pot gear during the month of May in Area 4 east of the Bonilla-Tatoosh line and in Areas 5 through 13, and year-round in Area 4 west of the Bonilla-Tatoosh line and Areas 1 through 3 unless such gear meets the following requirements:

(a) The entire top, bottom, and sides of the shellfish pots must be constructed of mesh material and except for the entrance tunnels have the minimum mesh opening size defined below.

(b) The minimum mesh opening size for shrimp pots is defined as a mesh that a 7/8-inch square peg will pass through

each mesh opening except for flexible (web) mesh pots where the opening must be a minimum of one and three-quarters inch stretch measure.

(c) All entrance tunnels must open into the pot from the side.

(d) The sum of the maximum widths of all entrance tunnels must not exceed 1/2 the perimeter of the bottom of the pot.

(5) It is unlawful to fish for or possess shellfish taken for personal use with shellfish pot gear unless the gear allows for escapement using at least one of the following methods:

(a) Attachment of pot lid hooks or tiedown straps with a single strand or loop of untreated, 100 percent cotton twine no larger than thread size 120 so that the pot lid will open freely if the twine or fiber is broken.

(b) An opening in the pot mesh no less than three inches by five inches which is laced or sewn closed with untreated, 100 percent cotton twine no larger than thread size 120. The opening must be located within the top half of the pot and be unimpeded by the entry tunnels, bait boxes, or any other structures or materials.

(c) Attachment of pot lid or one pot side serving as a pot lid with no more than three single loops of untreated 100 percent cotton or other natural fiber twine no larger than thread size 120 so that the pot lid or side will open freely if the twine or fiber is broken.

(6) It is unlawful to set shellfish pots in a manner that they are not covered by water at all times.

(7) June 1 through October 15 in Area 4 east of the Bonilla-Tatoosh line and Areas 5 through 13, it is unlawful to use mesh size for shrimp pots less than one-half inch except in entrance tunnels except for flexible (web) mesh pots where the opening must be a minimum of one and one-eighths inch stretch measure.

(8) It is unlawful to fish for crab using shellfish pot gear greater in volume than thirteen cubic feet.

(9) Use of gear in violation of this section is an infraction, punishable under RCW 77.15.160.

(10) It is unlawful to possess shellfish taken with gear in violation of the provisions of this section. Possession of shellfish while using gear in violation of the provisions of this section is a rebuttable presumption that the shellfish were taken with such gear. Violation of this subsection is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree, unless the shellfish are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree.

AMENDATORY SECTION (Amending Order 05-15, filed 2/10/05, effective 5/1/05)

**WAC 220-56-326 Shrimp**~~(—Unlawful acts)~~ **containers.** ~~(It is unlawful to violate the following provisions for personal use shrimp:~~

~~(1))~~ In the field, it is unlawful for each person harvesting shrimp ~~(must)~~ to fail to use a separate container to hold his or her catch and the container must be in the harvester's presence or identified with the harvester's name. Violation of this section is an infraction, punishable under RCW 77.15.160.

~~((2) It is lawful to head shrimp, but all shrimp parts must be retained in the field year-round in the Pacific Ocean, and after May 31 of each year in Puget Sound until the fisher is ashore and finished fishing for the day.))~~

AMENDATORY SECTION (Amending Order 95-10, filed 1/30/95, effective 5/1/95)

**WAC 220-56-340 General provisions—Clams, cockles, mussels—Gear.** (1)(a) It is ~~((lawful))~~ unlawful to take, dig for and possess clams (excluding razor clams), cockles, and mussels taken for personal use except by hand or with hand-operated forks, picks, mattocks, rakes and shovels. Violation of this subsection is an infraction, punishable under RCW 77.15.160.

(b) It is ~~((lawful))~~ unlawful to take, dig for and possess razor clams taken for personal use except by hand, shovels or with cylindrical cans, tubes or hinged digging devices. The opening of tubes or cans must be either circular or elliptical with the circular can/tube having a minimum outside diameter of 4 inches and the elliptical can/tube having a minimum dimension of 4 inches long and 3 inches wide outside diameter. The hinged digging device when opened in a cylindrical position, must have a minimum outside diameter of 4 inches at the bottom. Violation of this subsection is an infraction, punishable under RCW 77.15.160.

(2) Any newly designed or modified digging device intended for the recreational use of razor clams must receive the specific approval of the director of fish and wildlife.

(3) In the field each digger, including holders of razor clam disability permits, must have his or her daily limit in a separate container. Violation of this subsection is an infraction, punishable under RCW 77.15.160.

(4) It is unlawful to possess shellfish taken with gear that violates the provisions of this section. Possession of shellfish while using gear in violation of the provisions of this section is a rebuttable presumption that the shellfish were taken with such gear. Possession of such shellfish is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree, unless the shellfish are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree.

AMENDATORY SECTION (Amending Order 97-53, filed 3/19/97, effective 5/1/97)

**WAC 220-56-375 Oysters and scallops—Gear.** (1) It shall be lawful to take, fish for and possess oysters and scallops taken for personal use by hand or with the aid of a hand-held manually operated prying tool. It is unlawful to use a hammer, mallet or other object to strike oysters and rock scallops during the removal process. Violation of this subsection is an infraction, punishable under RCW 77.15.160.

(2) It is unlawful to possess oysters taken with gear that violates the provisions of this section. Possession of oysters while using gear in violation of the provisions of this section is a rebuttable presumption that the oysters were taken with such gear. Possession of such oysters is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree, unless the oysters are taken in the amounts or manner

to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree.

AMENDATORY SECTION (Amending Order 04-218, filed 8/17/04, effective 9/17/04)

**WAC 220-56-390 Squid, octopus.** (1) It is lawful to take, fish for or possess squid and octopus the entire year except closed year-round in Catch Record Card Area 12.

(2) It is unlawful to take, fish for or possess squid taken for personal use with more than one line. A maximum of four squid lures may be used. If gear utilizes conventional hooks, it shall not exceed a total of nine points. Herring rakes and hand dip net gear may be used to take squid. In the field each person taking squid must use a separate container to hold their catch. Violation of this subsection is an infraction, punishable under RCW 77.15.160.

(3) It is unlawful to take octopus ((may be taken)) except by hand or by any instrument which will not penetrate or mutilate the body except that it is lawful to retain octopus taken while angling with hook and line gear. Violation of this subsection is an infraction, punishable under RCW 77.15.-160.

(4) It is unlawful to possess squid or octopus taken with gear that violates the provisions of this section. Possession of squid or octopus while using gear in violation of the provisions of this section is a rebuttable presumption that the squid or octopus were taken with such gear. Possession of such squid or octopus is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree, unless the squid or octopus are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-56-126	Nonbuoyant lures and night closures—Saltwater.
----------------	--

AMENDATORY SECTION (Amending Order 01-69, filed 4/26/01, effective 5/27/01)

**WAC 232-12-027 Game farm license provisions.** It is unlawful to operate a game farm without a current, valid Washington state game farm license.

(1) Game farms licensed prior to January 1, 1992, may continue to possess, propagate, sell and transfer wildlife they lawfully possessed on January 1, 1992, under their license issued by the department. Transfers of wildlife other than those species listed under subsection (2) are restricted to licensed game farms authorized by written license to possess said wildlife.

(2) Game farms licensed on or after January 1, 1992, may purchase, possess, propagate, sell or transfer the following wildlife:

(a) Game birds - pheasant, of the genus *Phasianus*; gray partridge of the genus *Perdix*; chukar of the genus *Alectoris*;

quail of the genus *Colinus*, *Callipepla*, and *Oreortyx*; waterfowl of the family *Anatidae*.

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

(4) The director or designee of the director may issue, with conditions or restrictions, a game farm license, if the applicant meets the requirements of subsection (1) or (2) above and complies with the following criteria:

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

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

(c) Operating conditions are clean and humane.

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

(e) The license covers only the immediate premises and areas described on the application where wildlife will be held.

(5) Holders of a game farm license must make annual reports no later than the 15th of January to the director on forms to be furnished by the department. Violation of this subsection is an infraction, punishable under RCW 77.15.-160.

(6) A licensed game farm must be inspected annually. All inspection costs will be paid by the licensee. The inspection must occur during the months of June, July, or August. An inspection form will be provided by the department and must be completed and signed by a licensed veterinarian or an agent authorized by the department. The inspection form must accompany the annual report and be submitted to the director no later than the 15th day of January.

(7) A game farm license is not required for captive-bred mink, *Mustela vison*, and captive-bred silver fox, *Vulpes fulva*, lawfully acquired from a licensed breeder or fur farm and held for fur farming purposes.

AMENDATORY SECTION (Amending Order 03-175, filed 8/5/03, effective 9/5/03)

**WAC 232-12-055 Hunting—Hunter orange clothing requirements.** (1) Except as authorized in subsection (4) of this section, it is unlawful to hunt upland birds or rabbits during any upland game bird season unless the hunter is wearing fluorescent hunter orange clothing.

(2) It is unlawful to hunt deer or elk during the modern firearm seasons in any manner unless the hunter is wearing fluorescent hunter orange clothing.

(3) It is unlawful to hunt bear, cougar, bobcat, raccoon, fox, coyote, rabbit, forest grouse or hare during those times and in those places open to the taking of deer or elk during a modern firearm season, unless the hunter is wearing fluorescent hunter orange clothing.

(4) Persons who are hunting upland game birds during an upland game bird season with a muzzleloading firearm, bow and arrow or falconry are not required to wear fluorescent hunter orange clothing.

(5) Wearing fluorescent hunter orange clothing means: A minimum of 400 square inches of fluorescent hunter

orange exterior clothing, worn above the waist and visible from all sides.

(6) Violation of this section is an infraction, punishable under RCW 77.15.160.

AMENDATORY SECTION (Amending Order 03-03, filed 1/7/03, effective 2/7/03)

**WAC 232-12-106 Provisions for accidental take by falconers.** (1) When a raptor being used in falconry accidentally takes any species of wildlife (quarry) for which the hunting season is not currently open, the falconer must release the quarry if it is not seriously injured. If the quarry has been seriously injured or killed, the falconer may not retain or possess the quarry, but the raptor may feed upon the quarry before leaving the site of the kill.

(2) If the accidentally killed quarry is a species identified on the Washington candidate species list (for endangered, threatened, or sensitive status) or specifically identified by the director, the falconer shall, before leaving the site of the kill, record upon a form provided by the department, or upon a facsimile, the falconer's name, falconry permit number, date, species and sex (if known) of the quarry, and exact location of the kill. The falconer shall submit the information to the Washington department of fish and wildlife falconry permit coordinator by April 1 following the close of the current hunting season.

(3) Accidental kill by any falconer in any license year shall not exceed a total of five individuals of any combination of species designated under subsection (2) of this section. Following an accidental kill by any falconer of any species designated under subsection (2) of this section, the falconer shall cease hunting for the day.

(4) Notwithstanding any other section of this rule, take of species designated as endangered, threatened, or sensitive in Washington under WAC 232-12-011 or 232-12-014 is not permitted except by permit from the director.

(5) Violation of this section is an infraction, punishable under RCW 77.15.160.

AMENDATORY SECTION (Amending Order 99-118, filed 8/11/99, effective 9/11/99)

**WAC 232-12-134 Report required of licensed trappers.** It is unlawful for any licensed trapper to fail to (~~complete and~~) submit to the department, a trapper's report of catch postmarked on or before April 10. The report must be submitted regardless of success. Trappers who fail to submit an accurate trapper's report of catch must wait a year before purchasing another trapping license. (~~False reports will be considered the same as failure to report.~~) It is the responsibility of each licensed trapper to obtain and submit a trapper's report of catch.

Violation of this section is an infraction, punishable under RCW 77.15.160.

AMENDATORY SECTION (Amending Order 438, filed 5/11/90, effective 6/11/90)

**WAC 232-12-177 Vehicles using department lands.** ~~((1) It is unlawful to operate a motor driven vehicle on lands~~

~~owned, controlled or managed by the department except on such land or roads as may be authorized by the director.~~

~~(2)) It is unlawful to operate a motor driven vehicle on a road controlled or managed by the department pursuant to road management agreement in a manner or for a purpose contrary to posted signs or notices except as authorized by the director.~~

Violation of this section is an infraction, punishable under RCW 77.15.160.

AMENDATORY SECTION (Amending Order 02-53, filed 3/29/02, effective 5/1/02)

**WAC 232-12-272 Juvenile fishing events.** (1) Juvenile fishing events are restricted to persons under fifteen years of age. A juvenile fishing event exists when ten or more juveniles fish competitively and determine winners, regardless of prize value.

(2) It is unlawful for a juvenile fishing event sponsor to fail to notify the department regional office in the region in which the event will occur prior to holding a juvenile fishing event. The department shall approve or deny the juvenile fishing event. It is unlawful to sponsor a juvenile fishing event if the department has denied approval of the event. Violation of this subsection is an infraction, punishable under RCW 77.15.160.

(3) Juvenile fishing events that may adversely affect fish or wildlife resources or other recreational opportunity may be denied. Juvenile fishing events are not allowed on sea-run cutthroat trout, Dolly Varden, or bull trout.

(4) The daily limit for the juvenile fishing event shall not exceed the daily limit for the species being fished in the body of water where the event is being held, except that the event sponsor may set a daily limit lower than the daily limit for the body of water. Events are restricted to approved waters.

(5) Events may not exceed three consecutive days.

(6) Event participants may not restrict public access at boat launches.

(7) The total prizes awarded for any juvenile fishing event may not exceed \$1,000.

(8) Juvenile fishing event sponsors requesting fish from the department are required to apply for fish by February 1st of the year in which the event is planned.

Sponsors who receive fish are required to report event information required by the department by February 1st of the year following the event. Failure to report event information will result in a denial of fish for the calendar year following the calendar year during which the event was held.

AMENDATORY SECTION (Amending Order 04-250, filed 9/27/04, effective 10/28/04)

**WAC 232-12-275 Wildlife rehabilitation permits.** (1) For the purposes of this rule, the following definitions apply:

(a) "Bird" means any wild animal of the class Aves.

(b) "Dedicated workspace" means the minimum amount of floor space necessary to maintain access to oiled bird rehabilitation pens.

(c) "Drying resources" mean the floor space and pen requirements associated with the removal of water from the skin and feathers of a bird.



(d) "Imping" means a method of repairing broken feathers.

(e) "Indoor area" means the space within an oiled bird rehabilitation facility in which the air temperature and exchange of air can be controlled and maintained. Indoor areas may consist of space for: Intake, prewash holding, wash/rinse, drying, oiled bird rehabilitation pools, morgue/necropsy, bird food preparation, storage, freezers, isolation/intensive care unit, medical laboratory, laundry, electrical, and mechanical areas.

(f) "Intake space" means the minimum amount of floor space necessary to admit live or dead birds into an oiled bird rehabilitation facility.

(g) "Mesh size" means the measured distance between the centers of the two opposing vertices in the same mesh of a piece of netting when pulled taut.

(h) "Oil" means oil of any kind and any form, such as petroleum and nonpetroleum oils including, but not limited to, crude oil and refined petroleum products, animal fats and vegetable oil, other oils of animal or vegetable origin, and other nonpetroleum oils.

(i) "Oiled bird" means a bird that has come in contact with oil.

(j) "Oiled bird rehabilitation pen" means an enclosure used to hold birds during oiled bird rehabilitation.

(k) "Oiled bird rehabilitation pool" means a container filled with unheated fresh water used during the rehabilitation of oiled birds.

(l) "Oiled bird rehabilitation" is a specialized form of wildlife rehabilitation and means the process of caring for oiled birds during intake, prewash holding, washing and rinsing, drying; while in pools; by providing semi-static and static areas; and by maintaining air temperature and air exchange while the birds are in an oiled bird rehabilitation facility.

(m) "Oiled bird rehabilitation facility" is a type or portion of a wildlife rehabilitation facility and means the contiguous indoor and outdoor areas used for the rehabilitation of oiled birds.

(n) "Outdoor area" means an area within an oiled bird rehabilitation facility that does not fit the definition of an indoor area.

(o) "Orphan-imprinting" means to use wildlife for the purpose of feeding, socializing, and teaching appropriate behavior to young wildlife.

(p) "Prewash holding resources" mean the floor space and oiled bird rehabilitation pen requirements within an oiled bird rehabilitation facility necessary to hold birds after intake and prior to washing.

(q) "Principal veterinarian" means a licensed veterinarian who provides in writing their willingness to assist the rehabilitator in conducting wildlife rehabilitation activities.

(r) "Public display" means to place or locate wildlife so that they may be viewed by the public.

(s) "Semi-static areas" mean dedicated indoor spaces within an oiled bird rehabilitation facility where the required size of the space will vary relative to the number of birds to be rehabilitated. These include areas for bird food preparation, morgue/necropsy, storage, and freezers.

(t) "Static areas" mean dedicated indoor spaces within an oiled bird rehabilitation facility where the required size of the space does not vary regardless of the number of birds to be rehabilitated. These include areas for the isolation/intensive care unit, medical laboratory, laundry, electrical, and mechanical spaces.

(u) "Wash/rinse resources" mean the water, cleaning agent, and space requirements necessary to remove oil from the skin and feathers of a bird.

(v) "Wildlife rehabilitation" means the care and treatment of injured, diseased, oiled, or abandoned wildlife, including, but not limited to, capture, transporting, veterinary treatment, feeding, housing, exercise therapy, and any other treatment or training necessary for release back to the wild.

(w) "Wildlife rehabilitation facility" means the authorized sites as shown on the wildlife rehabilitation permit where the treatment and rehabilitation takes place.

(x) "Wildlife rehabilitator" means a person who conducts wildlife rehabilitation or someone who conducts wildlife rehabilitation under the supervision of a valid wildlife rehabilitation permit holder.

(y) "Wildlife rehabilitation permit" means a permit issued by the director, or director's designee, that authorizes a person, or someone under the supervision of a valid wildlife rehabilitation permit holder, to conduct wildlife rehabilitation.

(2) It shall be unlawful for any person to possess wildlife for the purpose of rehabilitation unless:

(a) They have a valid wildlife rehabilitation permit; or

(b) They are working under the supervision of a person who has a valid wildlife rehabilitation permit.

(3) A wildlife rehabilitation permit may be issued to a person to conduct or oversee wildlife rehabilitation and is valid so long as the information in the permit remains current, the permit holder continues to meet the conditions and requirements of the permit, and provisions of this rule are followed. Any change to the information on the permit must be reported in writing within ten working days or the permit may be invalidated.

(4) The director, or director's designee, may issue and condition a wildlife rehabilitation permit if the applicant complies with the following:

(a) The applicant is either a licensed veterinarian or can demonstrate six months of experience in wildlife rehabilitation, which must include three months during the spring or summer and has a principal veterinarian as a sponsor. The director, or director's designee, may consider education in wildlife rehabilitation as a substitute for experience.

(b) The applicant must successfully complete a wildlife rehabilitator's examination(s) as prescribed by the director, or director's designee.

(c) The wildlife rehabilitation facility is inspected by the department and meets the wildlife rehabilitation care and facility standards for wildlife in the *Washington State Wildlife Rehabilitation Facility and Care Standards* pamphlet. In order for the wildlife rehabilitation permit to allow for the rehabilitation of oiled birds, the facility also needs to meet the requirements in subsection (24) of this section. When facility requirements in subsection (24) of this section conflict with requirements in the *Wildlife Rehabilitation Facility and Care*

*Standards* pamphlet, subsection (24) of this section shall take precedence.

(5) The wildlife rehabilitation permit holder must maintain and upon request make available to the department, a wildlife rehabilitation daily ledger. The ledger must include the date the wildlife is received, the species and nature of the illness, the location where the wildlife was found, the date and disposition of the wildlife, the release location, and if any, tags and/or band numbers. It is unlawful for a wildlife rehabilitation permit holder to fail to enter required information in the wildlife rehabilitation ledger within twenty-four hours of the day wildlife is received and on the day of all subsequent activities as required in the ledger.

(6) The wildlife rehabilitation permit holder must submit to the department no later than January 31 of each year an annual report providing information as required by the director, or director's designee, and a copy of the daily ledger. Violation of this subsection is an infraction, punishable under RCW 77.15.160.

(7) All permits and records held pursuant to statutes and rules dealing with wildlife rehabilitation will be kept on file at the wildlife rehabilitation facility. The records will be retained for a period of five years.

(8) A copy of the valid wildlife rehabilitation permit must be in possession of any person possessing or transporting wildlife for the wildlife rehabilitation facility.

(9) The wildlife rehabilitation permit holder will notify the department within twenty-four hours of receiving a state or federal endangered or threatened species or an oiled bird; within seventy-two hours of receiving a state sensitive species or marked, tagged, or banded wildlife; and prior to release of threatened or endangered species or oiled birds. The release notification information relative to oiled birds shall include the number of birds being released, the species of birds being released, the proposed location of the release, and the proposed date/time of release.

(10) The wildlife rehabilitation permit holder will notify the department within twenty-four hours after the death of an oiled bird or a state or federal endangered or threatened species; or as soon as an endangered or threatened species is determined to be nonreleasable to the wild. Oiled birds or endangered or threatened species will not be disposed of or euthanized without prior department approval.

(11) Rehabilitated wildlife may be banded or otherwise identified by the department.

(12) The wildlife rehabilitation permit holder will notify the department, within five working days from the date of death, of any wildlife known to have died of the following diseases: Avian cholera, avian pox, duck viral enteritis, environmental contaminants, ornithosis, Newcastle's disease, rabies, canine distemper or tuberculosis (in species other than birds).

(13) Rehabilitated wildlife will be released as soon as possible into its proper habitat in the same area as recovered, except as provided by written authorization from the director or director's designee. Rehabilitated oiled birds shall only be released in the same area as recovered when the threat of becoming reoiled no longer exists. If the area that they were recovered in is not clean enough to allow for their release at

that location, department approval is required prior to releasing rehabilitated oiled birds in another location.

(14) It is unlawful to hold wildlife for longer than one hundred eighty days, except as provided by written authorization from the director, or director's designee.

(15) Dead wildlife, excluding oiled birds, will be disposed of through deposit at an approved Washington state university or college, a permitted research project or through burial, incineration, or a licensed rendering facility. The wildlife rehabilitation permit holder shall notify the department when in possession of dead oiled birds. Dead oiled birds shall not be disposed of without prior department approval.

(16) It is unlawful to publicly display wildlife while it is undergoing rehabilitation.

(17) It is unlawful to retain wildlife for the purpose of orphan imprinting or to retain feathers of protected or endangered wildlife for the purpose of "imping," except as provided by written authorization from the director, or director's designee.

(18) It is unlawful for wildlife being held for rehabilitation to be used for propagation.

(19) Wildlife being held for the purposes of rehabilitation must be kept separate from wildlife held under other licenses and domestic animals, except as provided by written authorization from the director, or director's designee.

(20) The wildlife rehabilitation permit holder may receive from the department and possess at the wildlife rehabilitation facility, dead wildlife for the purpose of feeding wildlife being rehabilitated.

(21) Fish and wildlife enforcement officers may inspect at reasonable times and in a reasonable manner the wildlife, permits, records, and wildlife rehabilitation facility of any wildlife rehabilitator.

(22) Any wildlife rehabilitation permit holder who fails to comply with any condition within the holder's permit or any provision of this rule is in violation of the permit and the permit may be revoked. Any wildlife rehabilitation permit holder found in violation of the permit conditions, with the exception of oiled bird facility requirements, may provide to the department a plan for corrective action, within ten days, to return to compliance. Any wildlife rehabilitation permit holder with an acceptable plan for corrective action to violations other than oiled bird facility requirements will be given a minimum of thirty days to correct a permit violation prior to revocation. Wildlife rehabilitation permit holders found in violation of oiled bird rehabilitation facility requirements shall correct these violations within twenty-four hours to avoid revocation of their authorization to rehabilitate oiled birds.

(23) All wildlife held by a wildlife rehabilitation permit holder remains the property of the state, is subject to control by the state and will not be offered for sale or sold.

(24) Oiled bird rehabilitation facility requirements:

(a) Air temperature and air exchange requirements: This section refers to the air temperature and air exchange requirements within indoor areas.

(i) Air temperature: All indoor areas shall have the means to control air temperature and shall be adjustable and maintainable at any given air temperature between 65°F - 85°F. When the number of birds in an oiled bird rehabilita-

tion facility at a given time exceeds fifty, the following shall also apply:

(A) Intake and prewash holding areas shall be air temperature controlled independently of other oiled bird rehabilitation facility areas but may be controlled together;

(B) Wash/rinse and drying areas shall be air temperature controlled independently of other oiled bird rehabilitation facility areas but may be controlled together; and

(C) The isolation/intensive care unit shall be air temperature controlled independently of other oiled bird rehabilitation facility areas.

(ii) Air exchange: All indoor areas shall have the means to exchange the air volume a minimum of ten times per hour with fresh air from outside. When the number of birds in an oiled bird rehabilitation facility at a given time exceeds fifty, the following shall also apply:

(A) Intake and prewash holding areas may be combined on the same air exchange system. Air exchange systems in the intake and prewash holding areas shall be independent of other oiled bird rehabilitation facility air exchange systems; and

(B) Wash/rinse and drying areas may be combined on the same air exchange system. Air exchange systems in the wash/rinse and drying areas shall be independent of other oiled bird rehabilitation facility air exchange systems; and

(C) The isolation/intensive care unit air exchange system shall be independent of other oiled bird rehabilitation facility areas; and

(D) The morgue/necropsy air exchange system shall be independent of other oiled bird rehabilitation facility areas.

(b) Intake space requirement: Intake shall occur in an indoor area. Forty square feet of contiguous floor space shall be provided for each group of sixty live or dead oiled birds, or portion of each group of sixty, that have been collected and are awaiting intake. The floor of the intake space shall be impermeable. Water shall not be allowed to accumulate on the floor.

(c) Prewash holding resource requirements: Prewash holding shall occur in an indoor area. Oiled bird rehabilitation pen space and the associated dedicated workspace shall be provided in the prewash holding area.

(i) Oiled bird rehabilitation pen requirements: Prewash oiled bird rehabilitation holding pens shall be no smaller than two feet in length by two feet in width; and a minimum of two feet high. Prewash oiled bird rehabilitation holding pens shall be constructed with knotless nylon net-bottoms with a stretched mesh size of one-half inch and shall provide 1.6 square feet of pen space per bird. Oiled bird rehabilitation holding pens shall be constructed in a manner such that no point within the pen is greater than two feet from a pen wall. Oiled bird rehabilitation holding pens shall be elevated a minimum of twelve inches above the floor surface.

(ii) Space requirements: In addition to the space required for prewash oiled bird rehabilitation holding pens, an additional 3.2 square feet of dedicated workspace shall be provided in the prewash holding area for each bird held in the prewash holding area. The floor of the prewash holding area shall be impermeable. Water shall not be allowed to accumulate on the floor.

(d) Wash/rinse resource requirements: Wash/rinse shall occur in an indoor area. A bird shall be provided wash/rinse space and associated resources within twenty-four hours after intake.

(i) Water requirements: A minimum of three hundred gallons of fresh water with the following characteristics shall be made available within each wash/rinse space for each oiled bird being washed and rinsed: The water temperature shall be maintained between 104°F - 106°F; the water hardness shall be maintained between 30 mg - 50 mg calcium carbonate/liter (2-3 grain hardness); the water pressure shall be maintained between 40-60 p.s.i. at a flow rate not less than six gallons per minute. All water requirements listed above shall remain within the specified ranges at all times.

(ii) Cleaning agent requirements: Liquid dishwashing detergents are the only cleaning agents that shall be used to remove oil from birds. Other detergents, including, but not limited to, machine dishwasher soaps and detergents, hand soaps, powdered products, and antibacterial dishwashing detergents shall not be used.

(iii) Space requirements: One hundred square feet of contiguous floor space shall be provided for each group of sixteen live oiled birds, or portion of each group of sixteen, that are ready to be washed and rinsed. The floor of the wash/rinse area shall be impermeable. Water shall not be allowed to accumulate on the floor.

(e) Drying resource requirements: Drying shall occur in an indoor area. Oiled bird rehabilitation pen space and the associated dedicated workspace shall be provided in the drying area. Drying shall be accomplished by warming the air in the drying pen to between 90°F - 95°F.

(i) Oiled bird rehabilitation drying pen requirements: Oiled bird rehabilitation drying pens shall be no smaller than three feet in length by two feet in width; and a minimum of two feet high. Oiled bird rehabilitation drying pens shall be constructed with knotless nylon net-bottoms with a stretched mesh size of one-half inch and shall provide 2.7 square feet of pen space per bird. Each oiled bird rehabilitation pen shall be constructed in a manner such that no point within the pen is greater than two feet from a pen wall. Oiled bird rehabilitation drying pens shall be elevated a minimum of twelve inches above the floor surface. If prewash oiled bird rehabilitation holding pens meet the criteria for use as oiled bird rehabilitation drying pens and are used in the drying process, they must be cleaned of oil residue prior to use.

(ii) Space requirements: In addition to the space required for oiled bird rehabilitation drying pens, an additional 3.2 square feet of dedicated workspace shall be provided in the drying area for each bird held in the drying area. The floor of the drying area shall be impermeable. Water shall not be allowed to accumulate on the floor.

(f) Oiled bird rehabilitation pool resource requirements: Oiled bird rehabilitation pools shall be filled with unheated fresh water. Oiled bird rehabilitation pool space shall be provided immediately after a bird has been dried, and shall be provided until the bird is released.

(i) Oiled bird rehabilitation pool requirements: Oiled bird rehabilitation pool water shall be a minimum of four feet deep. Each bird shall be afforded a minimum of 7.5 square feet of water surface space (e.g., a twelve-foot diameter oiled

bird rehabilitation pool shall house not more than fifteen birds). Each oiled bird rehabilitation pool shall be of dimensions such that no point within the pool is greater than eight feet from a side of the pool. In addition, each oiled bird rehabilitation pool shall have a breathable cover to prevent birds from escaping. Each oiled bird rehabilitation pool shall be constantly supplied with water sufficient to maintain a depth of four feet and an exchange rate of not less than four and one-quarter times per day. Water exiting the oiled bird rehabilitation pool shall come from the surface of the pool so that floating debris and oil are removed. Water from oiled bird rehabilitation pools may be reused within a facility if made oil free.

(ii) Space requirements: Oiled bird rehabilitation pools shall be within the oiled bird rehabilitation facility. Oiled bird rehabilitation pools shall be no closer than four feet from another structure.

(g) Semi-static areas:

(i) Space requirements: Semi-static areas shall be indoor areas. The floors in semi-static areas shall be impermeable. Water shall not be allowed to accumulate on the floor. When the total number of birds in an oiled bird rehabilitation facility, on a given day, is less than fifty, there are no minimum space requirements for semi-static areas. When the total number of birds in an oiled bird rehabilitation facility, on a given day, is between fifty and one thousand, each semi-static area listed in Table 1 shall be allocated the associated space. When the total number of birds in an oiled bird rehabilitation facility, on a given day, is between one thousand one and two thousand, each semi-static area listed in Table 1 shall be allocated two times the associated space, and, when the total number of birds in the oiled bird rehabilitation facility, on a given day, is between two thousand one and three thousand, each semi-static area listed in Table 1 shall be allocated three times the associated space, etc. Space for the semi-static areas listed in Table 1 shall be accommodated within an oiled bird rehabilitation facility with the exception of the morgue/necropsy.

Table 1:  
Semi-static area space requirements by activity type.

Area	Space
Morgue/necropsy	250 sq. ft.
Bird food preparation	300 sq. ft.
Storage	100 sq. ft.
Freezers	100 sq. ft.

(h) Static areas:

(i) Space requirements: Static areas shall be indoor areas. The floors in static areas shall be impermeable. Water shall not be allowed to accumulate on the floor. When the total number of birds in an oiled bird rehabilitation facility, on a given day, is less than fifty, there are no minimum space requirements for static areas. When the number of birds in an oiled bird rehabilitation facility, on a given day, exceeds fifty, each static area listed in Table 2 shall be allocated the associated space. All of the space associated with the areas listed in Table 2 shall be accommodated within an oiled bird rehabilitation facility with the exception of the laundry.

Table 2:  
Static area space requirements by activity type.

Area	Space
Isolation/intensive care unit	200 sq. ft.
Medical laboratory	200 sq. ft.
Laundry	200 sq. ft.
Electrical	100 sq. ft.
Mechanical	250 sq. ft.

AMENDATORY SECTION (Amending Order 06-23, filed 2/14/06, effective 5/1/06)

**WAC 232-28-619 Washington food fish and game fish—Freshwater exceptions to statewide rules.** (1) All freshwater streams and lakes not listed as open for salmon fishing are closed.

(2) Freshwater terminal gear restrictions: In all waters with freshwater terminal gear restrictions, including, but not limited to, selective gear rules, whitefish gear rules, single point barbless hooks required, fly-fishing only, and nonbuoyant lure restrictions, violation of the gear rules is an infraction, punishable under RCW 77.15.160. It is unlawful to possess fish taken with gear in violation of the freshwater terminal gear restrictions. Possession of fish while using gear in violation of the freshwater terminal gear restrictions is a rebuttable presumption that the fish were taken with such gear. Possession of such fish is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree, unless the fish are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree.

(3) County freshwater exceptions to statewide rules:

(a) Adams and Grant counties: All seasons in specific freshwater exceptions to statewide rules apply to inlet and outlet streams of named lakes in Grant and Adams counties.

(b) Adams, Douglas, Franklin, Grant, and Okanogan counties, except Zosel Dam (Okanogan River): Lawful to fish to base of all dams.

(c) Benton County: Rivers, streams and beaver ponds open year around.

(d) Ferry and Lincoln counties: Except those tributaries listed under specific water exceptions to statewide rules, all tributaries to Lake Roosevelt between Grand Coulee Dam and the State Highway 25 Bridge at Northport except Barnaby and Nancy creeks: Trout: Daily limit 5, no minimum size.

(e) Kitsap County and Mason County on Tahuya Peninsula west of Belfair-Bremerton Highway (S.R. 3): Beaver ponds: Last Saturday in April through October 31 season. Trout: No minimum length.

~~((3))~~ (4) Specific freshwater exceptions to statewide rules:

Aberdeen Lake (Grays Harbor County): Last Saturday in April through October 31 season.

Abernathy Creek (Cowlitz County):

From mouth to a point five hundred feet downstream from salmon hatchery: June 1 through August 31 and

November 1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

From Abernathy Falls to posted markers five hundred feet downstream from salmon hatchery: Closed waters.

Aeneas Lake (Okanogan County): Last Saturday in April through October 31 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit one.

Ahtanum Creek, including North and Middle Forks (Yakima County): Selective gear rules. North Fork from Grey Rock Trailhead Bridge crossing to Shellneck Creek: Closed waters.

Alder Creek (Cowlitz County): Closed waters.

Aldrich Lake (Mason County): Last Saturday in April through October 31 season.

Aldwell Lake (Clallam County): Last Saturday in April through October 31 season. Selective gear rules except fishing from a floating device equipped with an internal combustion motor permitted. Trout: Daily limit two, minimum length twelve inches.

Alexander Lake (Kitsap County): Closed waters.

Alkali Lake (Grant County): Crappie: Not more than five greater than eight inches in length. Bluegill: Not more than five greater than six inches in length.

Alta Lake (Okanogan County): Last Saturday in April through September 30 season.

Amber Lake (Spokane County): Last Saturday in April through September 30 season. Selective gear rules. Trout: Daily limit two, minimum length fourteen inches; release rainbow trout with a clipped adipose fin and a healed scar at the site of the clipped fin. Additional season October 1 through November 30 and March 1 through Friday before last Saturday in April. Selective gear rules. All species: Release all fish.

American Lake (Pierce County): Chumming permitted.

American River (Yakima County): Selective gear rules.

Anderson Lake (Jefferson County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited. From September 1 through October 31, selective gear rules and trout: Release trout.

Armstrong Lake (Snohomish County): Last Saturday in April through October 31 season.

Asotin Creek, mainstem and forks (Asotin County): Closed to fishing for steelhead.

From SR 129 Bridge upstream to the forks: Lawful to fish up to base of Headgate Dam.

North Fork from mouth upstream to USFS boundary: Selective gear rules.

North Fork from USFS boundary upstream and all other tributaries: Closed waters.

South Fork and tributaries: Closed waters.

B.C. Mill Pond (Stevens County): Last Saturday in April through October 31 season.

Bachelor Creek (Yakima County): Year around season. Trout: Daily limit five, no minimum length.

Badger Lake (Spokane County): Last Saturday in April through September 30 season.

Baker Lake (Whatcom County): Last Saturday in April through October 31 season, except closed waters in an area two hundred feet in radius around the pump discharge at the south end of the lake. Chumming permitted. Trout: Minimum length six inches and maximum length eighteen inches.

Baker River (Skagit County): Mouth to Highway 20 Bridge: September 1 through October 31 season. Nonbuoyant lure restriction and night closure. Trout: Minimum length fourteen inches, except Dolly Varden/Bull Trout. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches. Salmon: Open only July 1 through July 31 except closed 12:01 a.m. July 5 through 2:00 p.m. July 6 and 12:01 a.m. July 11 through 2:00 p.m. July 12. Nonbuoyant lure restriction and night closure. Daily limit 2 sockeye salmon.

Highway 20 Bridge to Baker River fish barrier dam: Closed waters.

Banks Lake (Grant County): Chumming allowed. Perch: Daily limit twenty-five. Small mouth bass: Small mouth bass do not count as part of bass daily limit. Small mouth bass 12 to 17 inches in length may be retained. Daily limit 10 small mouth bass not more than one of which may be greater than 14 inches in length.

Barnaby Slough (Skagit County): Closed waters.

Battle Ground Lake (Clark County): Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: No more than 2 trout 20 inches or greater in length may be retained.

Bay Lake (Pierce County): Last Saturday in April through October 31 season.

Bayley Lake (Stevens County): Last Saturday in April through July 4 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit one, minimum length fourteen inches. Additional season, July 5 through October 31. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. All species: Release all fish. Inlet stream: Closed waters.

Bear Creek (Yakima County), tributary to South Fork Tieton River: From the mouth to the falls (approximately 3/4 mile): Closed waters.

Bear Lake (Spokane County): Juveniles, holders of disability licenses, and licensed adults accompanied by a juvenile only.

Bear River (Pacific County): June 1 through March 31 season. Nonbuoyant lure restriction and night closure August 16 through November 30. Single point barbless hooks required August 16 through November 30 downstream from the Lime

Quarry Road. All species: Release all fish except salmon and except up to two hatchery steelhead may be retained each day. Upstream from the Lime Quarry Road: Selective gear rules June 1 through March 31. All species: Release all fish except up to two hatchery steelhead may be retained each day. Salmon: Open only September 1 through November 30 from mouth to Lime Quarry Road. Daily limit 6 fish of which no more than 2 may be adult fish and of these two fish no more than one may be a wild adult coho. Release adult chinook.

Beaver Creek (tributary to Elochoman River) (Wahkiakum County): Closed waters.

Beaver Lake (Clallam County): Selective gear rules except electric motors allowed. Trout: Maximum size 12 inches in length.

Beaver Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited.

Beda Lake (Grant County): Selective gear rules. Trout: Daily limit one fish.

Beehive (Lake) Reservoir (Chelan County): Last Saturday in April through October 31 season. July 5 through October 31, selective gear rules, and all species: Release all fish.

Bennington Lake (Mill Creek Reservoir) (Walla Walla County): Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Benson Lake (Mason County): Last Saturday in April through October 31 season.

Berry Creek (tributary to Nisqually River) (Lewis County): Selective gear rules.

Big Bear Creek (tributary of Sammamish River) (Snohomish/King counties): See Lake Washington tributaries.

Big Beaver Creek (Whatcom County):

From closed water markers on Ross Lake upstream one-quarter mile: Closed waters.

From one-quarter mile markers upstream, including tributary streams, and beaver ponds that are tributary to Big Beaver Creek: July 1 through October 31 season. Selective gear rules. All species: Release all fish.

Big Beef Creek (Kitsap County): June 1 through August 31 season. Selective gear rules. All species: Release all fish.

Big Four Lake (Columbia County): March 1 through October 31 season. Fly fishing only. Fishing from any floating device prohibited. Trout: Daily limit two.

Big Lake (Skagit County): Crappie: Daily limit ten, minimum length nine inches. Salmon: Landlocked salmon rules apply.

Big Meadow Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Big Quilcene River (Jefferson County):

From mouth to upper boundary of Falls View Campground: June 1 through last day in February season. Closed

waters: August 16 through October 31 from mouth to Rodgers Street. Rodgers Street to the Highway 101 Bridge: Selective gear rules June 1 through last day in February and night closure August 16 through December 31. From electric weir to upper boundary of Falls View Campground: Selective gear rules June 1 through last day in February. All game fish: Release all fish from mouth to campground. Salmon: Open only August 16 through October 31 from Rodgers Street to the Highway 101 Bridge. Daily limit 4 coho salmon.

From Highway 101 Bridge upstream to the electric weir at the Quilcene National Fish Hatchery: Closed waters.

Big River (Clallam County): June 1 through last day in February season. Selective gear rules. Trout: Minimum length fourteen inches.

Big Twin Lake (Okanogan County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit one.

Bird Creek (Klickitat County): Trout: Daily limit five.

Black Lake (Lower Wheeler Reservoir) (Chelan County): Last Saturday in April through October 31 season. July 5 through October 31, selective gear rules, and all species: Release all fish.

Black Lake (Okanogan County): Selective gear rules.

Black Lake (Pacific County): Last Saturday in April through October 31 season.

Black Lake (Stevens County): Last Saturday in April through October 31 season.

Black Lake (Thurston County): Crappie: Daily limit ten, minimum length nine inches.

Black River (Thurston County), from mouth to Black Lake and including all tributaries west of Interstate Highway 5, including Waddell Creek, Mima Creek, Dempsey Creek, Beaver Creek, Salmon Creek and Blooms Ditch: Selective gear rules. Trout: Minimum length fourteen inches.

Blockhouse Creek (Klickitat County): Trout: Daily limit five.

Bloodgood Creek (Klickitat County): Trout: Daily limit five.

Blue Creek (Lewis County), from mouth to Spencer Road: Closed waters except December 1 through December 31 season from mouth to posted sign at rearing pond outlet. Closed waters: Upstream from cable crossing to posted signs at fence. Nonbuoyant lure restriction and night closure. Only wheelchair-bound anglers may fish from posted signs above rearing pond to posted signs approximately 40 feet downstream at fence including the rearing pond outlet. Trout: Daily limit five. Minimum size 12 inches no more than two fish over 20 inches. Release wild cutthroat, wild steelhead and hatchery steelhead with missing right ventral fin.

Blue Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Blue Lake (Cowlitz County): Last Saturday in April through October 31 season. Selective gear rules. All species: Release all fish.

Blue Lake (Grant County): Last Saturday in April through September 30 season.

Blue Lake (near Sinlahekin) (Okanogan County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit one.

Blue Lake (near Wannacut Lake) (Okanogan County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit one.

Bobcat Creek and Ponds (Adams County): April 1 through September 30 season.

Bogachiel River (Clallam County), from mouth to Olympic National Park boundary: June 1 through April 30 season. December 1 through April 30, selective gear rules from Highway 101 to Olympic National Park boundary. Trout: Minimum length fourteen inches. November 1 through last day in February, daily limit three steelhead downstream from Highway 101 Bridge. December 1 through April 30, mouth to Highway 101, one wild steelhead per day may be retained. Salmon: Open only July 1 through November 30 from mouth to Highway 101 Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon July 1 through August 31 and of which no more than 3 may be adult salmon September 1 through November 30. July 1 through August 31 release wild adult coho and unmarked adult chinook. Unmarked chinook are chinook with unclipped adipose and ventral fins. September 1 through November 30 the daily limit may contain no more than 2 adult chinook or 2 adult wild coho or a combination of adult chinook and adult wild coho.

Bonaparte Lake (Okanogan County): Trout: No more than one over twenty inches in length may be retained.

Bosworth Lake (Snohomish County): Last Saturday in April through October 31 season.

Boundary Creek (Clallam County): Closed waters.

Bowman Creek (Klickitat County): Trout: Daily limit five.

Box Canyon Creek (Kittitas County), from mouth to waterfall approximately 2 miles upstream: Closed waters. From waterfall approximately 2 miles upstream of mouth to USFS Road #4930 Bridge: Selective gear rules.

Boxley Creek (North Bend) (King County), from its mouth to the falls located at approximately river mile 0.9: Closed waters.

Boyle Lake (King County): Last Saturday in April through October 31 season. The inlet and outlet streams to Boyle Lake are closed waters.

Bradley Lake (Pierce County): Salmon: Landlocked salmon rules apply.

Bridges Lake (King County): Last Saturday in April through October 31 season. The inlet and outlet streams to Bridges Lake are closed waters.

Brookies Lake (Grant County): Selective gear rules. Trout: Daily limit one fish.

Browns Creek (Pend Oreille County): Fly fishing only.

Browns Lake (Pend Oreille County): Last Saturday in April through October 31 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: No more than one fish greater than 11 inches in length may be retained.

Buck Lake (Kitsap County): Last Saturday in April through October 31 season.

Buckskin Creek and tributaries (Yakima County), from mouth to the west boundary of Suntides Golf Course: Closed waters.

Bumping Lake (Reservoir) (Yakima County): Chumming permitted. Trout: Kokanee not counted in daily trout limit. Kokanee daily limit sixteen.

Bumping River (Yakima County):

From mouth to Bumping Reservoir: Lawful to fish to base of Bumping Dam. Selective gear rules June 1 through October 31. Whitefish: Additional December 1 through March 31 season. Whitefish gear rules apply.

Burbank Slough (Walla Walla County): Fishing from any floating device prohibited.

Burke Lake (Grant County): March 1 through July 31 season.

Burley Creek (Kitsap County): June 1 through last day in February season. Trout: Minimum length fourteen inches.

Butter Creek (Lewis County): Selective gear rules. Trout: Minimum length ten inches.

Buttermilk Creek, mouth to confluence of East and West Forks (Okanogan County): Closed waters.

Cady Lake (Mason County): Fly fishing only. Fishing from a floating device equipped with an internal combustion motor prohibited. All species: Release all fish.

Cain Lake (Whatcom County): Last Saturday in April through October 31 season.

Calawah River (Clallam County), from mouth to forks: June 1 through April 30 season. December 1 through April 30, selective gear rules from Highway 101 to forks. Trout: Minimum length fourteen inches. November 1 through last day in February, daily limit three steelhead from mouth to Highway 101 Bridge. December 1 through April 30, mouth to Highway 101, one wild steelhead per day may be retained. Salmon: Open only July 1 through November 30 from mouth to Highway 101 Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon July 1 through August 31 and of which no more than 3 may be adult salmon September 1 through November 30. July 1 through August 31 release wild adult coho and unmarked adult chinook. Unmarked chinook are chinook with unclipped adipose and ventral fins. September 1 through November 30 the daily limit may contain no more than 2 adult chinook or 2 adult wild coho or a combination of adult chinook and adult wild coho.

Calawah River, South Fork (Clallam County) from mouth to Olympic National Park boundary: June 1 through last day in February season. December 1 through last day in February, selective gear rules. Trout: Minimum length fourteen inches.

Caldwell Lake (Pend Oreille County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: Daily limit two, minimum length twelve inches.

Caliche Lakes, Lower, Upper and West (Grant County): March 1 through July 31 season.

Calispell Creek (Calispell River) (Pend Oreille County):

From mouth to Calispell Lake: Year around season.

From Calispell Lake upstream to source: Selective gear rules.

Calispell Creek and tributaries: Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Calligan Lake (King County): June 1 through October 31 season. All tributary streams, and the upper third of the outlet are closed waters.

Camas Slough: Waters of the Columbia River downstream from the mouth of the Washougal River, north of Lady Island, and downstream of the Highway 14 Bridge at the upstream end of Lady Island. Season: Same rules as adjacent waters of the Columbia River.

Campbell Creek (Mason County): Closed waters.

Campbell Lake (Okanogan County): April 1 through August 31: Selective gear rules and all species: Release all fish.

Campbell Lake (Skagit County): Crappie: Daily limit ten, minimum length nine inches.

Canyon Creek (Clark County): Trout: Daily limit five.

Canyon River (Mason County and Grays Harbor County): Closed waters.

Canyon Creek (S.F. Stillaguamish River) (Snohomish County), mouth to forks: June 1 through last day in February season. Trout: Minimum length fourteen inches.

Canyon Creek (Whatcom County): Closed waters: Mouth to Canyon Creek Road Bridge.

Capitol Lake (Thurston County), from its outlet to a point four hundred feet below the lowest Tumwater Falls (Deschutes River) fish ladder: Closed waters: Percival Cove, west of a set of markers on the western shoreline of the south basin of Capitol Lake. June 1 through March 31 season. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: June 1 through July 31 daily limit five, minimum length eight inches. August 1 through March 31 daily limit two, minimum length fourteen inches. Salmon: Open only July 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho.

Carbon River (Pierce County), from its mouth to Voight Creek: July 1 through last day in February season. Nonbuoyant lure restriction, night closure and single point barbless hooks August 1 through November 30. Trout: Minimum length fourteen inches. Voight Creek to Highway 162 Bridge: July 1 through August 15 and September 1 through last day in February season: Trout: Minimum length 14 inches. All species: Release all fish except salmon September 1 through November 30. Salmon: Open only September 1 through November 30 mouth to Voight Creek. Daily limit 6 fish of which no more than 4 may be adult salmon and of these 4 fish no more than 2 may be adult hatchery chinook. Release chum and wild adult chinook salmon.

Carlisle Lake (Lewis County): Last Saturday in April through last day in February season. Fishing from a floating device equipped with an internal combustion motor prohibited. Salmon: Landlocked salmon rules apply.

Carl's Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Carney Lake (Pierce County): Last Saturday in April through June 30 and September 1 through November 30 seasons. Fishing from a floating device equipped with an internal combustion motor prohibited. Salmon: Landlocked salmon rules apply.

Carson Lake (Mason County): Last Saturday in April through October 31 season.

Cascade Lake (Grant County): March 1 through July 31 season.

Cascade Lake (San Juan County): Last Saturday in April through October 31 season.

Cascade River (Skagit County):

From the mouth to the Rockport-Cascade Road Bridge: October 1 through last day in February season. Nonbuoyant lure restriction and night closure September 16 through November 30. Trout: Trout except Dolly Varden/Bull Trout, minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches. Salmon: Open only September 16 through November 30. Daily limit 4 coho salmon.

From the Rockport-Cascade Road Bridge upstream: June 1 through last day in February season. Trout: Trout except Dolly Varden/Bull Trout, minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches.

Cases Pond (Pacific County): Last Saturday in April through November 30 season. Juveniles only. Salmon: Landlocked salmon rules apply.

Cassidy Lake (Snohomish County): Crappie: Daily limit ten, minimum length nine inches.

Castle Lake (Cowlitz County): Selective gear rules. Trout: Daily limit one, minimum length sixteen inches.

Cattail Lake (Grant County): April 1 through September 30 season.



Cavanaugh Lake (Skagit County): Chumming permitted.

Cedar Creek (tributary of N.F. Lewis) (Clark County), from mouth to 100 feet upstream of the falls: From the Grist Mill Bridge to 100 feet upstream of the falls: Closed waters. June 1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Cedar Creek (Jefferson County): June 1 through last day in February season. Selective gear rules. Trout: Minimum length fourteen inches.

Cedar Creek (Okanogan County), from mouth to Cedar Falls: Closed waters.

Cedar Creek and tributaries (Pend Oreille County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Cedar Lake (Stevens County): Last Saturday in April through October 31 season.

Cedar River (King County), from mouth to Landsburg Road: June 1 through August 31 season. Selective gear rules and night closure. All species: Release all fish. Landsburg Road to Cedar Falls: Closed waters.

Cedar River (Pacific County): Selective gear rules. All species: Release all fish except up to two hatchery steelhead per day may be retained.

Chain Lake (Pend Oreille County): Last Saturday in April through October 31 season. Release kokanee.

Chambers Creek (Pierce County): July 1 through November 15 season. Night closure and nonbuoyant lure restriction.

Chambers Creek Estuary (downstream from markers 400 feet below the Boise-Cascade Dam to the Burlington Northern Railroad Bridge) (Pierce County): July 1 through November 15 season. Night closure and nonbuoyant lure restriction. Trout: Minimum length fourteen inches. Salmon: Open only July 1 through November 15. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild coho.

Chambers Lake (within Ft. Lewis Military Reservation) (Pierce County): Selective gear rules. Trout: Release all trout.

Chaplain Lake (Snohomish County): Closed waters.

Chapman Lake (Spokane County): Last Saturday in April through October 31 season. Chumming permitted. Trout: Kokanee not counted in daily trout limit. Kokanee daily limit ten.

Chehalis River (Grays Harbor County), from Highway 101 Bridge in Aberdeen to high bridge on Weyerhaeuser 1000 line (approximately 400 yards downstream from Roger Creek): June 1 through April 15 season. Single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only April 16 through July 31 from mouth to high bridge, October 1 through January 31 from mouth to Porter Bridge, and Octo-

ber 16 through last day in February from Porter Bridge to high bridge. Daily limit 6 fish of which no more than 2 may be adult salmon. October 1 through November 30, mouth to Porter Bridge, release adult chinook. October 16 through November 30, Porter Bridge to High Bridge, release adult chinook. December 1 through January 31, mouth to Porter Bridge, the daily limit may contain no more than one wild adult coho, and release adult chinook. December 1 through last day in February, Porter Bridge to High Bridge, release adult chinook and wild adult coho. Sturgeon: Open year-round and no night closure from mouth to high bridge on Weyerhaeuser 1000 line.

Chehalis River, South Fork (Lewis County), from mouth to Highway Bridge at Boistfort School: June 1 through April 15 season. Trout: Minimum length fourteen inches.

Chehalis River Potholes (adjacent to the Chehalis River south of Highway 12 in Grays Harbor County, this does not include sloughs or beaver ponds): Last Saturday in April through October 31 season.

Chelan Hatchery Creek (Chelan County): Closed waters.

Chelan Lake (Chelan County): Closed waters: Within 400 feet of all tributaries south of a line from Purple Point at Stehekin and Painted Rocks. Trout except kokanee and lake trout: Daily limit 5. Release wild cutthroat. Lake trout not counted in daily trout limit. Lake trout no minimum size, no daily limit. Kokanee not counted in daily trout limit. Kokanee daily limit 10, no minimum length. North of a line between Purple Point at Stehekin and Painted Rocks: April 1 through July 31: All species: Release all fish. Salmon: Open only May 1 through May 31 south of a line from Purple Point to Painted Rocks: Daily limit 1, minimum length 15 inches.

Chelan Lake Tributaries (Chelan County), from mouths upstream one mile except Stehekin River: August 1 through September 30 season. Selective gear rules. Trout: Release wild cutthroat.

Chelan River (Chelan County): From the railroad bridge to the Chelan P.U.D. safety barrier below the power house: May 15 through August 31 season. Nonbuoyant lure restriction. Trout: Release all trout.

Chewuch River (Chewack River) (Okanogan County), from mouth to Eight Mile Creek: June 1 through August 15 season. Selective gear rules. All species: Release all fish.

Upstream from Eight Mile Creek to Pasayten Wilderness boundary: Closed waters June 1 through October 31.

From mouth to Pasayten Wilderness boundary: Additional December 1 through March 31 season. Whitefish gear rules apply.

Chikamin Creek (Chelan County): Selective gear rules.

Chimacum Creek (Jefferson County):

From mouth to Ness's Corner Road: June 1 through August 31 season. Trout: Minimum length fourteen inches.

From Ness's Corner Road to headwaters: Trout: Minimum length fourteen inches.

Chiwaukum Creek (Chelan County): Mouth to Fool Hen Creek: Closed waters.

Chiwawa River (Chelan County): Mouth to Buck Creek: Closed waters.

Chopaka Lake (Okanogan County): Last Saturday in April through October 31 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit one.

Cispus River (Lewis County), from mouth to North Fork: Trout: Release all cutthroat. Additional season November 1 through May 31, release all game fish other than steelhead. Salmon: Open year around. Daily limit 6 fish, of which no more than 2 fish may be adult salmon. Salmon minimum size 8 inches. Release wild coho at all times and release wild chinook January 1 through July 31.

Cispus River, North Fork (Lewis County): Selective gear rules. Trout: No more than one over twelve inches in length. Release cutthroat.

Clallam River (Clallam County): June 1 through last day in February season. Trout: Minimum length fourteen inches.

Clara Lake (Mason County): Last Saturday in April through October 31 season.

Clear Creek (Chelan County): Closed waters.

Clear Lake (Chelan County): Last Saturday in April through October 31 season. From July 5 through October 31, selective gear rules and all species: Release all fish.

Clear Lake (Pierce County): Last Saturday in April through October 31 season. Chumming permitted. Salmon: Land-locked salmon rules apply.

Clear Lake (Spokane County): Last Saturday in April through October 31 season.

Clear Lake (Thurston County): Last Saturday in April through October 31 season.

Clearwater River (Jefferson County):

From mouth to Snahapish River: June 1 through April 15 season. Trout: Minimum length fourteen inches. December 1 through April 15, one wild steelhead per day may be retained. Salmon: Open only September 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon.

From Snahapish River upstream: Trout, minimum length fourteen inches.

Clearwater River (Pierce County): July 1 through October 31 season. Selective gear rules. Trout: Minimum length fourteen inches.

Cle Elum Lake (Reservoir) (Kittitas County): Trout except kokanee: Daily limit two, minimum length twelve inches. Kokanee not counted in daily trout limit. Kokanee daily limit sixteen, no minimum size.

Cle Elum River (Kittitas County), from mouth to Cle Elum Dam: Lawful to fish to base of Cle Elum Dam. Year-round season. Selective gear rules, except December 1 through March 31 bait and one single point barbed hook three-sixteenths or smaller point to shank may be used. Trout: Release

all trout. Above Cle Elum Lake to outlet of Hyas Lake except Tucquala Lake: Selective gear rules.

Cliff Lake (Grant County): March 1 through July 31 season.

Cloquallum Creek (Grays Harbor County):

From mouth to second bridge on Cloquallum Road: June 1 through last day in February season. Trout: Minimum length fourteen inches.

From mouth to Highway 8 Bridge: Additional March 1 through March 31 season. Trout: Minimum length fourteen inches.

Clough Creek (North Bend) (King County): Closed waters.

Coal Creek (Cowlitz County), from mouth to four hundred feet below falls: June 1 through August 31 and November 1 through last day in February season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Coal Creek (tributary of Lake Washington) (King County): See Lake Washington tributaries.

Coal Creek (near Snoqualmie) (King County), from mouth to Highway I-90: Last Saturday in April through October 31 season. Juveniles only. Trout: No minimum length.

Coffee Pot Lake (Lincoln County): March 1 through September 30 season. Selective gear rules except internal combustion motors allowed. Trout: Daily limit one, minimum length eighteen inches. Crappie: Daily limit ten, minimum length nine inches.

Coldwater Lake (Cowlitz County): Selective gear rules. Trout: Daily limit one, minimum length sixteen inches.

Coldwater Lake inlet and outlet streams (Cowlitz County): Closed waters.

Collins Lake (Mason County): Last Saturday in April through October 31 season.

Columbia Basin Hatchery Creek (Grant County): Hatchery outflow to confluence with mainstem Hatchery Creek: April 1 through September 30 season. Juveniles and holders of reduced fee disability licenses only. Mainstem Hatchery Creek: April 1 through September 30 season. Juveniles and holders of reduced fee disability licenses only.

Columbia Park Pond (Benton County): Juveniles and holders of reduced fee disability licenses only. All species: Daily limit of five fish combined.

Columbia River, including impoundments and all connecting sloughs, except Wells Ponds: Year-round season unless otherwise provided. General species provisions (unless otherwise provided for in this section): Bass: Below Priest Rapids Dam: Daily limit five fish, bass 12 to 17 inches in length may be retained. Up to but not more than three of the daily limit may be over 15 inches. Trout: Daily limit two fish, minimum length 12 inches, except release all Dolly Varden/Bull Trout. Walleye: Daily limit five fish of which not more than one may be over 24 inches, minimum length 18 inches. Whitefish: Daily limit 15 fish. All other game fish: No daily limit, except release all grass carp.

In the Columbia River between Washington and Oregon, the license of either state is valid. Anglers must comply with the fishing regulations of the state in which they are fishing. This provision does not allow an angler licensed in Oregon to fish on the Washington shore, or in the sloughs or tributaries in Washington except Camas Slough, where the license of either state is valid when fishing from a floating device.

Anglers fishing the Columbia River are restricted to one daily limit, as defined by the laws of the state in which they are fishing, even if they are licensed by both states.

From a true north-south line through Buoy 10 to a line between Rocky Point in Washington to Tongue Point in Oregon: Trout: Release wild cutthroat. Release all trout April 1 through July 31. Walleye: No minimum size. Daily limit ten, of which no more than five may be greater than eighteen inches in length and one greater than twenty-four inches in length. Fishing from the north jetty is allowed during salmon season openings. Salmon: Open only August 1 through March 31. August 1 through September 30, daily limit 2 salmon of which not more than one may be a chinook salmon. Release chum, sockeye, wild coho, chinook less than 24 inches in length, and coho less than 16 inches in length. October 1 through December 31, daily limit 6 fish of which no more than 2 may be adult salmon and not more than one of which may be an adult chinook salmon. Release chum, sockeye, and wild coho. January 1 through March 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release chum, sockeye, wild coho and wild chinook. Fishing from the north jetty for salmon open during both Area 1 and Buoy 10 fishery openings with barbed hooks allowed and the daily limit is the more liberal if both areas are open. Sturgeon: Release sturgeon May 1 through May 12 and July 5 through December 31. Minimum size when open to retain sturgeon is 42 inches January 1 through April 30 and 45 inches May 13 through July 4.

From the Rocky Point - Tongue Point line to the I-5 Bridge: Trout: Release wild cutthroat. Release all trout April 1 through May 15. Walleye: No minimum size. Daily limit ten, of which no more than five may be greater than eighteen inches in length and one greater than twenty-four inches in length. Salmon: Open only May 16 through March 31. May 16 through June 15 daily limit 6 hatchery jack chinook. June 16 through July 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release sockeye. August 1 through March 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release chum, sockeye, and wild coho. August 1 through December 31 the daily limit may contain not more than 1 adult chinook. Release wild chinook January 1 through March 31. Sturgeon: (1) Release sturgeon May 1 through May 12 and July 5 through December 31 downstream from the Wauna powerlines. Minimum size when open to retain sturgeon is 42 inches January 1 through April 30 and 45 inches May 13 through July 4; (2) I-5 Bridge downstream to Wauna powerlines, lawful to retain sturgeon only on Thursdays, Fridays, and Saturdays from January 1 through July 31, and October 1 through December 31. Release sturgeon on other days and during other time periods.

From the I-5 Bridge to the Highway 395 Bridge at Pasco: Closed waters: (1) From the upstream line of Bonneville Dam to boundary markers located six hundred feet below the

fish ladder, and closed to fishing from a floating device or fishing by any method except hand-casted gear from shore from Bonneville Dam downstream to a line from the Hamilton Island boat ramp to an Oregon boundary marker on Robins Island. (2) Waters from the upstream side of the Interstate Bridge at The Dalles to upper line of The Dalles Dam except that bank fishing is permitted up to the downstream navigation lock wall on the Washington shore. (3) From John Day Dam downstream about three thousand feet except that bank fishing is permitted up to four hundred feet below the fishway entrance on the Washington shore. (4) From McNary Dam downstream to a line across the river from the red and white marker on the Oregon shore on a line that intersects the downstream end of the wing wall of the boat lock near the Washington shore. August 1 through October 15: Nonbuoyant lure restriction and night closure from Bonneville Dam to The Dalles Dam. Trout: Release wild cutthroat from I-5 Bridge to Bonneville Dam and release all cutthroat in the waters of Drano Lake. Release all trout April 1 through June 15. Walleye: No minimum size. Daily limit ten, of which no more than five may be greater than eighteen inches in length and one greater than twenty-four inches in length. Sturgeon: (1) Sturgeon fishing is closed from Bonneville Dam to a line from a boundary marker on the Washington shore approximately 4,000 feet below the fish ladder to the downstream end of Cascade Island to an Oregon angling boundary on Bradford Island (the Cascade Island - Bradford Island line). (2) It is unlawful to fish for sturgeon from May 1 through July 31 from Cascade Island - Bradford Island line downstream to a line from navigation marker 85 on the Washington shore and from 400 feet below McNary Dam to the Highway 82 Bridge. (3) Cascade Island - Bradford Island line downstream to I-5 Bridge, lawful to retain sturgeon only on Thursdays, Fridays, and Saturdays from January 1 through July 31 and October 1 through December 31, except for May 1 - July 31 closure to the navigation marker 85 line and the closure to the Highway 82 Bridge. Release sturgeon on other days and during other time periods. (4) Release sturgeon September 1 through December 31 from the upstream line of Bonneville Dam and 400 feet below McNary Dam. Salmon: Open only June 16 through December 31 except closed November 1 through December 31 from Beacon Rock to Bonneville Dam. June 16 through July 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release sockeye. August 1 through December 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release chum and sockeye. Release wild coho downstream of Bonneville Dam. August 1 through December 31, daily limit may contain not more than 1 adult chinook downstream from Bonneville Dam.

From the Highway 395 Bridge at Pasco to the old Hanford townsite (wooden towers) powerline crossing, in Sec. 30, T13N, R28E except Ringold Hatchery waters: Closed waters: Ringold Springs Creek (Hatchery Creek). Trout: Release all trout except hatchery steelhead having both adipose and ventral fin clips October 1 through October 31. Release all trout except hatchery steelhead November 1 through March 31. Salmon: Open only June 16 through July 31 and August 16 through December 31. Daily limit 6 fish of which no more than 2 may be adult salmon. Release sockeye

June 16 through July 31. Walleye: Daily limit 10 fish. No minimum size, no more than 5 fish over 18 inches in length. No more than 1 fish over 24 inches in length. Ringold Springs Rearing Facility waters (from WDFW markers 1/4 mile downstream from the Ringold wasteway outlet to WDFW markers 1/2 mile upstream from Spring Creek): Open only April 1 through April 15 to fishing from the bank on the hatchery side of the river. Trout: Release all fish except hatchery steelhead.

From the old Hanford townsite (wooden towers) power-line crossing in Sec. 30, T13N, R28E, to Vernita Bridge, (Highway 24): All species: February 1 through October 22 season. Trout: Release all trout. Walleye: Daily limit 10 fish. No minimum size, no more than 5 fish over 18 inches in length. No more than 1 fish over 24 inches in length. Salmon: Open only June 16 through July 31 and August 16 through October 22. Daily limit 6 fish of which no more than 2 fish may be adult salmon. Release sockeye June 16 through July 31.

From Vernita Bridge (Highway 24) to Priest Rapids Dam: Closed waters: (1) Priest Rapids Dam - waters between the upstream line of Priest Rapids Dam downstream to the boundary markers six hundred fifty feet below the fish ladders. (2) Jackson (Moran Creek or Priest Rapids Hatchery outlet) Creek - all waters of the Priest Rapids Hatchery system to the outlet on the Columbia River, extending to mid-stream Columbia between boundary markers located one hundred feet upstream and four hundred feet downstream of the mouth. Trout: Release all trout. Walleye: Daily limit 10 fish. No minimum size, no more than 5 fish over 18 inches in length. No more than 1 fish over 24 inches in length. Salmon: Open only June 16 through July 31 and August 16 through October 22. Daily limit 6 fish of which no more than 2 may be adult salmon. Release sockeye June 16 through July 31.

From Priest Rapids Dam to Chief Joseph Dam, including up to base of Washburn Pond outlet structure: Closed waters: (1) Wanapum Dam - waters between the upstream line of Wanapum Dam to the boundary markers seven hundred fifty feet downstream of the east fish ladder and five hundred feet downstream of the west fish ladder. (2) Rock Island Dam to boundary markers four hundred feet downstream of the fish ladders. (3) Rocky Reach Dam - waters between the upstream line of Rocky Reach Dam to boundary markers four hundred feet downstream of the fish ladders. (4) Wells Dam - waters between the upstream line of Wells Dam to boundary markers four hundred feet downstream of the spawning channel discharge (Chelan County) and fish ladder (Douglas County). (5) Chief Joseph Dam - closed to fishing from the Okanogan County shore between the dam and the Highway 17 Bridge. Closed to fishing from a floating device from the boundary marker to the Corps of Engineers safety zone marker. Trout: Release all trout. Salmon: Open only July 16 through October 15. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho and sockeye. From Wells Dam to Chief Joseph Dam, open only from Highway 173 Bridge at Brewster to Highway 17 Bridge at Bridgeport. Sturgeon: Release all sturgeon.

Above Chief Joseph Dam: See Lake Roosevelt and Rufus Woods Lake.

Colville River (Stevens County):

From mouth to bridge at Town of Valley: Year-round season. Trout: Daily limit five fish, not more than two of which may be brown trout October 1 through November 30. Walleye: No minimum size. Daily limit five fish not more than one of which may be longer than 18 inches. Sturgeon: Unlawful to fish for or retain sturgeon.

From bridge at Valley upstream and tributaries: Selective gear rules.

Conconully Lake (Okanogan County): Last Saturday in April through October 31 season.

Conconully Reservoir (Okanogan County): Last Saturday in April through October 31 season.

Conger Pond (Pend Oreille County): Last Saturday in April through October 31 season.

Connelly Creek and tributaries (Lewis County), from four hundred feet below the city of Morton Dam to its source: Closed waters.

Conner Lake (Okanogan County): Last Saturday in April through October 31 season.

Cooper River (Kittitas County): Mouth to Cooper Lake: Selective gear rules.

Coot Lake (Grant County): April 1 through September 30 season.

Copalis River (Grays Harbor County): June 1 through last day in February season. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through January 31 from mouth to Carlisle Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon. Release adult chinook.

Cottage Lake (King County): Last Saturday in April through October 31 season.

Cottonwood Creek (Lincoln County): Year-round season.

Cougar Creek (tributary to Yale Reservoir) (Cowlitz County): June 1 through August 31 season.

Cougar Lake (near Winthrop) (Okanogan County): September 1 through March 31 season.

Coulter Creek (Kitsap/Mason counties): Trout: Minimum length fourteen inches.

County Line Ponds (Skagit County): Closed waters.

Coweeman River (Cowlitz County), from mouth to Mulholland Creek: June 1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Cowiche Creek (Yakima County): Selective gear rules.

Cowlitz Falls Reservoir (Lake Scanewa) (Lewis County): June 1 through last day in February season. The upstream boundary of the reservoir in the Cowlitz arm is the posted PUD sign on Peters Road. The upstream boundary of the reservoir in the Cispus arm is the posted markers at the Lewis County PUD kayak launch, approximately 1.5 miles upstream from the confluence of the Cowlitz and Cispus

arms. Trout and salmon: Minimum length eight inches. Trout: Release cutthroat. Release rainbow trout except rainbow trout with a clipped adipose fin and a healed scar at the site of the clipped fin. Salmon: Daily limit 6 fish, of which not more than 2 may be adult salmon. Release wild coho. Release wild chinook June 1 through July 31.

**Cowlitz River (Lewis County):**

From mouth to Mayfield Dam: Closed waters: From 400 feet or posted markers below Cowlitz salmon hatchery barrier dam to boundary markers near the Cowlitz salmon hatchery water intake approximately 1,700 feet upstream of the Cowlitz salmon hatchery barrier dam, and from 400 feet below the Mayfield powerhouse upstream to Mayfield Dam. Year-round season except closed to fishing from south bank May 1 through June 15 from Mill Creek to the Cowlitz salmon hatchery barrier dam. Lawful to fish up to four hundred feet or the posted deadline at the Cowlitz salmon hatchery barrier dam. Lawful to fish up to Tacoma Power safety signs at Onion Rock below Mossyrock Dam. Lawful to fish up to Lewis County P.U.D. safety signs below Cowlitz Falls Dam. From the Cowlitz salmon hatchery barrier dam downstream to a line from the mouth of Mill Creek to a boundary marker on the opposite shore, it is unlawful to fish from any floating device. Nonbuoyant lure restriction and night closure April 1 through October 31 from mouth of Mill Creek to the Cowlitz salmon hatchery barrier dam. All game fish: Release all fish except steelhead April 1 through May 31. Trout: Daily limit five, minimum length twelve inches, no more than two over twenty inches. Release wild cutthroat. Release all steelhead missing right ventral fin. Salmon: Open year-round. Daily limit 6 fish of which no more than 2 may be adult salmon. Release chum and wild coho. Release wild chinook January 1 through July 31. Mill Creek to Blue Creek - release all chinook October 1 through December 31. Sturgeon: Seasons, days of the week, daily limits, and size limits same as in adjacent waters of mainstem Columbia River.

From posted PUD sign on Peters Road to mouth of Ohanepecosh River and mouth of Muddy Fork: Trout: Release cutthroat. Additional November 1 through May 31 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open year-round from upstream boundary of Lake Scanewa. Daily limit 6 fish of which no more than 2 may be adult salmon. Salmon minimum size 12 inches. Release wild coho. Release wild chinook January 1 through July 31.

**Cowlitz River, Clear and Muddy Forks (Lewis County):** Selective gear rules. Trout: Release cutthroat.

**Coyote Creek and Ponds (Adams County):** April 1 through September 30 season.

**Crab Creek (Adams/Grant counties):**

From Highway 26 to Morgan Lake Road in Section 36: March 1 through September 30 season.

From Morgan Lake Road in Section 36 to O'Sullivan Dam (including Marsh Unit I and II impoundments): Closed waters.

**Crab Creek (Lincoln/Grant counties) and tributaries:** Year-round season. In those waters from Grant County Road 7 to

the fountain buoy and shoreline markers or 150 feet downstream of the Alder Street fill March 1 through May 31 terminal gear restricted to one single hook measuring 3/4 inch or less point to shank. Year-round: Daily limits and size limits same as Moses Lake. From Moses Lake downstream to the confluence of the outlet streams March 1 through May 31 terminal gear restricted to one single-point hook measuring 3/4 inch or less point to shank. Year-round: Daily limits and size limits same as Potholes Reservoir.

**Crabapple Lake (Snohomish County):** Last Saturday in April through October 31 season.

**Cranberry Creek (Mason County), mouth to Lake Limerick:** Closed waters.

**Crawfish Lake (Okanogan County):** Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited.

**Crescent Lake (Pend Oreille County):** Last Saturday in April through October 31 season.

**Crescent Lake (Pierce County):** Last Saturday in April through October 31 season.

**Crocker Lake (Jefferson County):** Closed waters.

**Crystal Lake (Grant County):** March 1 through July 31 season.

**Cup Lake (Grant County):** March 1 through July 31 season.

**Curl Lake (Columbia County):** Last Saturday in April through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

**Curley Creek (Kitsap County):** June 1 through last day in February season. Trout: Minimum length fourteen inches.

**Cushman Reservoir (Mason County):** Salmon: Landlocked salmon rules apply.

**Dakota Creek (Whatcom County):** Salmon: Open only October 1 through December 31 from mouth to Giles Road Bridge. Daily limit 2 salmon.

**Damon Lake (Grays Harbor County):** June 1 through October 31 season.

**Davis Lake (Ferry County):** Last Saturday in April through October 31 season.

**Davis Lake (Lewis County):** Last Saturday in April to last day in February season.

**Davis Lake (Okanogan County):** April 1 through August 31: Selective gear rules. All species: Release all fish.

**Davis Lake (Pend Oreille County):** Last Saturday in April through October 31 season.

**Dayton Pond (Columbia County):** Juveniles only. Trout: No more than 2 trout over 13 inches in length may be retained.

**Deadman Lake (Adams County):** April 1 through September 30 season.

De Coursey Pond (Pierce County): Last Saturday in April through November 30 season. Juveniles only. Salmon: Land-locked salmon rules apply.

Deep Creek (Clallam County): December 1 through last day in February season. All species: Release all fish except up to two hatchery steelhead may be retained.

Deep Creek (tributary to Bumping Lake) (Yakima County): Mouth to second bridge crossing on USFS Rd. 1808 (approximately 3.7 miles from junction of USFS Rds. 1800 and 1808): Closed waters.

Deep Lake (Grant County): Last Saturday in April through September 30 season.

Deep Lake (Stevens County): Last Saturday in April through October 31 season.

Deep Lake (Thurston County): Last Saturday in April through October 31 season.

Deep River (Wahkiakum County): Year-round season. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open year-round only from mouth to town bridge. Daily limit 6 fish of which no more than 2 may be adult salmon. Release chum and wild coho. Release wild chinook January 1 through July 31. Sturgeon: Seasons, days of the week, daily limits, and size limits same as in adjacent waters of mainstem Columbia River.

Deer Creek (Mason County): Closed waters.

Deer Creek and Little Deer Creek (tributaries to North Fork Stillaguamish) (Skagit County): Closed waters.

Deer Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Deer Lake (Island County): Last Saturday in April through October 31 season.

Deer (Deer Springs) Lake (Lincoln County): Last Saturday in April through September 30 season.

Deer Lake (Mason County): Last Saturday in April through October 31 season.

Deer Lake (Stevens County): Last Saturday in April through October 31 season. Trout: No more than two over twenty inches in length may be retained.

De Roux Creek (Yakima County): Selective gear rules.

Deschutes River (Thurston County): Closed waters: From 400 feet below lowest Tumwater Falls fish ladder to Old Highway 99 Bridge. From old U.S. Highway 99 Bridge near Tumwater to Henderson Boulevard Bridge near Pioneer Park: June 1 through March 31 season. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only July 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho.

From Henderson Boulevard Bridge upstream: Year-round season. Selective gear rules. All game fish: Release all

fish except hatchery steelhead. Salmon: Open only July 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho.

Devereaux Lake (Mason County): Last Saturday in April through October 31 season.

Devil's Lake (Jefferson County): Last Saturday in April through October 31 season.

Dewatto River (Mason County): Selective gear rules. Game fish: Release all fish. Salmon: Open only September 16 through October 31 mouth to Dewatto-Holly Road Bridge. Daily limit two coho. Release all salmon other than coho.

Diamond Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Dickey River (Clallam County): June 1 through April 30 season in mainstem Dickey and East Fork Dickey upstream to D5200 road and June 1 through March 15 in East Fork Dickey upstream from D5200 road and West Fork Dickey. Trout: Minimum length fourteen inches. December 1 through April 30, one wild steelhead per day may be retained. Salmon: Open only July 1 through November 30 from mouth to East Fork Dickey including Olympic National Park. Daily limit 6 fish of which no more than 2 may be adult salmon July 1 through August 31 and of which no more than 3 may be adult salmon September 1 through November 30. July 1 through August 31 release wild adult coho and unmarked adult chinook. Unmarked chinook are chinook with unclipped adipose and ventral fins. September 1 through November 30 the daily limit may contain no more than 2 adult chinook or 2 adult wild coho or a combination of adult chinook and adult wild coho.

Dillacort Creek (Klickitat County): Trout: Release all trout.

Dog Lake (Yakima County): Trout: Daily limit may contain no more than 1 fish over 14 inches in length.

Dosewallips River (Jefferson County), from mouth to Olympic National Park boundary about three-quarters mile downstream of falls: June 1 through August 31 season mouth to park boundary and November 1 through December 15 season mouth to Highway 101 Bridge. Selective gear rules June 1 through August 31. All species: Release all fish except salmon may be retained November 1 through December 15. Salmon: Open only November 1 through December 15 from mouth to Highway 101 Bridge. Daily limit 2 chum salmon.

Dot Lake (Grant County): March 1 through July 31 season.

Downs Lake (Lincoln/Spokane counties): Last Saturday in April through September 30 season. Crappie: Daily limit ten, minimum length nine inches.

Dry Falls Lake (Grant County): April 1 through November 30 season. Selective gear rules. Trout: Daily limit one.

Duck Lake (Grays Harbor County): Crappie: Daily limit ten, minimum length nine inches.

Duckabush River (Jefferson County), from mouth to the Olympic National Park Boundary: June 1 through August 31 season mouth to park boundary and November 1 through

December 15 season mouth to Mason County P.U.D. No. 1 overhead electrical distribution line. Selective gear rules June 1 through August 31. All species: Release all fish except salmon may be retained November 1 through December 15. Salmon: Open only November 1 through December 15 from mouth to Mason County P.U.D. No. 1 overhead electrical distribution line. Daily limit 2 chum salmon.

Dungeness River (Clallam County):

From mouth to junction of Gray Wolf and Dungeness rivers: October 16 through last day in February season. Trout: Minimum length fourteen inches. Salmon: Open only October 16 through December 31 from mouth to the hatchery intake pipe at river mile 11.3. Daily limit 4 coho salmon.

From junction of Gray Wolf River upstream to Gold Creek - Closed waters.

From junction of Gold Creek upstream to headwaters: Trout: Minimum length fourteen inches.

Dusty Lake (Grant County): March 1 through November 30 season. Selective gear rules. Trout: Daily limit one fish.

Early Winters Creek (Okanogan County): Closed waters.

East Twin River (Clallam County): Trout: Minimum length fourteen inches.

Easton Lake (Kittitas County): Saturday before Memorial Day through October 31 season. Trout: Daily limit five fish of which no more than 2 may be trout other than Eastern brook trout. Minimum length 8 inches.

Ebey Lake (Little Lake) (Snohomish County): Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit one, minimum length eighteen inches.

Echo Lake (Snohomish County): Last Saturday in April through October 31 season.

Eightmile Lake (Chelan County): Trout: Daily limit five, not more than two mackinaw may be retained.

Elbow Lake (Stevens County): Last Saturday in April through October 31 season.

Elk River (Grays Harbor County), from the Highway 105 Bridge upstream: June 1 through last day in February season. Single point barbless hooks required August 16 through November 30 downstream of the confluence of the east and middle branches. Trout: Minimum length fourteen inches. Salmon: Open only October 1 through November 30 from Highway 105 Bridge to the confluence of the East and Middle Branches. Daily limit 6 fish of which no more than 2 may be adult salmon. Release adult chinook.

Ell Lake (Okanogan County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit one.

Ellen Lake (Ferry County): Last Saturday in April through October 31 season.

Elochoman River (Wahkiakum County): Closed waters: Waters from 100 feet above the upper hatchery rack downstream to the Elochoman Hatchery Bridge located 400 feet

below the upper hatchery rack; waters from a point 50 feet above to 100 feet below the outlet pipes from the most downstream Elochoman Hatchery rearing pond and extending 30 feet out from the south bank of the river; waters between the department of fish and wildlife temporary rack downstream to Foster (Risk) Road Bridge while rack is installed in the river; mainstem waters from the confluence of the west fork to source.

From mouth to West Fork: June 1 through March 15 season. Nonbuoyant lure restriction and night closure September 1 through October 31. Stationary gear restriction September 1 through October 31. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open only September 1 through December 31. Daily limit 6 fish of which no more than 2 may be adult chinook. Release chum and wild coho. October 1 through December 31 release chinook upstream of Highway 4 Bridge.

Eloika Lake (Spokane County): Crappie: Daily limit ten, minimum length nine inches.

Elwha River (Clallam County): Closed waters: From south spillway on Aldwell Lake Dam downstream two hundred feet and from approximately fifty yards upstream to fifty yards downstream of Elwha Tribal Hatchery outfall as posted.

From mouth to two hundred feet below the south spillway on the Aldwell Lake Dam: June 1 through last day in February season, except closed June 1 through September 30 mouth to marker at outfall of rearing channel at about river mile 3.2. Fishing from any floating device prohibited. Trout: Minimum length fourteen inches. Salmon: Open only October 1 through November 15. Daily limit 6 coho salmon of which no more than 4 may be adult coho salmon.

From Lake Aldwell upstream to Olympic National Park boundary, including all tributaries except Indian Creek: Selective gear rules. Trout: Minimum length twelve inches.

Empire Lake (Ferry County): Last Saturday in April through October 31 season.

Enchantment Park Ponds (Chelan County): Juveniles only.

Entiat River (Chelan County), from mouth to Entiat Falls: December 1 through March 31 season. Whitefish gear rules apply. Above Entiat Falls: Selective gear rules. Trout: Daily limit 5 trout, not more than one of which may be greater than 12 inches in length. Eastern brook trout not included in trout daily limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Ephrata Lake (Grant County): Closed waters.

Erie Lake (Skagit County): Last Saturday in April through October 31 season.

Failor Lake (Grays Harbor County): Last Saturday in April through October 31 season.

Fan Lake (Pend Oreille County): Last Saturday in April through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Fazon Lake (Whatcom County): Fishing from any floating device prohibited from first Friday in October through January 15. Channel catfish: Daily and possession limit two.

Fio Rito Lakes (Kittitas County): Fishing from a floating device equipped with an internal combustion motor prohibited.

Fish Lake (Chelan County): Trout: No more than two over fifteen inches in length may be retained.

Fish Lake (Ferry County): Last Saturday in April through October 31 season.

Fish Lake (Okanogan County): Last Saturday in April through October 31 season.

Fish Lake (Spokane County): Last Saturday in April through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Fisher Slough (Snohomish County):

From mouth to Highway 530 Bridge: Year-round season. Trout: Minimum length fourteen inches.

Upstream from Highway 530 Bridge: Trout: Minimum length fourteen inches.

Fishhook Pond (Walla Walla County): March 1 through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Fishtrap Creek (Whatcom County): From Koh Road to Bender Road: June 1 through October 31 season. Juveniles only.

Fishtrap Lake (Lincoln/Spokane counties): Last Saturday in April through September 30 season.

Forde Lake (Okanogan County): Last Saturday in April through October 31 season.

Fort Borst Park Pond (Lewis County): Last Saturday in April through last day in February season. Juveniles only.

Fortson Mill Pond # 2 (Snohomish County): Last Saturday in April through October 31 season. Juveniles only.

Fourth of July Lake (Adams/Lincoln counties): December 1 through March 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: No more than two over fourteen inches in length may be retained.

Franz Lake (Skamania County): Closed waters.

Frater Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Frenchman Hills Lake (Grant County): February 1 through September 30 season.

Gadwall Lake (Grant County): April 1 through September 30 season.

Garfield Juvenile Pond (Whitman County): Juveniles only.

George Lake (Grant County): March 1 through July 31 season.

Geneva Lake (King County): Last Saturday in April through October 31 season.

Germany Creek (Cowlitz County), from mouth to end of Germany Creek Road (approximately five miles): June 1 through August 31 and November 1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Gibbs Lake (Jefferson County): Selective gear rules. Trout: Release all trout.

Gillette Lake (Stevens County): Last Saturday in April through October 31 season.

Gissberg Pond, North (Snohomish County): Juveniles only.

Gissberg Ponds (Snohomish County): Channel catfish: Daily limit 2, no minimum size.

Goat Creek (Okanogan County): Closed waters.

Gobar Creek (tributary to Kalama River) (Cowlitz County): June 1 through March 31 season. Selective gear rules. All species: Release all fish.

Gold Creek, Gold Creek Pond and Outlet Channel (tributary to Keechelus Lake) (Kittitas County): Closed waters.

Gold Creek (Okanogan County): From mouth to confluence north fork Gold Creek: Closed waters.

Goldsborough Creek (Mason County): Trout: Minimum length fourteen inches.

Golf Course Pond (Asotin County): Trout: No more than 2 trout over 13 inches in length may be retained.

Goodman Creek (Jefferson County) outside Olympic National Park: June 1 through last day in February season. Trout, minimum length fourteen inches. December 1 through last day in February, one wild steelhead per day may be retained.

Goodwin Lake (Snohomish County): Chumming permitted.

Goose Creek (Lincoln County), within the city limits of Wilbur: Year around season. Juveniles and holders of disability licenses only.

Goose Lake, Lower (Adams County): Crappie: Daily limit ten, minimum length nine inches. Bluegill: Not more than five over six inches in length.

Gorst Creek (Kitsap County): Closed waters: From lower bridge on the old Belfair Highway upstream to source (including tributaries). From mouth upstream to lower bridge: Trout: Minimum length fourteen inches.

Gosnell Creek and tributaries (tributary to Lake Isabella) (Mason County): Trout: Minimum length fourteen inches.

Goss Lake (Island County): Last Saturday in April through October 31 season.

Grande Ronde River (Asotin County):

From mouth to County Road Bridge about two and one-half miles upstream: Year-round season. Selective gear rules



September 1 through May 31. Trout: Minimum length ten inches, maximum length twenty inches.

From County Road Bridge upstream to Oregon state line and all tributaries: June 1 through October 31 season. Selective gear rules, June 1 through August 31 and barbless hooks required September 1 through October 31. Additional season November 1 through April 15: Barbless hooks required. All tributaries: Closed waters. All species: Release all fish except whitefish and hatchery steelhead. Trout: Daily limit three hatchery steelhead.

Granite Creek and tributaries (Pend Oreille County): Closed waters.

Granite Lakes (near Marblemount) (Skagit County): Grayling: Release all grayling.

Grass Lake (Mason County): Last Saturday in April through October 31 season.

Gray Wolf River (Clallam County): From junction with Dungeness River to bridge at river mile 1.0 - Closed waters.

From bridge at river mile 1.0 upstream - selective gear rules. Trout: Minimum length fourteen inches.

Grays River (Wahkiakum County), from mouth to Highway 4 Bridge: September 1 through October 15 and November 15 through March 15 season; and from Highway 4 Bridge to mouth of South Fork: September 1 through October 15 and December 15 through March 15 season. Nonbuoyant lure restriction, night closure and stationary gear restriction September 1 through October 15. All game fish: Release all fish except hatchery steelhead. Salmon: Open only September 1 through October 15 from mouth to South Fork. Daily limit 6 fish of which no more than two may be adult salmon. Release chinook, chum, and wild coho.

Grays River, East Fork (Wahkiakum County): Selective gear rules. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Grays River, West Fork (Wahkiakum County), downstream from hatchery intake footbridge: June 1 - August 31 season. Trout: Additional December 15 through March 15 season downstream from hatchery intake footbridge. Release all fish other than hatchery steelhead.

Green Lake (Okanogan County): April 1 through November 30: Selective gear rules except electric motors allowed, and all species: Release all fish.

Green Lake (Lower) (Okanogan County): April 1 through November 30: Selective gear rules, and all species: Release all fish.

Green River (Cowlitz County): Closed waters: All tributaries.

From mouth to 2800 Bridge: June 1 through November 30 season except closed from 400 feet above to 400 feet below the water intake at the upper end of the hatchery grounds during the period September 1 through November 30 and from 400 feet or posted signs above and below the salmon hatchery rack when the rack is installed in the river. Nonbuoyant lure restriction and night closure September 1 through October 31 from mouth to 400 feet below salmon

hatchery rack. All species: When nonbuoyant lure restriction in effect, only fish hooked inside the mouth may be retained. All species: Release all fish except hatchery steelhead.

From 2800 Bridge to source: Closed waters.

Green (Duwamish) River (King County):

From the First Avenue South Bridge to Interstate 5 Bridge: June 1 through July 31 and September 1 through February 15 season. Nonbuoyant lure restriction and night closure September 1 through November 30 First Avenue South Bridge to Interstate 5 Bridge. Fishing from any floating device prohibited November 1 through February 15. Trout: Minimum length fourteen inches. July 1 through July 31 and September 1 through November 30, one wild steelhead per day may be retained. Salmon: Open only September 1 through December 31. Daily limit 6 fish of which no more than 3 may be adult salmon and of the adult salmon not more than 1 may be a chinook.

From the Interstate 5 Bridge to SW 43rd Street/South 180th Street Bridge: June 1 through July 31 and September 16 through February 15 season. Nonbuoyant lure restriction and night closure September 16 through November 30. Fishing from any floating device prohibited November 1 through February 15. Trout: Minimum length fourteen inches. July 1 through July 31 and September 16 through November 30, one wild steelhead per day may be retained. Salmon: Open only September 16 through December 31. Daily limit 6 fish of which no more than 3 may be adult salmon. Release chinook.

From the SW 43rd Street/South 180th Street Bridge to South 277th Street Bridge in Auburn: Open only June 1 through July 31 and October 1 through February 15. Nonbuoyant lure restriction and night closure October 1 through November 30. Fishing from any floating device prohibited November 1 through February 15. Trout: Minimum length fourteen inches. July 1 through July 31 and October 1 through November 30, one wild steelhead per day may be retained. Salmon: Open only October 1 through December 31. Daily limit 6 fish of which not more than 3 may be adult salmon. Release chinook.

From the 277th Street Bridge to Auburn-Black Diamond Road Bridge: Open only June 1 through July 31 and October 16 through last day in February. Nonbuoyant lure restriction and night closure October 16 through November 30. Fishing from a floating device prohibited November 1 through last day in February. Trout, minimum length fourteen inches. July 1 through July 31 and October 16 through November 30, one wild steelhead per day may be retained. Salmon: Open only October 16 through December 31. Daily limit 6 fish of which no more than 3 may be adult salmon. Release chinook.

From the Auburn-Black Diamond Road Bridge to the Tacoma Headworks Dam: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 1 through November 30. Closed waters: Within 150 feet of the Palmer Pond outlet rack and within 150 feet of the mouth of Keta Creek. Trout: Minimum length 14 inches. July 1 through November 30, one wild steelhead per day may be retained. Salmon: Open only November 1 through December 31. Daily limit 2 chum.

Greenwater River (King County), from mouth to Greenwater Lakes: July 1 through October 31 season. Selective gear rules. Trout: Minimum length 14 inches.

Grimes Lake (Douglas County): June 1 through August 31 season. Selective gear rules. Trout: Daily limit one.

Grizzly Lake (Skamania County): Closed waters.

Halfmoon Lake (Adams County): April 1 through September 30 season.

Halfmoon Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Hamilton Creek (Skamania County): Trout: Release all fish except up to two hatchery steelhead may be retained per day. All tributaries downstream from the Highway 14 Bridge: Closed waters.

Hamma Hamma River (Mason County):

From mouth to four hundred feet below falls: June 1 through August 31 season. Selective gear rules. All species: Release all fish.

Hammersley Inlet Freshwater Tributaries (Mason County), except Mill Creek: Closed waters.

Hampton Lakes, Lower and Upper (Grant County): April 1 through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Hancock Lake (King County): Last Saturday in April through October 31 season. All tributary streams and the upper third of the outlet are closed waters.

Harvey Creek (tributary to Sullivan Lake) (Pend Oreille County):

From mouth to Bridge 4830 on county road (about one and one-half miles): Closed waters.

From Bridge 4830 upstream: Selective gear rules.

Harvey Creek (tributary to Stillaguamish River) (Snohomish County): Closed waters.

Hatch Lake (Stevens County): December 1 through March 31 season.

Hatchery Lake (Mason County): Last Saturday in April through October 31 season.

Haven Lake (Mason County): Last Saturday in April through October 31 season.

Hawk Creek and tributaries (Lincoln County): Year-round season.

Hays Creek and Ponds (Adams County): April 1 through September 30 season.

Headgate Pond (Asotin County): Last Saturday in April through October 31 season. Juveniles, seniors and holders of disability licenses only.

Heart Lake (near Anacortes) (Skagit County): Last Saturday in April through October 31 season.

Heins Lake (Kitsap County): Closed waters.

Hemlock Lake (Trout Creek Reservoir) (Skamania County): Closed waters.

Hen Lake (Grant County): April 1 through September 30 season.

Heritage Lake (Stevens County): Last Saturday in April through October 31 season.

Herman Lake (Adams County): April 1 through September 30 season.

Hicks Lake (Thurston County): Last Saturday in April through October 31 season.

Hog Canyon Creek (Spokane County): Hog Canyon Dam to Scroggie Road: Year-round season.

Hog Canyon Lake (Spokane County): December 1 through March 31 season. Trout: No more than two over fourteen inches in length may be retained.

Hoh River (Jefferson County), from mouth to Olympic National Park boundary below mouth of South Fork: May 18 through April 15 season. May 18 through May 31, open Wednesday through Sunday only from mouth to Willoughby Creek only. Willoughby Creek to park boundary closed through May 31. Selective gear rules June 1 through October 15 from Willoughby Creek to Morgan's Crossing Boat Launch, June 1 through November 30 from Morgan's Crossing Boat Launch to the mouth of south fork, and December 1 through April 15 from DNR Oxbow Campground Boat Launch to mouth of south fork. Trout: Minimum length fourteen inches. Catch and release during May, except up to two hatchery steelhead may be retained on open days. November 1 through February 15, daily limit three steelhead downstream from the Oxbow Campground Boat Launch. December 1 through April 15, from mouth to DNR Oxbow Campground Boat Launch, one wild steelhead per day may be retained. Salmon: Open only May 16 through November 30 mouth to Willoughby Creek and October 16 through November 30 Willoughby Creek to Morgan's Crossing Boat Launch. Daily limit 6 fish of which no more than 2 may be adult salmon except May 18 through August 31 from mouth to Willoughby Creek open Wednesday through Sunday only of each week and daily limit may contain no more than one adult salmon.

Hoh River South Fork (Jefferson County), outside Olympic National Park: June 1 through April 15 season. Selective gear rules. Trout: Minimum length fourteen inches.

Hoko River (Clallam County): From mouth to upper Hoko Bridge: Fly fishing only September 1 through October 31. Additional November 1 through March 15 season. Trout: Minimum length fourteen inches. December 1 through March 15, one wild steelhead per day may be retained.

From upper Hoko Bridge to Ellis Creek Bridge (river mile 18.5): June 1 through March 31 season. Fly fishing only. All species: Release all fish except that up to two hatchery steelhead per day may be retained.

Homestead Lake (Grant County): Selective gear rules. Trout: Daily limit one fish.

Hoquiam River, including all forks (Grays Harbor County): June 1 through March 31 season. Single point barbless hooks required August 16 through November 30. Selective gear rules and all species: Release all fish except up to two hatchery steelhead may be retained per day, from March 1 through March 31. Trout: Minimum length fourteen inches. Salmon: Open only October 1 through November 30 from mouth to bridge on Dekay Road on mainstem and East Fork mouth to mouth of Berryman Creek. Daily limit 6 fish of which no more than 2 may be adult salmon, except release adult chinook.

Horseshoe Lake (Clark/Cowlitz counties): Trout: No more than 2 trout 20 inches or greater in length may be retained. Salmon: Landlocked salmon rules apply.

Horseshoe Lake (Jefferson County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit 1.

Horseshoe Lake (Kitsap County): Last Saturday in April through October 31 season. Salmon: Landlocked salmon rules apply.

Horseshoe Lake (Pend Oreille County): Last Saturday in April through October 31 season. Trout except kokanee: Daily limit five. Kokanee not counted in daily trout limit. Kokanee daily limit ten.

Horsethief Lake (Klickitat County): Last Saturday in April through October 31 season.

Hourglass Lake (Grant County): April 1 through September 30 season.

Howard Lake (Snohomish County): Last Saturday in April through October 31 season.

Howell Lake (Mason County): Last Saturday in April through October 31 season.

Hozomeen Lake (Whatcom County): July 1 through October 31 season.

Huff Lake (Pend Oreille County): Closed waters.

Humtulpis River (Grays Harbor County), from mouth to forks: June 1 through March 31 season except closed March 1 through March 31 from Highway 101 Bridge to forks. Night closure and single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only October 16 through January 31 from mouth to Highway 101 Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon. Release adult chinook. October 16 through November 30 the daily limit may contain no more than 1 wild adult coho. December 1 through January 31 release wild adult coho.

Humtulpis River, East Fork (Grays Harbor County), from mouth to concrete bridge on Forest Service Road between Humtulpis Guard Station and Grisdale: Nonbuoyant lure restriction and night closure August 16 through November 30. Trout: Minimum length fourteen inches.

Humtulpis River, West Fork (Grays Harbor County), from mouth to Donkey Creek: June 1 through last day in February

season. Nonbuoyant lure restriction and night closure August 16 through November 30. Trout: Minimum length fourteen inches.

Hutchinson Lake (Adams County): April 1 through September 30 season. Fishing from a floating device equipped with an internal combustion engine prohibited.

I-82 Ponds, 1 through 7 (Yakima County): Fishing from vessels equipped with internal combustion motors prohibited.

Icehouse Lake (Skamania County): Trout: No more than 2 trout 20 inches or greater in length may be retained.

Icicle River (Creek) (Chelan County):

From mouth to four hundred feet below Leavenworth National Fish Hatchery rack: Closed waters. From Leavenworth National Fish Hatchery rack upstream to Leland Creek: Selective gear rules.

Indian Creek (tributary to Elwha River) (Clallam County), from mouth upstream to first Highway 101 crossing: Selective gear rules. Trout: Minimum length twelve inches.

Indian Creek and tributaries (Pend Oreille County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Indian Creek (Yakima County): From mouth to waterfall approximately 5 and three-quarters miles upstream: Closed waters. Upstream of waterfall: Eastern brook trout do not count as part of trout daily limit. Eastern brook trout: No minimum size and no daily limit.

Indian Heaven Wilderness Lakes (Skamania County): Trout: Daily limit three.

Ingall's Creek (Chelan County): Mouth to Wilderness boundary: Closed waters.

Issaquah Creek (King County): See Lake Washington tributaries.

Jackson Lake (Pierce County): Last Saturday in April through October 31 season.

Jameson Lake (Douglas County): Last Saturday in April through July 4 and October 1 through October 31 seasons.

Jasmine Creek (Okanogan County): Year-round season. Juveniles only.

Jefferson Park Pond (Walla Walla County): Juveniles only. Trout: No more than 2 trout over 13 inches in length may be retained.

Jennings Park Pond (Snohomish County): Last Saturday in April through October 31 season. Juveniles only.

Jewitt Creek (Klickitat County): Juveniles only. Trout: Daily limit five, no minimum length.

Jimmy-Come-Lately Creek (Clallam County): June 1 through August 31 season. Trout: Minimum length fourteen inches.

Joe Creek (Grays Harbor County): Upstream from State Highway 109 Bridge to Ocean Beach Road Bridge: June 1 through November 30 season. Single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release adult chinook.

Johns Creek (Mason County): Closed waters.

Johns River (Grays Harbor County): Mouth to Ballon Creek: June 1 through last day in February season. Single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only October 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release adult chinook.

Ballon Creek upstream, including North and South Forks: June 1 through September 30 and December 1 through last day in February season. Trout: Minimum length 14 inches.

Johnson Creek (tributary to Cowlitz River) (Lewis County): Selective gear rules. Trout: Minimum length ten inches.

Johnson Creek (Whatcom County), from Northern Pacific Railroad tracks to the Lawson Street footbridge in Sumas: Juveniles only.

Jump-Off Joe Lake (Stevens County): Last Saturday in April through October 31 season.

Kachess Lake (Reservoir) (Kittitas County): Chumming permitted. Trout except kokanee: Daily limit two, minimum length twelve inches. Kokanee not counted in daily trout limit. Kokanee daily limit sixteen.

Kachess River (Kittitas County): Lawful to fish to base of Kachess Dam. Selective gear rules. From Kachess Lake (Reservoir) upstream to waterfall approximately one-half mile above Mineral Creek: Closed waters.

Kalaloch Creek (Jefferson County), outside Olympic National Park: Closed waters: Those waters within the section posted as the Olympic National Park water supply June 1 through last day in February season. Selective gear rules. Trout: Minimum length fourteen inches.

Kalama River (Cowlitz County): Release wild cutthroat.

From mouth upstream to one thousand feet below fishway at upper salmon hatchery: Year-round season except during the period the temporary fish rack is installed. Waters from Modrow Bridge downstream to one thousand five hundred feet below the rack are closed waters when the rack is installed. Nonbuoyant lure restriction, night closure, and stationary gear restriction September 1 through October 31 from mouth to the rack. All species: When nonbuoyant lure restriction in effect only fish hooked inside the mouth may be retained. Fishing from a floating device equipped with a motor prohibited upstream of Modrow Bridge. September 1 through October 31: Fly fishing only from the pipeline crossing to the posted deadline at the intake to the lower salmon hatchery. Trout: Release all trout except up to two hatchery steelhead may be retained per day. Salmon: Open year-round. Daily limit 6 fish of which no more than 2 may be

adult salmon. Release chum and wild coho. Release wild chinook January 1 through July 31. Release hatchery coho October 16 through December 31. October 1 through December 31 release chinook upstream from natural gas pipeline crossing.

From one thousand feet below to one thousand feet above the fishway at upper salmon hatchery: Closed waters.

From one thousand feet above the fishway at the upper salmon hatchery to Summers Creek: Year-round season. Fishing from a floating device equipped with a motor prohibited. Selective gear rules. All species: Release all fish.

From Summers Creek upstream to the 6420 Road at about one mile above the gate at the end of the county road: June 1 through March 31 season. Fishing from a floating device equipped with a motor prohibited. Fly fishing only. All species: Release all fish.

From 6420 Road to Kalama Falls: Closed waters.

Kalispell Creek and tributaries (Pend Oreille County): Last Saturday in April through October 31 season. Selective gear rules.

Keechelus Lake (Reservoir) (Kittitas County): Chumming permitted. Trout except kokanee: Daily limit two, minimum length twelve inches, additionally up to sixteen kokanee may be retained.

Kelsey Creek (tributary of Lake Washington) (King County): See Lake Washington tributaries.

Kennedy Creek (Thurston County), from mouth to four hundred feet below falls: June 1 through last day in February season. Nonbuoyant lure restriction and night closure October 1 through December 31. Trout: Minimum length fourteen inches. Salmon: Open only October 1 through November 30 from mouth to northbound Highway 101 Bridge. Barbless hooks required. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho.

Kennedy Creek Pond (Thurston County): Last Saturday in April through October 31 season.

Kettle River (Stevens County):

June 1 through October 31 season. All species: Selective gear rules. Trout: Minimum length 12 inches. Sturgeon: Unlawful to fish for or retain sturgeon.

Additional season: November 1 through May 31. Whitefish gear rules apply.

Ki Lake (Snohomish County): Last Saturday in April through October 31 season.

Kidney Lake (Skamania County): Last Saturday in April through last day in February season.

Kimball Creek (near Snoqualmie) (King County): Last Saturday in April through October 31 season. Juveniles only. Trout: No minimum length.

Kings Lake and tributaries (Pend Oreille County): Closed waters.

Kings Lake Bog (King County): Closed waters.

Kiwanis Pond (Kittitas County): Juveniles and holders of disability licenses only.

Klaus Lake (King County): Last Saturday in April through October 31 season. Closed waters: The inlet and outlet to first Weyerhaeuser spur.

Klickitat River (Klickitat County):

From mouth to Fisher Hill Bridge: April 1 through January 31 season. Nonbuoyant lure restriction and night closure May 1 through May 31. Nonbuoyant lure restriction August 1 through January 31. Game fish: Closed December 1 through January 31. Release game fish other than steelhead April 1 through May 31. Trout: Minimum length twelve inches. Steelhead and salmon: April 1 through May 31 Mondays, Wednesdays and Saturdays only, daily limit 2 hatchery steelhead or 2 salmon or one of each. Salmon: June 1 through January 31 daily limit 6 fish of which no more than 2 may be adult salmon.

From Fisher Hill Bridge to four hundred feet above # 5 fishway: Closed waters.

From four hundred feet above # 5 fishway to the Yakama Indian Reservation boundary: June 1 through November 30 season, except waters from boundary markers above Klickitat salmon hatchery to boundary markers below hatchery are closed waters. Trout: Minimum length twelve inches. Salmon: Open only June 1 through November 30 from 400 feet above No. 5 Fishway to boundary markers below Klickitat Salmon Hatchery. June 1 through July 31: Daily limit 6 salmon. Release adult salmon. August 1 through November 30: Daily limit 6 fish of which no more than 2 may be adult salmon. Release chinook November 1 through November 30. Additional December 1 through March 31 season. Whitefish gear rules apply.

From the Yakama Indian Reservation boundary upstream to source, including all tributaries: Closed waters.

Klineline Ponds (Clark County): Trout: No more than 2 trout 20 inches in length or greater may be retained.

Koeneman Lake (Fern Lake) (Kitsap County): Last Saturday in April through October 31 season. Selective gear rules. All species: Release all fish.

Kress Lake (Cowlitz County): Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: No more than 2 trout 20 inches in length or greater may be retained. Salmon: Landlocked salmon rules apply.

Lacamas Creek (Clark County): Lawful to fish upstream to the base of Lacamas Lake Dam.

Lacamas Creek, tributary of Cowlitz River (Lewis County): June 1 through last day in February season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Lake Creek (Okanogan County): Mouth to Black Lake: Closed waters. Black Lake to Three Prong Creek: Selective gear rules.

Langlois Lake (King County): Last Saturday in April through October 31 season.

Latah (Hangman) Creek (Spokane County): Year-round season.

Leader Lake (Okanogan County): Last Saturday in April through September 30 season.

Le Clerc Creek and tributaries (Pend Oreille County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Ledbetter Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Ledking Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Leech Lake (White Pass area) (Yakima County): Fly fishing only. Fishing prohibited from floating devices equipped with motors. Trout: No more than one over 14 inches in length.

Lemna Lake (Grant County): April 1 through September 30 season.

Lenice Lake (Grant County): March 1 through November 30 season. Selective gear rules. Trout: Daily limit one.

Lena Lake, Lower (Jefferson County): Closed waters: Inlet stream from mouth upstream to footbridge (about one hundred feet).

Lenore Lake (Grant County): Closed waters: Area within two hundred yard radius of trash rack leading to the irrigation pumping station (south end of lake) and area approximately one hundred yards beyond the mouth of inlet stream to State Highway 17. March 1 through May 31 season: Selective gear rules. All species: Release all fish. Additional season June 1 through November 30: Selective gear rules. Trout: Daily limit one.

Leo Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Lewis River (Clark County), from mouth to forks: Year-round season. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open year-round. Daily limit six fish of which not more than 2 may be adult salmon. Release chum and wild coho. Release wild chinook January 1 through July 31. Sturgeon: Seasons, days of the week, daily limits, and size limits same as in adjacent waters of mainstem Columbia River.

Lewis River, East Fork (Clark/Skamania counties): Closed waters: From the posted markers at the lower end of Big Eddy to one hundred feet above Lucia Falls; from four hundred feet below to four hundred feet above Molton Falls; from four hundred feet below Horseshoe Falls upstream including all tributaries above Horseshoe Falls.

Mouth to 400 feet below Horseshoe Falls: June 1 through March 15 season. Trout: Release all trout except up to two hatchery steelhead per day may be retained. Mouth to top boat ramp at Lewisville Park: Additional April 16 through May 31 season. Selective gear rules. Release all fish except up to two hatchery steelhead may be retained per day.

Lewis River, North Fork (Clark/Skamania counties):

From mouth to Colvin Creek: Year-round season except those waters shoreward of the cable buoy and corkline at the mouth of the Lewis River Salmon Hatchery fish ladder are closed waters. Nonbuoyant lure restriction and night closure April 1 through November 30 from Johnson Creek to Colvin Creek. When nonbuoyant lure restriction is in effect, only fish hooked inside the mouth may be retained. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open year-round. Daily limit six fish of which not more than 2 may be adult salmon. Release chum and wild coho. Release wild chinook January 1 through July 31. Sturgeon: Seasons, days of the week, daily limits, and size limits same as in waters of mainstem Columbia River adjacent to mouth of Lewis River.

From mouth of Colvin Creek to overhead powerlines at Merwin Dam: May 1 through September 30 and December 16 through April 30 season. Nonbuoyant lure restriction and night closure April 1 through September 30. When nonbuoyant lure restriction is in effect, only fish hooked inside the mouth may be retained. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open only January 1 through September 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release chum and wild coho. Release wild chinook January 1 through July 31. Sturgeon: Seasons, days of the week, daily limits, and size limits same as in waters of mainstem Columbia River adjacent to mouth of Lewis River.

From overhead powerlines at Merwin Dam to Merwin Dam: Closed waters.

From the cable crossing 1,300 feet below Yale Dam to Yale Dam: Closed waters.

Within Lewis River Power Canal: Closed waters.

From Eagle Cliff Bridge to lower falls including all tributaries: Selective gear rules. All species: Release all fish.

Liberty Lake (Spokane County): Last Saturday in April through September 30 season.

Lilliwaup River (Mason County): Mouth to 200 feet below falls: June 1 through August 31 season. Selective gear rules. All species: Release all fish.

Lilly Lake (Chelan County): Last Saturday in April through October 31 season. July 5 through October 31, selective gear rules, and all species: Release all fish.

Limerick Lake (Mason County): Last Saturday in April through October 31 season.

Lincoln Pond (Clallam County): Juveniles only.

Lions Park Pond (Walla Walla County): Juveniles only. Trout: No more than 2 trout over 13 inches in length may be retained.

Little Ash Lake (Skamania County): Trout: No more than 2 trout 20 inches in length or greater may be retained.

Little Bear Creek (tributary of Sammamish River) (Snohomish/King counties): Closed waters.

Little Hoko River (Clallam County): Selective gear rules. All species: Release all fish.

Little Klickitat River (Klickitat County), within Goldendale city limits: Last Saturday in April through October 31 season. Juveniles only. Trout: Daily limit five, no minimum length.

Little Lost Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Little Naches River (Yakima County): Selective gear rules.

Little Nisqually River (Lewis County): Selective gear rules. Trout: Minimum length ten inches.

Little Pend Oreille River (Stevens County) from the Little Pend Oreille wildlife refuge boundary about 1 mile downstream from the refuge headquarters office to Crystal Falls: Selective gear rules, and all species: Release all fish except up to five Eastern brook trout may be retained.

Little Quilcene River (Jefferson County), from mouth to the Little Quilcene River Bridge on Penny Creek Road, June 1 through last day in February season. Closed waters: Mouth to Highway 101 Bridge September 1 through October 31. Trout: Minimum length fourteen inches.

Little Spokane River (Spokane County):

From mouth to SR 291 Bridge: Year-round season.

From SR 291 Bridge upstream to the West Branch: Last Saturday in April through October 31 season. Additional December 1 through March 31 season. Whitefish gear rules apply.

Upstream from bridge at Friderger Road: Closed waters: From the inlet to Chain Lake upstream one-quarter mile to the railroad crossing culvert. Trout: Release kokanee taken upstream from bridge.

Little Twin Lake (Okanogan County): April 1 through November 30: Selective gear rules and all species: Release all fish.

Little Twin Lake (Stevens County): Last Saturday in April through October 31.

Little Wenatchee River (Chelan County): From Lake Wenatchee to the falls below U.S. Forest Service Road 6700 Bridge at Riverside Campground: Closed waters.

Little White Salmon River (Skamania County): Closed waters: From the orange fishing boundary markers at Drano Lake upstream to the intake near the Little White Salmon National Fish Hatchery north boundary. Trout: Daily limit five. Drano Lake (waters downstream of markers on point of land downstream and across from Little White Salmon National Fish Hatchery): May 1 through March 31 season, except for hatchery steelhead and chinook season in April, and except closed Wednesdays beginning the second Wednesday in April through May 31 and October 1 through October 31. Night closure and nonbuoyant lure restriction May 1 through June 30. Nonbuoyant lure restriction August 1 through December 31. March 16 through June 30 daily limit of two fish, of which one or both may be hatchery steelhead or one or both may be chinook salmon. Trout and salmon: May 1 through June 30 release all fish except hatchery steelhead and chinook salmon. Trout: July 1 through March 15 release all fish except up to two hatchery steelhead may be

retained per day. Salmon: Open only August 1 through December 31. Daily limit six fish of which no more than two may be adult salmon.

Lone Lake (Island County): Selective gear rules. Trout: Daily limit one, minimum length 18 inches.

Long Lake (Ferry County): Last Saturday in April through October 31 season. Fly fishing only. Unlawful to fish from floating devices equipped with motors.

Long Lake (Okanogan County): Last Saturday in April through September 30 season.

Long Lake (Spokane River Reservoir) (Spokane County): Bass: Release all bass May 1 through June 30.

Long Lake (Thurston County): Last Saturday in April through October 31 season.

Long's Pond (Thurston County): Juveniles only.

Loomis Lake (Pacific County): Last Saturday in April through October 31 season.

Loomis Pond (Grays Harbor County): Closed waters.

Loon Lake (Stevens County): Last Saturday in April through October 31 season. Trout except kokanee: Daily limit five, except no more than two over twenty inches in length may be retained. Kokanee not counted in daily trout limit. Kokanee daily limit ten.

Lost Lake (Kittitas County): Trout: Not more than 1 fish over 14 inches in length.

Lost Lake (Okanogan County): Unlawful to fish from a floating device equipped with an internal combustion engine.

Lost River (Okanogan County):

From mouth to mouth of Monument Creek: Closed waters.

From mouth of Monument Creek to outlet of Cougar Lake: Selective gear rules. Trout: Legal to retain Dolly Varden/Bull Trout as part of trout daily limit. Dolly Varden/Bull Trout daily limit two, minimum length fourteen inches.

Love Lake (Clark County): Closed waters.

Lucky Duck Pond (Stevens County): Juveniles only.

Ludlow Lake (Jefferson County): Last Saturday in April through October 31 season.

Lyle Lake (Adams County): April 1 through September 30 season.

Lyre River (Clallam County):

From mouth to falls near river mile 3: June 1 through last day in February season. Trout: Minimum length fourteen inches.

From falls to source: Selective gear rules. All species: Release all fish.

Mad River (Chelan County), from mouth upstream to Jimmy Creek: Closed waters.

Maggie Lake (Mason County): Last Saturday in April through November 30 season. Salmon: Landlocked salmon rules apply.

Margaret Lake (King County): Last Saturday in April through October 31 season.

Marshal Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Martha Lake (Grant County): March 1 through July 31 season.

Martha Lake (Snohomish County): Last Saturday in April through October 31 season.

Mashel River (Pierce County): July 1 through October 31 season. Selective gear rules. Trout: Minimum length fourteen inches.

Mattoon Lake (Kittitas County): Fishing from a floating device equipped with an internal combustion engine prohibited.

May Creek (tributary of Lake Washington) (King County): See Lake Washington tributaries.

Mayfield Lake (Reservoir) (Lewis County): Mayfield Dam to 400 feet below Mossyrock Dam: Closed waters: Tacoma Power safety signs at Onion Rock Bridge to Mossyrock Dam. Trout and salmon: Minimum length eight inches. Trout: Release cutthroat. Release rainbow trout except rainbow trout with a clipped adipose fin and a healed scar at the site of the clipped fin. Salmon: Open only September 1 through December 31. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild coho.

McAllister Creek (Thurston County): Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only July 1 through November 30 from mouth to Olympia - Steilacoom Road Bridge. Daily limit 6 fish of which no more than 4 may be adult salmon.

McCabe Pond (Kittitas County): Fishing from any floating device prohibited. All species: Five fish daily limit for all species combined.

McDonald Creek (Clallam County): Trout: Minimum length fourteen inches.

McDowell Lake (Stevens County): Last Saturday in April through October 31 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. All species: Release all fish.

McIntosh Lake (Thurston County): Last Saturday in April through October 31 season.

McLane Creek (Thurston County), from a line 50 feet north of and parallel to the Mud Bay Road Bridge to a line 100 feet upstream and parallel to the south bridge on Highway 101: June 1 through November 30 season. Nonbuoyant lure restriction and night closure August 1 through November 30. Game fish: Release game fish November 1 through November 30. Trout: Minimum length fourteen inches upstream from the south bridge. Salmon: Open only July 1 through

November 30. Closed to salmon fishing: Waters within 400 feet of Allison Springs Pond outfall. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho.

From a line 100 feet upstream and parallel to the south bridge on Highway 101 upstream: Nonbuoyant lure restrictions and night closure August 1 through October 31. Trout: Minimum length fourteen inches.

McLane Creek Ponds (Thurston County): Last Saturday in April through October 31 season.

McManaman Lake (Adams County): April 1 through September 30 season.

McMurray Lake (Skagit County): Last Saturday in April through October 31. Salmon: Landlocked salmon rules apply.

Medical Lake (Spokane County): Last Saturday in April through September 30 season. Selective gear rules. Trout: Daily limit two, minimum length fourteen inches.

Medical Lake, West (Spokane County): Last Saturday in April through September 30 season.

Melaney Creek (Mason County): Closed waters.

Melbourne Lake (Mason County): Last Saturday in April through October 31 season.

Mercer Creek (Kittitas County), that portion within Ellensburg city limits: Juveniles only. Trout: Daily limit five, no minimum length.

Mercer Slough (tributary of Lake Washington) (King County): Closed waters.

Merrill Lake (Cowlitz County): Fly fishing only. Unlawful to fish from a floating device equipped with an internal combustion engine. Trout: Daily limit two, maximum length twelve inches.

Merritt Lake (Chelan County): Trout: Daily limit sixteen.

Merry Lake (Grant County): March 1 through November 30 season. Selective gear rules. Trout: Daily limit one.

Merwin Lake (Reservoir) (Clark/Cowlitz County): Salmon: Landlocked salmon rules apply.

Methow River (Okanogan County):

Mouth to Gold Creek: Closed waters June 1 through October 31. County Road 1535 (Burma Road) Bridge to Foghorn Dam: June 1 through September 30 season: Selective gear rules. All species: Release all fish. Foghorn Dam to Weeman Bridge: June 1 through August 15 season. Selective gear rules. All species: Release all fish. Upstream from Weeman Bridge to the falls above Brush Creek: Closed waters June 1 through October 31. Additional season mouth to falls above Brush Creek: December 1 through March 31. Whitefish gear rules apply.

Methow River tributaries not otherwise provided for: Selective gear rules. Trout: Maximum length twenty inches.

Middle Nemah Pond (Pacific County): June 1 through October 31 season.

Mill Creek (Chelan County): Closed waters.

Mill Creek (Cowlitz County): June 1 through August 31 and November 1 through March 15 seasons. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Mill Creek (Lewis County): Additional season December 1 through December 31, mouth to hatchery road crossing culvert. Nonbuoyant lure restriction and night closure. All species: Release all fish except that up to two hatchery steelhead with intact ventral fins may be retained per day.

Mill Creek (Mason County): Trout: Minimum length fourteen inches.

Mill Creek and tributaries (Pend Oreille County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Mill Creek (Walla Walla County):

From mouth to Gose St. Bridge: June 1 through April 15 season. All species: Barbless hooks required and release all fish except hatchery steelhead September 1 through April 15. Trout: Daily limit three hatchery steelhead.

From Gose St. Bridge to Roosevelt St. Bridge, within city limits of Walla Walla: Closed waters.

From Roosevelt St. Bridge upstream, including all tributaries: All tributaries: Closed waters. Selective gear rules. Trout: Maximum length twenty inches.

Mill Creek Pond (Grays Harbor County): Juveniles only.

Mill Pond (Auburn) (King County): Last Saturday in April through October 31 season. Juveniles only.

Mill Pond (Pend Oreille County): Last Saturday in April through October 31 season.

Mineral Creek (tributary to upper Kachess River) (Kittitas County), from mouth to Wilderness Boundary: Closed waters.

Mineral Creek (tributary to Nisqually River), and Mineral Creek, North Fork (Lewis County): Selective gear rules. Trout: Minimum length twelve inches.

Mineral Lake (Lewis County): Last Saturday in April through September 30 season.

Minter Creek (Pierce/Kitsap counties): Closed waters: Area from department intake dam downstream to mouth June 1 through October 31. Trout: Minimum length fourteen inches. Salmon: Open only November 1 through December 31 from mouth to 50 feet downstream of the hatchery rack. Daily limit 4 chum.

Mirror Lake (Grant County): Last Saturday in April through September 30 season.

Mission Lake (Kitsap County): Last Saturday in April through October 31 season.



Moclips River (Grays Harbor County), from mouth to the Quinault Indian Reservation: June 1 through last day in February season. Trout: Minimum length fourteen inches.

Molson Lake (Okanogan County): Fishing from a floating device equipped with an internal combustion engine prohibited.

Monte Christo Lake (Snohomish County): June 1 through October 31 season. Selective gear rules.

Mooses Pond (Pacific County): June 1 through October 31 season.

Moran Slough (including inlet and outlet streams) (Grant County): Closed waters.

Morgan Lake (Adams County): April 1 through September 30 season.

Morse Creek (Clallam County), from mouth to Port Angeles Dam: June 1 through last day in February season. Trout: Minimum length fourteen inches.

Moses Lake (Grant County): Crappie: Daily limit ten, only crappie more than nine inches in length may be retained. Bluegill: Daily limit five, only bluegill more than eight inches in length may be retained. Small mouth bass: Small mouth bass are not included as part of the bass daily limit. Small mouth bass 12 to 17 inches in length may be retained. Daily limit 10 small mouth bass, not more than one of which may be greater than 14 inches in length. Walleye: Daily limit 8 walleye. Minimum length twelve inches. No more than one walleye over 22 inches in length may be retained. Yellow perch: Daily limit 25 yellow perch.

Mosquito Creek (Jefferson County), outside Olympic National Park: June 1 through last day in February season. Selective gear rules. Trout: Minimum length fourteen inches.

Mountain Lake (San Juan County): Trout: Daily limit may not contain more than one trout over 18 inches in length.

Muck Creek and tributaries (within Ft. Lewis Military Reservation) (Pierce County): Selective gear rules. Trout: Release all trout.

Mud Lake (Mason County): Last Saturday in April through October 31 season.

Mud Lake (Yakima County): Selective gear rules. Trout: Daily limit one.

Mudget Lake (Stevens County): Last Saturday in April through October 31 season.

Munn Lake (Thurston County): Last Saturday in April through October 31 season.

Muskegon Lake (Pend Oreille County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit two.

Myron Lake (Yakima County): Selective gear rules. Trout: Daily limit one.

Mystic Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Naches River (Yakima/Kittitas counties):

From the mouth to Little Naches River: Selective gear rules. Trout: Minimum length twelve inches, maximum length twenty inches. Release trout June 1 through October 31 from confluence with Tieton River to mouth of Rattle Snake Creek. Additional December 1 through March 31 season. Whitefish gear rules apply.

Naneum Creek (Kittitas County): Selective gear rules.

Naneum Pond (Kittitas County): Juveniles only.

Napeequa River (Chelan County): Mouth to Twin Lakes Creek: Closed waters.

Naselle River (Pacific/Wahkiakum counties), from Highway 101 Bridge upstream including all forks: Closed waters: Area from four hundred feet below falls in Sec. 6, T10N, R8W (Wahkiakum County) to falls. Waters from the North Valley Road Bridge (Big Hill Bridge) to Highway 4 closed August 16 through October 15.

Mainstem: June 1 through April 15 season, except sturgeon. Single point barbless hooks required August 16 through November 30 upstream from Highway 4 Bridge to Crown Main Line (Salme) Bridge. Nonbuoyant lure restriction and night closure August 16 through November 30 downstream from North Fork. Stationary gear restrictions above mouth of South Fork August 16 through November 30. Selective gear rules March 1 through April 15 above mouth of South Fork. All game fish: Release all fish except up to two hatchery steelhead per day may be retained. Salmon: Open only August 1 through January 31 from Highway 101 Bridge to Highway 4 Bridge and October 16 through January 31 from the Highway 4 Bridge to the Crown Main Line Bridge. Daily limit 6 fish of which no more than 3 may be adult salmon and of these 3 adult fish no more than 1 may be a wild adult coho and not more than 2 may be adult chinook. No more than 2 chum may be retained.

Sturgeon: Open year-round from mouth to Highway 4 Bridge.

From mouth of North Fork to source: Selective gear rules. All species: Release all fish except up to two hatchery steelhead per day may be retained.

South Fork, from mouth to Bean Creek: June 1 through last day in February season, except sturgeon. Nonbuoyant lure restriction and night closure August 16 through November 30. Game fish: Release game fish except up to two hatchery steelhead per day may be retained. Sturgeon: Open year-round.

Nason Creek (Chelan County): From the mouth upstream to Smith Brook: Closed waters.

From Smith Brook to Stevens Creek: Selective gear rules.

Negro Creek (Lincoln County): Year-round season from mouth at Sprague Lake to the fish barrier dam at Fishtrap Lake.

Negro Creek (Whitman County): Last Saturday in April through July 15 season.

Nemah River, North, Middle, and South: June 1 through March 31 season. Single point barbless hooks required on North Nemah upstream to the lower bridge on dead end lower Nemah Road October 1 through November 30, on Middle Nemah upstream to the Department of Natural Resources Bridge on Middle Nemah A-line Road August 16 through November 30, and on South Nemah upstream to confluence with Middle Nemah August 16 through November 30. Selective gear rules on Middle Nemah above DNR Bridge and South Nemah above confluence with Middle Nemah. Night closure August 16 through November 30 on South and Middle Nemah and October 1 through November 30 on North Nemah. Nonbuoyant lure restriction on North Nemah upstream from bridge on dead end lower Nemah Road August 16 through November 30. On the North Nemah from the mouth to the lower bridge on dead end lower Nemah Road, stationary gear restriction during the period August 16 through November 30. All game fish: Release all fish except up to two hatchery steelhead per day may be retained. Salmon: Open only August 1 through January 31 on Middle Nemah from mouth to DNR Bridge and South Nemah from mouth to confluence with Middle Nemah and October 1 through January 31 on North Nemah from mouth to the lower bridge on dead end Lower Nemah Road. Middle and South Nemah: Daily limit 6 fish of which no more than 2 may be adult salmon and of the two adult fish no more than one may be a wild adult coho. North Nemah: Daily limit 6 salmon of which not more than 3 may be adult salmon and of the adult fish no more than one may be a wild adult coho and no more than two may be adult chinook. No more than two chum may be retained.

Newhalem Ponds (Whatcom County): Closed waters.

Newaukum River, main river and South Fork upstream to Highway 508 Bridge near Kearny Creek (Lewis County): June 1 through March 31 season. Night closure and single point barbless hooks required August 16 through November 30 from mouth to Leonard Road. Trout: Minimum length fourteen inches mouth to Highway 508 Bridge near Kearny Creek. Salmon: Open only October 16 through last day in February from mouth to Leonard Road. Daily limit 6 fish of which no more than 2 may be adult salmon. Release adult chinook. Release wild adult coho December 1 through last day in February.

Newaukum River, Middle Fork, mouth to Taucher Road Bridge (Lewis County): June 1 to March 31 season. Trout: Minimum length fourteen inches.

Newaukum River, North Fork (Lewis County):

From mouth to four hundred feet below Chehalis city water intake: June 1 through March 31 season. Trout: Minimum length fourteen inches.

From 400 feet below Chehalis city water intake upstream: Closed waters.

Niawiakum River (Pacific County): From Highway 101 Bridge to the South Bend/Palix Road Bridge: Night closure and single point barbless hooks required August 16 through November 30. All game fish: Release all fish. Salmon: Open only September 1 through November 30 from Highway 101

Bridge to South Bend/Palix Road Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon and of the adult fish not more than one may be a wild adult coho. Release adult chinook.

Nile Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Nisqually River (Pierce County), from mouth to Military Tank Crossing Bridge: June 1 through January 31 season. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches. All species: Release all species except salmon December 1 through January 31. Salmon: Open only July 1 through January 31 from mouth to Military Tank Crossing Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon.

From Military Tank Crossing Bridge to four hundred feet below LaGrande Falls: July 1 through October 31 season. Selective gear rules. Trout: Minimum length fourteen inches.

Nooksack River (Whatcom County), from mouth to forks, Middle Fork to Dam and North Fork to Nooksack Falls: June 1 through last day in February season except closed June 1 through September 30 in mainstem from yellow marker at the FFA High School barn at Deming to confluence of the North and South Forks. Fishing from floating devices equipped with motors prohibited on the North and Middle Forks November 1 through last day in February. Nonbuoyant lure restriction and night closure August 1 through November 30 on mainstem and North Fork to Maple Creek. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through December 31 in mainstem from Lummi Indian Reservation boundary to yellow marker at the FFA High School barn in Deming. Open only October 16 through December 31 in mainstem from the FFA barn to the confluence of the North and South Forks, and October 1 through October 31 on the North Fork from confluence to Maple Creek. Daily limit 2 salmon, except release pink and wild coho, release wild chinook from mouth to FFA barn, and release chinook from FFA barn to forks and in North Fork.

Nooksack River, South Fork (Skagit/Whatcom counties): From mouth to Skookum Creek: June 1 through last day in February season. Selective gear rules. Night closure August 1 through October 31. Trout: Minimum length fourteen inches. Salmon: Open only October 16 through December 31. Daily limit 2 salmon, except release pink, chinook and wild coho.

From Skookum Creek upstream: Closed waters.

No Name Lake (Pend Oreille County): Last Saturday in April through October 31 season.

North Creek (Okanogan County): From mouth to falls at river mile 0.8: Selective gear rules.

North Creek (tributary of Sammamish River) (Snohomish/King counties): See Lake Washington tributaries.

North Elton Ponds (Yakima County): December 1 through March 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited. Trout: Daily limit two.

North Lake (King County): Last Saturday in April through October 31 season.

North Potholes Reserve Ponds (Grant County): February 1 through the day before opening of waterfowl season. Fishing from any floating device prohibited, except float tubes permitted.

North River (Grays Harbor/Pacific counties), from Highway 105 Bridge upstream to Falls River: June 1 through last day in February season, except sturgeon. Night closure August 16 through November 30. Single point barbless hooks required August 16 through November 30 upstream to Salmon Creek. Nonbuoyant lure restriction from Salmon Creek to Falls River August 16 through November 30. All game fish: Release all fish except that up to two hatchery steelhead per day may be retained. Salmon: Open only September 1 through November 30 from Highway 105 Bridge to Salmon Creek. Daily limit 6 fish of which no more than 2 may be adult salmon and of the adult fish not more than one may be a wild adult coho. Release adult chinook. Sturgeon: Open year-round from Highway 105 Bridge to Salmon Creek.

Upstream from Falls River: Selective gear rules. All species: Release all fish except up to two hatchery steelhead per day may be retained.

Northern State Hospital Pond (Skagit County): Last Saturday in April through October 31 season. Juveniles only.

Northwestern Reservoir (Klickitat/Skamania counties): Last Saturday in April through last day in February season.

Nunnally Lake (Grant County): March 1 through November 30 season. Closed waters: Outlet stream of Nunnally Lake. Selective gear rules. Trout: Daily limit one.

Oakland Bay freshwater tributaries (Mason County), except Goldsborough Creek (including Shelton Creek, Canyon Creek, Uncle John Creek, Campbell Creek, Melaney Creek, Deer Creek, John's Creek, and Cranberry Creek to Lake Limerick): Closed waters.

Ohanapecosh Creek (tributary to Cowlitz River) (Lewis/Pierce counties): Selective gear rules. Trout: Minimum length twelve inches.

Ohop Lake (Pierce County): Last Saturday in April through October 31 season.

Okanogan River (Okanogan County):

From the mouth to the highway bridge at Malott: Year-round season. Trout: Release all trout. Upstream from the highway bridge at Malott: June 1 through August 31 season. Trout: Release all trout. Salmon: Open only July 16 through October 15 from mouth to Highway 97 Bridge immediately upstream of mouth. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho and sockeye.

Closed waters: From Zosel Dam downstream to one-quarter mile below the railroad trestle.

Old Fishing Hole Pond (Kent) (King County): Last Saturday in April through October 31 season. Juveniles only.

Old Mill Stream (Chelan County): Closed waters.

Olequa Creek (Lewis County): June 1 through last day in February season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Osborne Lake (Mason County): Last Saturday in April through October 31 season.

Outlet Creek (Klickitat County): Trout: Daily limit five.

Owens Pond (Pacific County): June 1 through October 31 season.

Packwood Lake (Lewis County): Closed waters: All inlet streams and outlet from log boom to dam. Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit five, minimum length ten inches.

Padden Lake (Whatcom County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Palix River, including all forks (Pacific County): June 1 through March 31 season, except sturgeon. Single point barbless hooks and night closure August 16 through November 30 upstream to the confluence of the South and Middle Forks. All game fish: Release all fish except up to two hatchery steelhead per day may be retained. Above the confluence of the South and Middle Forks: Selective gear rules. Nonbuoyant lure restriction and night closure August 16 through November 30. All game fish: Release all fish except up to two hatchery steelhead per day may be retained. Salmon: Open only September 1 through November 30 from the Highway 101 Bridge to the confluence of the South and Middle Forks. Daily limit 6 fish of which no more than 2 may be adult salmon and of the adult salmon not more than one may be a wild adult coho. Release adult chinook. Sturgeon: Open year-round from the Highway 101 Bridge to the confluence of the South and Middle Forks.

Palouse River and tributaries, except Rock Creek (Whitman County): Year-round season. Mainstem from mouth to base of Palouse Falls. Trout: Daily limit 6 fish, minimum length 10 inches, no more than 3 trout over 20 inches may be retained, except release all trout April 1 through June 15 and release steelhead June 16 through August 31. Barbless hooks required when fishing for steelhead. Bass: Fish 12 to 15 inches in length may be retained, but not more than 3 bass over 15 inches in length may be retained. Walleye: Daily limit 10 fish, no minimum size. No more than 5 walleye over 18 inches in length may be retained, and no more than 1 walleye over 24 inches in length may be retained. Channel catfish: No daily limit.

Palouse River mainstem above Palouse Falls and tributaries except Rock Creek: Year-round season.

Pampa Pond (Whitman County): March 1 through September 30 season. Fishing from any floating device prohibited.

Panhandle Lake (Mason County): Last Saturday in April through October 31 season.

Panther Creek (Chelan County): Closed waters.

Panther Creek (tributary to Wind River) (Skamania County): Closed waters.

Panther Lake (Kitsap/Mason counties): Last Saturday in April through October 31 season.

Para-Juvenile Lake (Adams/Grant counties): April 1 through September 30 season. Juveniles only.

Park Lake (Grant County): Last Saturday in April through September 30 season.

Parker Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Pass Lake (Skagit County): Fly fishing only. Fishing from a floating device equipped with a motor prohibited. All species: Release all fish.

Pataha Creek (Garfield County):

Within the city limits of Pomeroy: Juveniles only.

From city limits of Pomeroy upstream: Selective gear rules.

Patterson Lake (Okanogan County): Last Saturday in April through October 31 season.

Pattison Lake (Thurston County): Last Saturday in April through October 31 season.

Peabody Creek (Clallam County): Juveniles only.

Pearrygin Lake (Okanogan County): Last Saturday in April through September 30 season.

Pend Oreille River (Pend Oreille County): Year-round season. All sloughs within the boundaries of the Kalispell Reservation except Calispell Slough: Closed waters.

Perch Lake (Grant County): Last Saturday in April through September 30 season.

Percival Creek (Thurston County): Trout: Minimum length fourteen inches.

Peshastin Creek (Chelan County): Mouth to Ruby Creek: Closed waters.

Petit Lake (Pend Oreille County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Phalon Lake (Stevens County): Closed waters.

Pheasant Lake (Jefferson County): Last Saturday in April to October 31 season.

Phelps Creek (Chelan County): From mouth to falls at river mile 1: Selective gear rules.

Philippa Creek (tributary to N.F. Snoqualmie River) (King County): Closed waters.

Phillips Lake (Mason County): Last Saturday in April through October 31 season.

Phillips Lake (Stevens County): Last Saturday in April through October 31 season.

Pilchuck Creek (Snohomish County), mouth to Highway 9 Bridge: June 1 through November 30 season. Selective gear rules. Trout: Minimum length fourteen inches. Additional

December 1 through last day in February season. Trout: Minimum length fourteen inches.

Pilchuck River (Snohomish County)

From its mouth to five hundred feet downstream from the Snohomish City diversion dam: December 1 through last day in February season. Fishing from any floating device prohibited. Trout: Minimum length fourteen inches.

From 500 feet below diversion dam upstream: Closed waters.

Pillar Lake (Grant County): April 1 through September 30 season.

Pine Lake (King County): Last Saturday in April through October 31 season.

Pine Lake (Mason County): Last Saturday in April through October 31 season.

Ping Pond (Grant County): Third Saturday in April through Labor Day season. Juveniles and holders of reduced fee disability licenses only. Game fish: Daily limit of five fish in the aggregate. No minimum or maximum size for any species.

Pioneer Ponds (tributary to Stillaguamish River) (Snohomish County): Closed waters.

Pipers (Carkeek) Creek (King County), from its mouth to its source, including tributaries: Closed waters.

Pit Lake (Douglas County): Juveniles only.

Pleasant Lake (Clallam County): Trout: Kokanee minimum length eight inches, maximum length twenty inches.

Plummer Lake (Lewis County): Last Saturday in April through last day in February season.

Poacher Lake (Grant County): April 1 through September 30 season.

Portage Creek (tributary to Stillaguamish River) (Snohomish County): Closed waters.

Potholes Reservoir (Grant County): Crappie: Minimum length nine inches. Crappie and bluegill: Combined daily limit twenty-five fish. Perch: Daily limit twenty-five fish. Small mouth bass: Small mouth bass are not included as part of the bass daily limit. Small mouth bass 12 to 17 inches in length may be retained. Daily limit 10 small mouth bass, not more than 1 of which may be greater than 14 inches in length. Walleye: Minimum size 12 inches in length. Daily limit 8 walleye, not more than 1 of which may be greater than 22 inches in length.

Potter's Pond (Stevens County): Last Saturday in April through October 31 season.

Pratt River (tributary to Middle Fork Snoqualmie) (King County): Selective gear rules. All species: Release all fish.

Prices Lake (Mason County): Last Saturday in April through October 31 season. Selective gear rules. All species: Release all fish.

Promised Land Pond (Grays Harbor County): June 1 through October 31 season.

Purdy Creek (Mason County): June 1 through August 15 season. Selective gear rules. All species: Release all fish.

Puyallup River (Pierce County):

From mouth to the Electron power plant outlet: July 1 through last day in February season. Single point barbless hooks, nonbuoyant lure restriction and night closure August 1 through November 30 from the mouth to the Carbon River. Trout: Minimum length fourteen inches. Salmon: Open only August 1 through December 31 from mouth to Carbon River. Daily limit 6 fish of which no more than 4 may be adult salmon and of the adult salmon no more than two may be chinook, coho or chum or a combination of chinook, coho and chum. Release wild adult chinook.

From Electron power plant outlet upstream: July 1 through October 31 season. Selective gear rules. All species: Release all fish.

Pysht River (Clallam County): June 1 through last day in February season. Trout: Minimum length fourteen inches. December 1 through last day in February, one wild steelhead per day may be retained.

Pysht River South Fork (Clallam County): Trout: Minimum length fourteen inches.

Quail Lake (Adams County): Fly fishing only. Fishing from any floating device equipped with a motor prohibited. All species: Release all fish.

Quarry Pond (Walla Walla County): Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Quigg Lake (Grays Harbor County): June 1 through April 15 season. Trout: Daily limit 2. Minimum length fourteen inches. Salmon: Open only October 1 through January 31. Daily limit 6 hatchery coho salmon of which no more than 4 may be adult hatchery coho.

Quillayute River (Clallam County): Open year-round. May 1 through May 31 release all fish except up to two hatchery steelhead per day may be retained. Trout: Minimum length fourteen inches. November 1 through last day in February, daily limit three steelhead. December 1 through April 30, one wild steelhead per day may be retained. Salmon: Open only March 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon March 1 through August 31 and 3 may be adult salmon September 1 through November 30. September 1 through November 30 the 3 adult salmon may contain no more than 2 adult chinook or 2 adult wild coho or 1 adult chinook and 1 adult wild coho. March 1 through August 31 release wild adult coho and unmarked adult chinook. Unmarked chinook are chinook with unclipped adipose and ventral fins.

Quinault River, Upper (Jefferson County), from mouth at upper end of Quinault Lake to the National Park boundary: June 1 through April 15 season. Trout: Minimum length fourteen inches. December 1 through April 15, one wild steelhead per day may be retained. Salmon: Open only July 1 through October 31. Daily limit 6 fish except release adult salmon.

Quincy Lake (Grant County): March 1 through July 31 season.

Radar Ponds (Pacific County): Salmon: Landlocked salmon rules apply.

Raging River (King County), from its mouth to the Highway 18 Bridge: June 1 through last day in February season. Trout: Minimum length fourteen inches.

Railroad Pond (Franklin County): Selective gear rules. Trout: Daily limit two.

Rainbow Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Rapjohn Lake (Pierce County): Last Saturday in April through October 31 season.

Rat Lake (Okanogan County): April 1 through November 30: Selective gear rules. All species: Release all fish.

Rattlesnake Creek (Yakima County): Selective gear rules. All species: Release all fish.

Rattlesnake Lake (King County): Last Saturday in April through October 31 season. Selective gear rules.

Ravensdale Lake (King County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit two, minimum length twelve inches.

Reflection Pond (Okanogan County): Last Saturday in April through October 31 season.

Renner Lake (Ferry County): Last Saturday in April through October 31 season.

Riffe Lake (Reservoir) (Lewis County): Mossyrock Dam to 400 feet below Cowlitz Falls Dam. Closed waters: Lewis County PUD safety signs approximately 800 feet below Cowlitz Falls Dam to Dam. Lawful to fish up to the base of Swofford Pond Dam. Salmon: Landlocked salmon rules apply.

Rigley Lake (Stevens County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit two, minimum length twelve inches.

Riley Lake (Snohomish County): Last Saturday in April through October 31 season.

Rimrock Lake (Reservoir) (Yakima County): Chumming permitted. Trout except kokanee: Daily limit five. Kokanee not counted in daily trout limit. Kokanee daily limit sixteen.

Ringold Springs Creek (Hatchery Creek) (Franklin County): Closed waters.

Robbins Lake (Mason County): Last Saturday in April through October 31 season.

Rock Creek (Adams/Whitman counties): Mouth to Endicott Road year-round season.

Endicott Road to bridge on George Knott Road at Revere: Selective gear rules. All species: Release all fish.

Upstream from bridge on George Knott Road: Year-round season.

Rock Creek (Chelan County): Selective gear rules.

Rock Creek (Cedar River tributary below Landsburg Dam) (King County): Closed waters.

Rock Creek (Skamania County): Mouth to falls: June 1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Above falls, additional November 1 through March 15 season.

Rocky Ford Creek and Ponds (Grant County): Fly fishing only. Fishing from bank only (no wading). All species: Release all fish.

Rocky Lake (Stevens County): Last Saturday in April through October 31 season. June 1 through October 31 selective gear rules and all species: Release all fish.

Roesiger Lake (Snohomish County): Crappie: Daily limit ten, minimum length nine inches.

Roosevelt Lake (Ferry/Lincoln/Stevens counties): All species: Closed January 1 through May 31 in San Poil arm upstream from outlet of French Johns Lake, and April 1 through May 31 in Kettle arm upstream to Barstow Bridge. Trout except kokanee: Daily limit five. No more than two over twenty inches in length. Kokanee daily limit two. Wall-eye: No minimum size. Daily limit 8 fish not more than one of which may be longer than 22 inches. Salmon: Landlocked salmon rules apply. Sturgeon: Unlawful to fish for or retain sturgeon from Roosevelt Lake and tributaries. Carp: Unlawful to fish for carp with bow and arrow. Small mouth bass: Fish between 12 and 17 inches in length may be retained. No minimum size. Daily limit 10 bass, no more than one bass over 14 inches in length may be retained.

Rose Lake (Mason County): Last Saturday in April through October 31 season.

Ross Lake (Reservoir) (Whatcom County): July 1 through October 31 season. Selective gear rules, except fishing from a floating device equipped with an internal combustion motor allowed. Trout: Daily limit three, possession limit six, minimum length thirteen inches.

Ross Lake tributary streams (Whatcom County), except Big Beaver Creek and Ruby Creek: Closed waters: From closed water markers near mouth upstream for one mile. Above closed water marker in tributaries not listed as closed: July 1 through October 31 season.

Round Lake (Okanogan County): Last Saturday in April through September 30 season.

Rowland Lakes (Klickitat County): Last Saturday in April through last day in February season.

Royal Lake (Adams County): Closed waters.

Royal Slough (including Marsh Unit IV impoundments) (Adams County): Closed waters.

Ruby Creek (tributary to Ross Lake) (Whatcom County): Closed waters.

Ruby Creek and tributaries (Pend Oreille County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Rufus Woods Lake (Douglas County): Chumming allowed. Trout: Daily limit two. Kokanee not included in daily trout limit. Kokanee daily limit 2. Sturgeon: Unlawful to fish for or retain sturgeon from Rufus Woods Lake and tributaries.

Sacheen Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Saddle Mountain Lake (Grant County): Closed waters.

Sago Lake (Grant County): April 1 through September 30 season.

Salmon Creek (Clark County), from mouth to 72nd Avenue N.E.: June 1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Salmon Creek, including all forks (Jefferson County): Closed waters.

Salmon Creek, mainstem (Okanogan County): Closed waters.

Salmon Creek, North Fork and West Fork from mouth to South Fork (Okanogan County): Selective gear rules.

Salmon Creek (tributary of Naselle River) (Pacific County): June 1 through last day in February season. Selective gear rules. All species: Release all fish except up to two hatchery steelhead per day may be retained.

Salmon River (Jefferson County) outside of Olympic National Park and Quinalt Indian Reservation: June 1 through last day in February season. Trout: Minimum length fourteen inches. Hatchery steelhead in this river are steelhead with a dorsal fin height of less than 2-1/8 inches or with an adipose or ventral fin clip. Salmon: Open only September 1 through November 30. Daily limit 6 fish of which no more than 3 may be adult salmon and of the adult salmon not more than 2 may be adult chinook salmon.

Salt Creek (Clallam County): Trout: Minimum length fourteen inches.

From mouth to bridge on Highway 112: Additional November 1 through last day in February season. Trout: Minimum length fourteen inches.

Samish Lake (Whatcom County): Trout: Cutthroat trout daily limit two, minimum length fourteen inches.

Samish River (Whatcom County):

From its mouth to the Hickson Bridge: June 1 through March 15 season. From Highway 99 Bridge to department salmon rack: Closed waters. Nonbuoyant lure restriction and night closure August 1 through December 31.

Trout: Minimum length fourteen inches. Salmon: Open only July 1 through December 31 from mouth to Thomas

Road Bridge and October 1 through December 31 from Thomas Road Bridge to I-5 Bridge. Daily limit two salmon.

Sammamish Lake (King County): Trout: Release all kokanee. Kokanee/sockeye under fifteen inches are kokanee while those fifteen inches and over are sockeye salmon. December 1 through June 30: Release all steelhead and rainbow trout over twenty inches in length. Salmon: Closed to salmon fishing within 100 yards of the mouth of Issaquah Creek. Open only August 16 through November 30. Daily limit two salmon. Release sockeye.

Sammamish River (Slough) (King County), from the 68th Avenue N.E. Bridge to Lake Sammamish: Closed waters: All tributaries. January 1 through August 31 season. Selective gear rules. Trout: Release all trout.

Sandyshore Lake (Jefferson County): Last Saturday in April to October 31 season.

San Poil River (Ferry County): Unlawful to fish for or retain sturgeon.

Sarge Hubbard Park Pond (Yakima County): Juveniles and holders of disability licenses only.

Satsop Lakes (Grays Harbor County): Last Saturday in April through October 31 season.

Satsop River, (Grays Harbor County): Trout: Minimum length 14 inches in mainstem and all forks. Mainstem and East Fork, single point barbless hooks and night closure August 16 through November 30 except only August 16 through October 31 on East Fork upstream from bridge at Schafer State Park. Middle and West forks downstream from Cougar Smith Road nonbuoyant lure restriction and night closure August 16 through November 30. Middle and West Forks upstream from Cougar Smith Road night closure and nonbuoyant lure restriction August 16 through October 31.

From mouth to bridge at Schafer Park: Additional November 1 through March 31 season. Salmon: Open only October 1 through January 31. Daily limit 6 fish of which no more than 2 may be adult salmon, except release adult chinook.

Middle Fork (Turnow Branch), from mouth to Cougar Smith Road: Additional November 1 through last day in February season.

West Fork, from mouth to Cougar Smith Road: Additional November 1 through last day in February season.

Sauk River (Skagit/Snohomish counties):

From mouth to the mouth of the White Chuck River: June 1 through last day in February season. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

From the mouth of the White Chuck River to headwaters, including North Fork and South Fork upstream to Elliot Creek: Selective gear rules. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

South Fork upstream from Elliot Creek: June 1 through August 31 season. Selective gear rules.

From mouth to the Darrington Bridge: Additional March 1 through April 30 season. Selective gear rules. All species: Release all fish.

Sawyer, Lake (King County): Chumming permitted. Crappie: Daily limit ten, minimum length nine inches.

Schaefer Lake (Chelan County): Trout: Daily limit sixteen.

Sekiu River (Clallam County): All open periods: Trout: Minimum length fourteen inches.

From mouth to forks: Additional November 1 through last day in February season.

Serene Lake (Snohomish County): Last Saturday in April through October 31 season.

Shady Lake (King County): June 1 through October 31 season. Trout: No more than one over fourteen inches in length.

Shannon, Lake (Skagit County): Last Saturday in April through October 31 season. Chumming permitted. Trout: Minimum length six inches and maximum length eighteen inches.

Shellneck Creek (Yakima County): Closed waters.

Shelton Creek (Mason County): Closed waters.

Sherman Creek (Ferry County):

From the mouth at Lake Roosevelt upstream to four hundred feet above the water diversion dam for the hatchery: Closed waters, except December 1 through August 31 season from the mouth upstream to the hatchery boat dock.

Sherry Lake (Stevens County): Last Saturday in April through October 31 season.

Sherwood Creek (Mason County): Trout: Minimum length fourteen inches.

Sherwood Creek Mill Pond (Mason County): June 1 through October 31 season. Trout: Minimum length 14 inches, daily limit 2 fish.

Shiner Lake (Adams County): April 1 through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Shoe Lake (Mason County): Last Saturday in April through October 31 season.

Shoveler Lake (Grant County): April 1 through September 30 season.

Shye Lake (Grays Harbor County): June 1 through October 31 season.

Sidley Lake (Okanogan County): Trout: Daily limit two.

Siebert Creek (Clallam County): Trout: Minimum length fourteen inches.

Silent Lake (Jefferson County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited.

Silvas Creek (Klickitat County): Trout: Release all trout.

Silver Creek (tributary to Cowlitz River) (Lewis County), mouth to USFS Road 4778: Selective gear rules. Trout: Minimum length twelve inches.

Silver Lake (Cowlitz County): Crappie: Daily limit ten crappie. Minimum size nine inches in length.

Silver Lake (Pierce County): Last Saturday in April through October 31 season.

Silver Lake (Spokane County): Crappie: Daily limit ten, minimum length nine inches.

Silver Lake, North (Spokane County): March 1 through September 30 and November 1 through December 31 season. Selective gear rules. March 1 through September 30: Trout: Daily limit 2 fish, minimum length 14 inches, except release fish with clipped adipose fin. November 1 through December 31: All species: Release all fish.

Silver Lake (Whatcom County): Last Saturday in April through October 31 season.

Silvermail Lake (Okanogan County): Juveniles only.

Similkameen River (Okanogan County):

From mouth to Enloe Dam: December 1 through March 31 season. Whitefish gear rules apply.

From Enloe Dam to Canadian border: Additional December 1 through March 31 season. Whitefish gear rules apply.

Sinlahekin Creek (Okanogan County), from Palmer Lake to Cecile Creek bridge: June 1 through August 31 season. Selective gear rules. Additional December 1 through March 31 season. Whitefish gear rules apply.

Sixteen Lake (Skagit County): Last Saturday in April through October 31 season.

Skagit River (Skagit/Whatcom counties):

From mouth to the Memorial Highway Bridge (Highway 536 at Mt. Vernon): Year-round season. Selective gear rules March 1 through May 31 except lawful to fish from a floating device equipped with an internal combustion motor. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open only August 16 through December 31. Daily limit two salmon except release chinook.

From Memorial Highway Bridge (Highway 536 at Mt. Vernon) upstream to Gilligan Creek: June 1 through March 15 season. Night closure and nonbuoyant lure restriction July 1 through November 30. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open only August 16 through December 31. Daily limit two salmon except release chinook.

From Gilligan Creek to Cascade River: June 1 through March 15 season except closed June 1 through June 30 and August 1 through August 31 between a line 200 feet above the east bank of the Baker River to a line 200 feet below the west bank of the Baker River. Nonbuoyant lure restriction and night closure July 1 through November 30. Trout except

Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches. Salmon: Open only September 16 through December 31 Gilligan Creek to the Dalles Bridge at Concrete. Daily limit two salmon except release chinook.

From the Dalles Bridge at Concrete to the Highway 530 Bridge at Rockport - Additional season: March 16 through April 30. Selective gear rules except lawful to fish from a floating device equipped with an internal combustion motor. Unlawful to fish from a floating device while under power. All species: Release all fish. Salmon open July 1 through July 31 except closed 12:01 a.m. July 5 until 2:00 p.m. July 6 and 12:01 a.m. July 11 until 2:00 p.m. July 12, and, except closed from 200 feet above the mouth of the Baker River to the Cascade River. Daily limit two sockeye salmon. Release all salmon except sockeye salmon. Salmon open September 16 through December 31. Daily limit two salmon except release chinook.

From the Highway 530 Bridge at Rockport to the Cascade River - Additional season: March 16 through April 30. Selective gear rules except lawful to fish from a floating device equipped with an internal combustion motor. Unlawful to fish from a floating device while under power. All species: Release all fish. Salmon open June 1 through July 8. Daily limit two salmon. Release all salmon except hatchery chinook. Salmon open September 16 through December 31. Daily limit two salmon. Release chinook.

From Cascade River to Gorge Powerhouse: June 1 through March 15 season. Nonbuoyant lure restriction and night closure July 1 through November 30. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches.

From the Gorge Powerhouse to Gorge Dam: Closed waters.

Skamokawa Creek (Wahkiakum County), mouth to forks just below Oatfield and Middle Valley Road: November 1 through March 15 season. All species: Release all fish other than steelhead. Trout: Minimum length twenty inches.

Skate Creek (tributary to Cowlitz River) (Lewis County): Trout: Daily limit five, no more than one over twelve inches in length. Release cutthroat. Release rainbow trout except rainbow trout having a clipped adipose fin and a healed scar at the site of the clipped fin.

Skokomish River (Mason County), mouth to forks: Night closure, nonbuoyant lure restriction and single point barbless hooks required August 1 through November 30 mouth to Highway 101. June 1 through last day in February season. All game fish: Release all fish except that up to two hatchery steelhead per day may be retained. Salmon: Open only August 1 through December 15 mouth to Highway 101 Bridge. Daily limit 1 salmon August 1 through September 30. Release chum salmon. Daily limit 6 salmon October 1 through December 15, except daily limit may contain no more than 4 adult fish and of these adults not more than one may be an adult chinook. October 1 through October 15 release chum salmon.



**Skokomish River, North Fork (Mason County):**

From mouth to lower dam: June 1 through last day in February season. All species: Release all fish except up to two hatchery steelhead per day may be retained.

Above Lake Cushman, mouth to Olympic National Park boundary: June 1 through August 31 season. Selective gear rules. Trout: Release all fish.

**Skokomish River, South Fork (Mason County):**

From mouth to mouth of Church Creek: June 1 through last day in February season. All species: Release all fish except up to two hatchery steelhead per day may be retained.

From mouth of Church Creek to mouth of Rule Creek: Closed waters.

From mouth of Rule Creek to headwaters: Selective gear rules. Trout: Minimum length twelve inches.

Skookum Creek (Mason County): Trout: Minimum length fourteen inches.

Skookum Lakes, North and South (Pend Oreille County): Last Saturday in April through October 31 season.

Skookumchuck Creek (Klickitat County): Trout: Release all trout.

Skookumchuck Reservoir (Thurston County): June 1 through October 31 season. Trout: Daily limit two, minimum length twelve inches.

**Skookumchuck River (Thurston County):**

From mouth to four hundred feet below the outlet of the PP&L/WDFW steelhead rearing pond located at the base of the Skookumchuck Dam: June 1 through April 30 season. Single point barbless hooks and night closure August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only October 16 through last day in February. Daily limit 6 fish of which no more than 2 may be adult salmon, except December 1 through the last day in February release adult wild coho. Release adult chinook.

From Skookumchuck Reservoir upstream and all tributaries: Selective gear rules. Trout: Minimum length twelve inches.

**Skykomish River (Snohomish County):**

From mouth to mouth of Wallace River: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 1 through November 30 mouth to Lewis Street Bridge in Monroe and June 1 through November 30 from Lewis Street Bridge in Monroe to Wallace River. Fishing from any floating device prohibited November 1 through last day in February from the boat ramp below Lewis Street Bridge at Monroe downstream two thousand five hundred feet. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open August 16 through December 31 mouth to Lewis Street Bridge in Monroe. Daily limit 4 salmon of which no more than 2 may be coho or chum or a combination of coho and chum. Release chinook. Open June 1 through July 31 Lewis Street Bridge in Monroe to Wallace River. Daily limit 2 hatchery chinook. Open September 1 through December 31 Lewis Street Bridge to Wallace River.

Daily limit 4 salmon of which no more than 2 may be coho or chum or a combination of coho and chum. Release chinook.

From the mouth of the Wallace River to the forks: June 1 through last day in February season, except closed June 1 to 8:00 a.m. August 1 in those waters one thousand five hundred feet upstream and one thousand feet downstream of the outlet at Skykomish Rearing Ponds. Nonbuoyant lure restriction and night closure August 1 through November 30. Fishing from any floating device prohibited in the area one thousand five hundred feet upstream and one thousand feet downstream of the outlet at Skykomish Rearing Ponds August 1 through last day in February. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open only September 1 through December 31. Daily limit 4 salmon of which no more than 2 may be coho or chum or a combination of coho and chum. Release chinook.

**Skykomish River, North Fork (Snohomish County):**

From mouth to one thousand feet downstream from Bear Creek Falls: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches.

From one thousand feet below Bear Creek Falls to Deer Falls: Closed waters.

**Skykomish River, South Fork (King/Snohomish counties):**

From mouth to six hundred feet downstream from the Sunset Falls Fishway: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches.

From a point six hundred feet downstream of the Sunset Falls Fishway to the Sunset Falls Fishway: Closed waters.

From Sunset Falls to source: June 1 through November 30 season. Selective gear rules. Trout: Minimum length fourteen inches. Whitefish: Additional December 1 through last day in February season. Release all fish other than whitefish.

Slate Creek and tributaries (Pend Oreille County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Smith Creek (near North River) (Pacific County): June 1 through last day in February season, except sturgeon. Single point barbless hooks, and night closure August 16 through November 30 upstream to the Highway 101 Bridge. All game fish: Release all fish except up to two hatchery steelhead per day may be retained. Salmon: Open only September 1 through November 30 from mouth to Highway 101 Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon and of the adult salmon not more than one may be an adult wild coho. Release adult chinook. Sturgeon: Open year-round from mouth to Highway 101 Bridge.

Snake River: Year-round season. Closed to the taking of all trout April 1 through June 15. Trout: Daily limit six, mini-

minimum length ten inches, no more than three over twenty inches. Release all steelhead June 16 through August 31. Barbless hooks required when fishing for steelhead. Sturgeon: Unlawful to retain sturgeon in mainstem and tributaries upstream from Lower Granite Dam. Bass: Fish twelve to seventeen inches in length may be retained. Up to but not more than 3 bass over fifteen inches in length may be retained. Walleye: Daily limit 10 fish. No minimum size. No more than 5 fish over 18 inches in length. No more than 1 fish over 24 inches in length. Channel catfish: No daily limit.

Closed waters: Within four hundred feet of the base of any dam and within a four hundred foot radius around the fish ladder entrance at Lyons Ferry Hatchery, within a two hundred foot radius upstream of the fish ladder exit above Lower Granite Dam, and within an area one thousand two hundred feet downstream from the base of the west lock gate at Little Goose Dam on the south bank of the Snake River and one hundred feet out into the river from said river bank.

Snipe Lake (Grant County): April 1 through September 30 season.

Snohomish River (Snohomish County), including all channels, sloughs, and interconnected waterways, but excluding all tributaries: June 1 through last day in February season, except sturgeon. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open only August 16 through December 31. Daily limit 4 salmon of which no more than 2 may be coho or chum or a combination of coho and chum. Release chinook. Sturgeon: Open year-round from mouth to Highway 2 Bridge.

Snoqualmie River (King County):

From mouth to the falls: June 1 through last day in February season, except waters within the Puget Power tunnel at the falls and within fifty feet of any point on Puget Power's lower Plant # 2 building (north bank) are closed waters. June 1 through November 30 selective gear rules, except fishing from a floating device equipped with an internal combustion motor allowed. Fishing from any floating device prohibited November 1 through last day in February from the mouth of Tokul Creek downstream to the boat ramp at Plumb access, about one-quarter mile. Night closure September 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through December 31. Daily limit 2 fish. Release chinook and pink.

From Snoqualmie Falls upstream, including the North and South Forks: Selective gear rules. Trout: Minimum length ten inches. Additional November 1 through May 31 season. Selective gear rules. All species: Release all fish.

Snoqualmie Middle Fork from mouth to source including all tributaries except Pratt and Taylor rivers: Year-round season. Selective gear rules. All species: Release all fish.

Snow Creek (Jefferson County), including all tributaries: Closed waters.

Snyder Creek (Klickitat County): Trout: Release all trout.

Sol Duc River (Clallam County): Open year-round. May 1 through May 31 release all fish except up to two hatchery steelhead per day may be retained. Selective gear rules from the concrete pump station at the Sol Duc Hatchery to the Highway 101 Bridge downstream of Snider Creek November 1 through April 30, and from the Highway 101 Bridge to Olympic National Park June 1 through October 31. Trout: Minimum length fourteen inches. November 1 through last day in February, daily limit three steelhead from mouth to concrete pump station at Sol Duc Hatchery. December 1 through April 30, from mouth to the concrete pump station at the Sol Duc Hatchery, one wild steelhead per day may be retained. Salmon: Open only March 1 through November 30 from mouth to concrete pump station. Daily limit 6 fish of which no more than 2 may be adult salmon March 1 through August 31 and of which no more than 3 may be adult salmon September 1 through November 30. March 1 through August 31 release wild adult coho and unmarked adult chinook. Unmarked chinook are chinook with unclipped adipose and ventral fins. September 1 through November 30 the daily limit may contain no more than 2 adult chinook or 2 adult wild coho or 1 adult chinook and 1 adult wild coho.

Sooes River (Suez River) (Clallam County): June 1 through last day in February season. Trout: Minimum length fourteen inches.

Soos Creek (King County), from mouth to bridge near hatchery residence: June 1 through August 31 season except salmon. Trout: Minimum length fourteen inches. Salmon: Open only October 8 through October 30 to fishing by juveniles only. Night closure October 8 through October 30. Terminal gear restricted to one single point hook. Daily limit two coho salmon.

Bridge near hatchery residence to Salmon hatchery rack: June 1 through August 31 season. Trout: Minimum length fourteen inches.

South Bend Mill Pond (Pacific County): Juveniles only.

South Prairie Creek (Pierce County), mouth to Page Creek: Closed waters.

Spada Lake (Reservoir) (Snohomish County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Maximum length twelve inches.

Spada Lake (Reservoir) tributaries (Snohomish County): Closed waters.

Spanaway Lake and Spanaway Lake outlet downstream to the dam (approximately 800 feet) (Pierce County): Year-round season.

Spearfish Lake (Klickitat County): Last Saturday in April through last day in February season.

Spectacle Lake (Okanogan County): April 1 through September 30 season.

Spirit Lake (Skamania County): Closed waters.

Spring Lake (Columbia County): Trout: No more than 2 trout over 13 inches in length may be retained.

## Spokane River (Spokane County):

From SR 25 Bridge upstream to the upstream boundary at Plese Flats Day Use Area (Riverside State Park), except Long Lake, formed by Long Lake Dam (see also Long Lake): Year-round season except walleye. Trout: Daily limit five, no more than two over twenty inches in length. Walleye: Daily limit five, no minimum length, no more than one over eighteen inches in length. April 1 through May 31 release all walleye. Salmon: Landlocked salmon rules apply. Sturgeon: Unlawful to fish for or retain sturgeon.

From the upstream boundary at Plese Flats Day Use Area (Riverside State Park) upstream to the Monroe Street Dam: Year-round season. Selective gear rules. Trout: Daily limit one. Release wild trout. Salmon: Landlocked salmon rules apply. Sturgeon: Unlawful to fish for or retain sturgeon.

From Monroe Street Dam upstream to Upriver Dam: Year-round season. Salmon: Landlocked salmon rules apply.

From Upriver Dam upstream to the Idaho/Washington state line: June 1 through March 15 season. Selective gear rules, except fishing from a floating device equipped with an internal combustion motor permitted. All species: Release all fish.

## Sprague Lake (Adams/Lincoln counties):

Waters south of the lakeside edge of the reeds and waters of Cow Creek south to Danekas Road: July 1 through September 15 season. Crappie: Daily limit ten, minimum length nine inches. Walleye: Minimum size 12 inches in length. Daily limit 8 walleye, not more than 1 of which may be greater than 22 inches in length.

## Spring Creek (Klickitat County): Trout: Daily limit five.

Spring Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Spring Lakes (Grant County): March 1 through July 31 season.

Squalicum Lake (Whatcom County): Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit two.

Stan Coffin Lake (Grant County): Bass: Release all bass.

Starvation Lake (Stevens County): Last Saturday in April through May 31 season. Additional June 1 through October 31 season. Selective gear rules. All species: Release all fish.

Steel Lake (King County): Last Saturday in April through October 31 season.

Stehekin River (Chelan County), from the mouth to Agnes Creek: July 1 through October 31 season. Selective gear rules. Trout: Minimum length fifteen inches. Release cut-throat. Additional March 1 through June 30 season. Selective gear rules. All species: Release all fish.

Stetattle Creek (Whatcom County), from its mouth to mouth of Bucket Creek (one and one-half miles upstream): Closed waters.

Stevens Creek (Grays Harbor County), mouth to Highway 101 Bridge: June 1 through last day in February season. Trout: Minimum length fourteen inches.

Stevens, Lake (Snohomish County): Chumming permitted. Kokanee: Kokanee not included in trout daily limit. Kokanee daily limit ten fish.

Steves Lake (Mason County): Last Saturday in April through October 31 season.

Stickney Lake (Snohomish County): Last Saturday in April through October 31 season.

## Stillaguamish River (Snohomish County):

From mouth to Marine Drive, including all sloughs: Year-round season. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through December 31. Daily limit 2 salmon. Release chinook and pink salmon.

From Marine Drive to the forks, except from the barrier dam (downstream of I-5) downstream two hundred feet which is closed waters: June 1 through last day in February season. Night closure August 1 through November 30. Selective gear rules June 1 through November 30 except fishing from a floating device equipped with an internal combustion motor allowed. Game fish: June 1 through November 30 release all fish except up to two hatchery steelhead per day may be retained. Trout: Minimum length fourteen inches December 1 through last day in February. Salmon: Open only September 1 through December 31. Daily limit 2 salmon. Release chinook and pink salmon.

Stillaguamish River, North Fork (Snohomish County), from mouth to Swede Heaven Bridge: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 1 through November 30. Fishing from any floating device prohibited upstream of the Highway 530 Bridge at mile post 28.8 (Cicero Bridge). Fishing from any floating device equipped with a motor prohibited downstream from the Highway 530 Bridge. June 1 through November 30: All species: Release all fish except hatchery steelhead. June 1 through November 30 fly fishing only. December 1 through last day in February: Trout: Minimum length fourteen inches.

## Stillaguamish River, South Fork (Snohomish County):

From mouth to four hundred feet downstream of the outlet to fishway at Granite Falls: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches.

From four hundred feet below the outlet of the end of the fishway to Mt. Loop Highway bridge above Granite Falls: Closed waters.

From Mt. Loop Highway Bridge above Granite Falls to source: June 1 through November 30 season. Nonbuoyant lure restriction and night closure August 1 through November 30.

Storm Lake (Snohomish County): Last Saturday in April through October 31 season.

Stratford/Brook Lake (Grant County): February 1 through September 30 season.

Stump Lake (Mason County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited.

Suiattle River (Skagit County): Trout: Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

Sullivan Creek (Pend Oreille County), from Mill Pond upstream and tributaries: Selective gear rules. Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Sullivan Lake (Pend Oreille County): Trout: Daily limit 2 trout, except kokanee not counted in daily trout limit. Kokanee daily limit ten.

Sultan River (Snohomish County), from its mouth to a point four hundred feet downstream from the diversion dam at river mile 9.7: June 1 through last day in February season. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

Sultan River, North and South Forks (Snohomish County): Closed waters.

Summit Lake (Stevens County): Last Saturday in April through October 31 season.

Summit Lake (Thurston County): Last Saturday in April through October 31 season.

Sunday Creek (tributary to N.F. Snoqualmie River) (King County): Closed waters.

Sutherland Lake (Clallam County): Chumming permitted.

Swale Creek (Klickitat County): Trout: Release all trout.

Swamp Creek (tributary to Sammamish River) (Snohomish/King counties): Closed waters.

Swan Lake (Ferry County): Last Saturday in April through October 31 season.

Swan's Mill Pond (Stossel Creek) (King County): June 1 through October 31 season.

Swauk Creek (Kittitas County): Selective gear rules.

Swift Reservoir (Skamania County): Last Saturday in April through October 31 season. From posted markers below Eagle Cliff Bridge to Bridge: Selective gear rules. Salmon: Landlocked salmon rules apply.

Swofford Pond (Lewis County): Fishing from a floating device equipped with an internal combustion motor prohibited.

Tacoma Creek and tributaries (Pend Oreille County): Trout: Eastern brook trout not counted in daily trout limit. Eastern

brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Tahuya River (Mason County): Selective gear rules and release all fish except salmon. Salmon: Open only September 16 through October 31 mouth to marker one mile above North Shore Road Bridge. Daily limit 2 coho salmon.

Taneum Creek (Kittitas County): Selective gear rules.

Tanwax Lake (Pierce County): Last Saturday in April through October 31 season. Crappie: Daily limit ten, minimum length nine inches.

Tapps Lake (Reservoir) and Tapps Lake (Reservoir) intake canal (Pierce County), to within four hundred feet of the screen at Dingle Basin: Year-round season.

Tarboo Lake (Jefferson County): Last Saturday in April through November 30 season. Fishing from a floating device equipped with an internal combustion engine prohibited. Salmon: Landlocked salmon rules apply.

Tate Creek (tributary to N.F. Snoqualmie River) (King County): Closed waters.

Taylor River (tributary to the Middle Fork Snoqualmie) (King County): Selective gear rules. All species: Release all fish.

Teal Lakes (North and South) (Grant County): April 1 through September 30 season.

Teal Lake (Jefferson County): Last Saturday in April to August 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited. Additional September 1 through March 30 season. Selective gear rules. All species: Release all fish.

Teanaway River, including North Fork (Kittitas County): Selective gear rules.

Tenas Lake (Mason County): Last Saturday in April through October 31 season.

Tennant Lake (Whatcom County): Fishing from any floating device prohibited from first Friday in October through January 15.

Terrell, Lake (Whatcom County): Fishing from any floating device prohibited the first Saturday after Labor Day through the following Friday and from October 1 through January 31 except fishing from floating dock permitted.

Thomas Lake (Stevens County): Last Saturday in April through October 31 season.

Thornton Creek (tributary to Lake Washington) (King County): Closed waters.

Thread Lake (Adams County): April 1 through September 30 season.

Tibbetts Creek (tributary to Lake Sammamish) (King County): Closed waters.

Tieton River (Yakima County): Lawful to fish to base of Tieton (Rimrock) Dam. Additional December 1 through March 31 season: Whitefish gear rules apply.

Tieton River, North Fork (Yakima County), upstream from Rimrock Lake: Closed waters: Spillway channel. June 1 through August 15 season.

Tieton River, South Fork (Yakima County): From mouth to bridge on USFS Rd. 1070 (approximately 12.5 miles): Closed waters.

Tiger Lake (Kitsap/Mason counties): Last Saturday in April through October 31 season.

Tilton River (Lewis County), from mouth to West Fork: June 1 through March 31 season. Trout: Daily limit five, no more than one over twelve inches in length. Release cutthroat. Release rainbow trout except rainbow trout having a clipped adipose fin and a healed scar at the site of the clipped fin. Salmon: Open only June 1 through December 31. Daily limit 6 fish of which no more than 2 may be adult fish. Release wild coho.

Tilton River, East, North, South and West Forks (Lewis County): Selective gear rules. Trout: Minimum length twelve inches.

Toad Lake (Whatcom County): Last Saturday in April through October 31 season.

Tokul Creek (King County):

From mouth to the Fish Hatchery Road Bridge: December 1 through last day in February season, closed 5:00 p.m. to 7:00 a.m. daily. Nonbuoyant lure restriction. Trout: Minimum length fourteen inches.

From Fish Hatchery Road Bridge to posted cable boundary marker located approximately seven hundred feet upstream of the mouth: January 15 through last day in February season, closed 5:00 p.m. to 7:00 a.m. daily. Nonbuoyant lure restriction. Trout: Minimum length 14 inches.

From the posted cable boundary marker located approximately seven hundred feet upstream of the mouth to the railroad trestle: Closed waters.

Tolt River (King County):

From mouth to the USGS trolley cable near the confluence of the North and South Forks: June 1 through last day in February season. June 1 through November 30, selective gear rules. Trout: Minimum length fourteen inches.

From the USGS trolley cable to the falls in Sec. 21, Twp 26N., R 8 E. on the North Fork, and to the dam on the South Fork: Closed waters.

From falls upstream on North Fork: Selective gear rules. All species: Release all fish.

From dam upstream on South Fork: Selective gear rules. Trout: Minimum length ten inches.

Touchet River (Columbia/Walla Walla counties):

Bass: Bass 12 to 17 inches in length may be retained. Up to but not more than 3 greater than 15 inches may be retained as part of the daily limit.

From confluence of north and south forks upstream, including Robinson and Wolf Forks: Selective gear rules.

Bass: Statewide rules apply. Trout: Release all steelhead. Tributaries other than North Fork, South Fork, Robinson Fork, and Wolf Fork: Closed waters.

North Fork: Upstream of Spangler Creek June 1 through August 31 season.

South Fork: Upstream from Griffin Creek June 1 through August 31 season.

Wolf Fork: Upstream from Coates Creek June 1 through August 31 season.

From mouth to confluence of north and south forks: Additional season: November 1 through April 15. Barbless hooks required. All species: Release all fish except hatchery steelhead and brown trout. Trout: Daily limit three fish.

Toutle River (Cowlitz County):

From mouth to forks, and North Fork from the mouth to the posted deadline below the fish collection facility: June 1 through November 30 season. Nonbuoyant lure restriction and night closure September 1 through October 15 on North Fork from confluence with South Fork to mouth of Green River. All game fish: Release all fish except up to two hatchery steelhead per day may be retained. Salmon: Open only August 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release chum and wild coho. Release all chinook October 1 through November 30 in North Fork upstream from Kidd Valley Bridge.

From the posted deadline below the fish collection facility upstream to the headwaters, including all tributaries, but excepting Castle and Coldwater Lakes: Closed waters.

Toutle River, South Fork (Cowlitz County), mouth to source: Closed waters: All tributaries. June 1 through November 30 season. All species: Release all fish except hatchery steelhead. Trout: Minimum length twenty inches. Mouth to 4100 Road Bridge: Additional December 1 through March 31 season. Selective gear rules. All species: Release all fish except hatchery steelhead.

Trapper Lake (Chelan County): Trout: Daily limit two.

Trout Creek (tributary to Wind River) (Skamania County): Closed waters.

Trout Lake (Ferry County): Last Saturday in April through October 31 season.

Trout Lake (tributary to Big White Salmon River) (Klickitat County): June 1 through October 31 season.

Tucannon River (Columbia/Walla Walla counties): Closed waters: All tributaries.

From the mouth upstream to Turner Road Bridge: Additional November 1 through April 15 season. Barbless hooks required. All species: Release all fish except hatchery steelhead and whitefish. Trout: Daily limit three hatchery steelhead.

From the Turner Road Bridge upstream to the Tucannon Hatchery Bridge: Selective gear rules June 1 through October 31. Additional season November 1 through April 15. Barbless hooks required. All species: Release all fish except hatchery steelhead and whitefish. Trout: Daily limit three hatchery steelhead.

From the Tucannon Hatchery Bridge upstream to 500 feet above the Rainbow Lake intake: Closed waters.

From 500 feet above the Rainbow Lake intake to the Cow Camp Bridge: Selective gear rules. Release steelhead.

From Cow Camp Bridge upstream: Closed waters.

Tucquala Lake (Kittitas County): June 1 through October 31 season.

Tunnel Lake (Skamania County): Trout: No more than 2 trout 20 inches in length or greater may be retained.

Twin Lake (Jefferson County): Last Saturday in April through October 31 season.

Twin Lakes (Chelan County) and tributaries and outlet stream to junction with the Napeequa River: Closed waters.

Twisp River (Okanogan County), from mouth to War Creek: June 1 through August 15 season. Selective gear rules. All species: Release all fish. War Creek to South Fork Twisp River: Closed waters.

Tye River (King County): Foss River to Alpine Falls June 1 through October 31 season: Selective gear rules. Trout: Minimum length fourteen inches. Whitefish: Additional November 1 through last day in February season. Release all fish other than whitefish. From Alpine falls upstream: Trout: Minimum size ten inches.

U Lake (Mason County): Last Saturday in April through October 31 season.

Umtanum Creek (Kittitas County): Selective gear rules.

Uncle John Creek (Mason County): Closed waters.

Union Creek (Yakima County): From mouth upstream to falls (approximately 1/4 mile): Closed waters.

Union River (Mason County): Mouth to North Shore Road Bridge. All species: Release all fish except sturgeon.

From North Shore Road Bridge to lower bridge on Old Belfair Highway: June 1 through August 15 season. Selective gear rules. All species: Release all fish except sturgeon.

From lower bridge on Old Belfair Highway upstream to watershed boundary: Selective gear rules. All species: Release all fish except sturgeon.

From watershed boundary to source, including all tributaries: Closed waters.

Upper Wheeler Reservoir (Chelan County): Closed waters.

Valley Creek (Clallam County): Juveniles only.

Vance Creek (Mason County): Trout: Minimum length fourteen inches.

Vance Creek/Elma Ponds (Grays Harbor County): Pond One: Last Saturday in April through November 30 season. Juveniles, holders of a senior license and holders of a department disability license only. Salmon: Landlocked salmon rules apply. Pond Two: Last Saturday in April through November 30 season. Salmon: Landlocked salmon rules apply.

Vancouver Lake and all other waters west of Burlington-Northern Railroad from Columbia River drawbridge near Vancouver downstream to Lewis River (Clark County): Closed waters: April 1 through May 30 the Vancouver Lake flushing channel is closed and it is closed to fishing from the lake shoreline within 400 feet east and west of the channel exit. Chumming permitted. Trout: Daily limit two, minimum length twelve inches. Sturgeon: Seasons, days of the week, daily limits, and size limits same as in adjacent waters of mainstem Columbia River.

Vanes Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Van Winkle Creek (Grays Harbor County): Mouth to 400 feet below outlet of Lake Aberdeen Hatchery: Game fish: Minimum length 14 inches. Salmon: Open only September 1 through January 31. Daily limit 6 fish of which not more than 2 may be adult fish. Release chum, adult chinook and wild adult coho.

Vic Meyers (Rainbow) Lake (Grant County): Last Saturday in April through September 30 season.

Vogler Lake (Skagit County): Last Saturday in April through October 31 season. Fly fishing only. All species: Release all fish.

Voight Creek (Pierce County): From mouth to Highway 162 Bridge: Closed waters.

Wagners Lake (Snohomish County): Last Saturday in April through October 31 season.

Wahkiacus Creek (Klickitat County): Trout: Release all trout.

Waitts Lake (Stevens County): Last Saturday in April through last day in February season.

Walker Lake (King County): Last Saturday in April through October 31 season.

Wallace River (Snohomish County):

From its mouth to 200 feet upstream of the water intake of the salmon hatchery: June 1 through last day in February season. Closed waters: From the first Burlington-Northern Railroad bridge (below Highway 2) to a point two hundred feet upstream of the water intake of the salmon hatchery during the period June 1 through August 31. Fishing from any floating device prohibited November 1 through last day in February. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open only September 1 through November 30. Daily limit 2 coho.

From 200 feet upstream of the water intake of the salmon hatchery to mouth of Olney Creek: November 1 through last day in February season. Fishing from any floating device prohibited. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

Walla Walla River (Walla Walla County):

From mouth to the Touchet River: Year-round season. Trout: Barbless hooks required when fishing for steelhead. Trout: Release trout April 1 through May 31. Daily limit three hatchery steelhead. Bass: No minimum or maximum size. No more than three fish over fifteen inches in length may be retained.

From the Touchet River upstream to state line: Trout: All tributaries except Mill Creek, maximum length twenty inches. Bass: No minimum or maximum size. No more than three fish over fifteen inches in length may be retained. Additional season November 1 through April 15. All species: Barbless hooks required and release all fish except hatchery steelhead. Trout: Daily limit three hatchery steelhead.

Walupt Lake (Lewis County): Closed waters: All inlet streams. Last Saturday in April through October 31 season. Selective gear rules. Trout: Minimum length ten inches.

Wannacut Lake (Okanogan County): Last Saturday in April through October 31 season.

Wapato Lake (Chelan County): Last Saturday in April through October 31 season. Trout: Release all trout. From August 1 through October 31: Selective gear rules except fishing from a device equipped with an internal combustion motor permitted.

Wapato Lake (Pierce County): Juveniles only.

Ward Lake (Ferry County): Last Saturday in April through October 31 season.

Ward Lake (Thurston County): Last Saturday in April through October 31 season.

Warden Lake and Warden Lake, South (Grant County): Last Saturday in April through September 30 season.

Washburn Island Pond (Okanogan County): April 1 through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Washburn Lake (Okanogan County): Last Saturday in April through October 31 season. Trout: Daily limit two.

Washington, Lake, including that portion of the Sammamish River from the 68th Avenue N.E. Bridge downstream (King County): Fishing from floating device prohibited one hundred yards either side of the floating bridges. Chumming permitted. Trout: December 1 through last day in February, daily limit 5, no minimum length. Release steelhead and rainbow trout over twenty inches in length. March 1 through June 30, daily limit 5, minimum length twelve inches. Release steelhead and rainbow trout over twenty inches in length. Kokanee/sockeye under fifteen inches are kokanee while those fifteen inches and over are sockeye salmon. Salmon: Open only September 16 through October 31 north of Highway 520 Bridge and east of Montlake Bridge. Daily limit two coho salmon.

Washington, Lake, Ship Canal (King County) (waters east of a north-south line 400 feet west of the fish ladder at the Chittenden Locks and west of a north-south line at the eastern ends of the concrete abutments east of the Montlake Bridge):

West of Fremont Bridge: Fishing from floating device prohibited. East of Fremont Bridge: Chumming permitted.

From west boundary to a north-south line 400 feet east of the eastern end of the northern wing wall of Chittenden Locks: Closed waters.

From 400 feet east of the eastern end of the northern wing wall of Chittenden Locks to the east boundary: Open year-round. Trout: December 1 through last day in February daily limit five, no minimum length. Release steelhead and rainbow trout over twenty inches in length. March 1 through June 30, daily limit five, minimum length twelve inches. Release steelhead and rainbow trout over twenty inches in length. July 1 through November 30, daily limit five, no minimum length. Kokanee/sockeye less than fifteen inches in length are kokanee and fifteen inches and over in length are sockeye salmon.

Washington Lake, tributaries (King County) except the Cedar River and that portion of the Sammamish River downstream from the 68th Street Bridge: June 1 through August 31 season. Juveniles only.

Washougal River (Clark County): Night closure year-round.

From mouth to bridge at Salmon Falls: June 1 through March 15 season. Nonbuoyant lure restriction and stationary gear restriction July 1 through October 31. When nonbuoyant lure restriction is in effect, only fish hooked inside the mouth may be retained. Trout: Release all trout except up to 2 hatchery steelhead per day may be retained. Salmon: Open only August 1 through March 15. Daily limit 6 fish of which no more than 2 may be adult salmon. Release chum and wild coho. Release hatchery coho October 16 through December 31. Upstream of Little Washougal River, release chinook October 1 through November 30.

From mouth to Mt. Norway Bridge: Additional March 16 through May 31 season. Selective gear rules. Trout: Release all trout except up to 2 hatchery steelhead per day may be retained.

From bridge at Salmon Falls to its source, including tributaries: Closed waters.

Washougal River, West (North) Fork (Clark/Skamania counties):

From mouth to the water intake at the department hatchery: Closed waters.

From intake at department hatchery to source: June 1 through March 15 season. Trout: Release all trout except up to 2 hatchery steelhead per day may be retained.

Watson Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Wauhup Lake (Pierce County): Salmon: Landlocked salmon rules apply.

Wenas Lake (Yakima County): Trout: Daily limit five, of which not more than two may be brown trout.

Wenaha River tributaries within Washington: June 1 through August 31 season.

Wenatchee Lake (Chelan County): Selective gear rules except fishing from a floating device equipped with an internal combustion motor allowed. Trout except kokanee: Daily limit two, minimum length twelve inches. Release kokanee. Kokanee/sockeye under sixteen inches will be considered kokanee while those sixteen inches and over will be considered sockeye salmon.

Wenatchee River, including Lake Jolanda (Chelan County):

December 1 through March 31 season, from mouth to Highway 2 Bridge at Leavenworth only. Whitefish gear rules apply.

West Evans Pond (Asotin County): Trout: No more than 2 trout over 13 inches in length may be retained.

West Twin River (Clallam County): June 1 through last day in February season. Trout: Minimum length fourteen inches.

Whatcom Creek (Whatcom County):

From mouth to stone bridge at Whatcom Falls Park: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 1 through December 31. Closed waters: Woburn Street Bridge upstream to the stone bridge. Trout: Minimum length fourteen inches. Salmon: Open only August 1 through December 31 from mouth to markers below Dupont Street. Daily limit 6 fish of which not more than 2 may be adult salmon.

From stone bridge at Whatcom Falls Park upstream to Lake Whatcom: Last Saturday in April through October 31 season. Juveniles only. Nonbuoyant lure restriction and night closure August 1 through October 31. Trout: No minimum length.

Whatcom, Lake (Whatcom County): Last Saturday in April through October 31 season, except those waters between the Electric Avenue Bridge and the outlet dam are closed waters: Trout: Release cutthroat trout.

Whatcom, Lake, tributaries (Whatcom County): Closed waters.

Wheeler Creek (Klickitat County): Trout: Release all trout.

White River (Chelan County), from mouth upstream to White River Falls: Closed waters.

White (Stuck) River (Pierce County):

From mouth to R Street Bridge in Auburn: October 1 through last day in February season: Nonbuoyant lure restriction and night closure October 1 through November 30. Trout: Minimum length fourteen inches.

From R Street Bridge to Highway 410 Bridge at Buckley: October 1 through October 31 season. Closed waters: Puget Power canal, including the screen bypass channel, above the screen at Dingle Basin. Nonbuoyant lure restriction and night closure. Trout: 14 inch minimum size.

From the Weyerhaeuser 6000 Road Bridge (Bridge Camp) to its source: July 1 through October 31 season. Nonbuoyant lure restriction and night closure October 1 through October 31. Selective gear rules July 1 through October 31. Trout: Minimum length fourteen inches. Whitefish: Additional November 1 through January 31 season. Whitefish gear rules apply.

Whitechuck River (Snohomish County): Trout: Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

White Salmon River (Klickitat/Skamania counties):

From mouth to powerhouse: Open year-round. Bank fishing only downstream from the Highway 14 Bridge. August 1 through December 31: Nonbuoyant lure restriction. Trout: Minimum length fourteen inches. Salmon and steelhead: Open April 1 through June 30, daily limit two fish, one or both of which may be salmon or hatchery steelhead. Release all fish except salmon or hatchery steelhead. Salmon: Open July 1 through March 31. Daily limit 6 fish of which no more than 2 may be adult salmon. October 1 through December 31 release chinook upstream from posted markers upstream of Highway 14 Bridge.

From powerhouse to within four hundred feet of Northwestern Dam: November 16 to April 30 season except salmon and steelhead. Trout: Minimum length fourteen inches. Release trout April 1 through April 30. Salmon: Open November 16 through March 31. Daily limit 6 fish of which no more than 2 may be adult salmon. November 16 through December 31 release chinook. Salmon and steelhead: Open April 1 through June 15, daily limit two fish, one or both of which may be salmon or hatchery steelhead. Release all fish except salmon or hatchery steelhead.

From gas pipeline crossing above Northwestern Lake to Gilmer Creek: Selective gear rules. Trout: Minimum length twelve inches.

Wide Hollow Creek (Yakima County): Trout: Daily limit five, no minimum length.

Widgeon Lake (Grant County): April 1 through September 30 season.

Wildberry Lake (Mason County): Last Saturday in April through October 31 season.

Wildcat Lake (Kitsap County): Last Saturday in April through October 31 season.

Wilderness Lake (King County): Last Saturday in April through October 31 season. Salmon: Landlocked salmon rules apply.

Willame Lake (Lewis County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit two, minimum length fifteen inches.

Willapa River (Pacific County): Mouth to Fork Creek: June 1 through July 15 and October 16 through March 31 season. Night closure, single point barbless hooks, and stationary gear restriction October 16 through November 30 mouth to Fork Creek. November 1 through March 31 fishing from any floating device prohibited from the bridge on Willapa Road to Fork Creek.

All game fish: Release all fish except that up to two hatchery steelhead may be retained. Salmon: Open only August 1 through January 31 from mouth to Highway 6 Bridge approximately 2 miles below mouth of Trap Creek and open October 16 through January 31 from Highway 6 Bridge to Fork Creek. Daily limit 6 fish of which no more than 3 may be adult salmon and of the adult salmon not more



than one may be a wild adult coho and not more than two may be adult chinook and not more than two may be chum.

Sturgeon: Open October 16 through July 15 from mouth to Highway 6 Bridge.

Upstream from Fork Creek: Selective gear rules. August 16 through October 31, nonbuoyant lure restriction and night closure. All species: Release all fish except up to two hatchery steelhead per day may be retained.

South Fork: June 1 through last day in February season. Selective gear rules June 1 through October 31. Nonbuoyant lure restriction and night closure August 16 through November 30. All species: Release all fish except up to two hatchery steelhead may be retained.

Williams Creek (Pacific County): June 1 through last day in February season. Selective gear rules. All species: Release all fish except up to two hatchery steelhead per day may be retained.

Williams Lake (Spokane County): Last Saturday in April through September 30 season.

Williams Lake (Stevens County): December 1 through March 31 season.

Wilson Creek (two branches within Ellensburg city limits) (Kittitas County): Open year-round. Juveniles only. Trout: Daily limit five, no minimum length.

Winchester Wasteway (Grant County): Within Winchester Game Reserve: February 1 through September 30 season.

Wind River (Skamania County):

Mouth to four hundred feet below Shipherd Falls: July 1 through March 15 season, except salmon and steelhead. May 1 through June 30: Nonbuoyant lure restriction and night closure. August 1 through October 31: Nonbuoyant lure restriction. When nonbuoyant lure restriction is in effect, only fish hooked inside the mouth may be retained. Salmon and steelhead: Open March 16 through June 30 daily limit 2 fish, one or both of which may be a salmon or hatchery steelhead. Release all fish except salmon and hatchery steelhead. Trout: Minimum length fourteen inches. Salmon: Open August 1 through October 31. Daily limit 6 fish of which no more than 2 may be adult salmon. Release chinook from Burlington-Northern Railroad Bridge upstream.

From four hundred feet below to one hundred feet above Shipherd Falls fish ladder: Closed waters.

From one hundred feet above Shipherd Falls to source, including all tributaries: May 1 through June 30 season. Closed waters: From 400 feet below to 100 feet above the Coffey Dam and from a boundary marker approximately 800 yards downstream from Carson National Fish Hatchery upstream, including all tributaries. Night closure and nonbuoyant lure restriction. When nonbuoyant lure restriction is in effect, only fish hooked inside the mouth may be retained. Salmon and steelhead: Daily limit 2 fish, one or both of which may be a salmon or hatchery steelhead. Release all fish except salmon and hatchery steelhead. Additional season September 16 through November 30. Selective gear rules. All species: Release all fish.

Winston Creek (tributary to Cowlitz River) (Lewis County): Selective gear rules. Trout: Minimum length ten inches.

Wishkah River (Grays Harbor County), including all forks: Closed waters: Mainstem from four hundred feet below outlet of dam at Wishkah Rearing Ponds (formerly Mayr Bros.) to dam. Trout: Minimum length fourteen inches. Release wild cutthroat. Mouth to West Fork: June 1 through March 31 season. Single point barbless hooks required August 16 through November 30. Selective gear and all species: Release all fish except up to two hatchery steelhead may be retained per day, March 1 through March 31. Salmon: Open only October 1 through December 31 from mouth to 200 feet below the weir at the Long Live the Kings/Mayr Brothers facility. Daily limit 6 fish of which no more than 2 may be adult salmon. Release adult chinook.

From the West Fork to four hundred feet below outlet: June 1 through March 31 season. Trout: Minimum length fourteen inches.

Wolf Creek, mouth to mouth of south fork (Okanogan County): Closed waters.

Wood Lake (Mason County): Last Saturday in April through October 31 season.

Woodland Creek (Thurston County): Trout: Minimum length fourteen inches.

Wooten Lake (Mason County): Last Saturday in April through October 31 season.

Wye Lake (Kitsap County): Last Saturday in April through October 31 season.

Wynoochee River (Grays Harbor County): Trout: Minimum length fourteen inches. Mouth to 7400 line bridge above mouth of Schafer Creek: June 1 through March 31 season. Single point barbless hooks required August 16 through November 30. Salmon: Open only October 1 through January 31. Daily limit 6 fish of which no more than 2 may be adult salmon, except daily limit may contain no more than 1 wild adult coho December 1 through January 31. Release adult chinook.

7400 line bridge upstream: Additional December 1 through March 31 season. Fishing from a floating device prohibited. All species: Release all fish except up to two hatchery steelhead may be retained.

Wynoochee Reservoir (Grays Harbor County): June 1 through October 31 season. Trout: Daily limit two, minimum length twelve inches. Salmon: Landlocked salmon rules apply.

Yakima River (Yakima County): Release all steelhead in mainstem and tributaries. Channel catfish: No daily limit.

From mouth to 400 feet below Prosser Dam: Chumming permitted. Salmon: Open only September 1 through October 22. Daily limit 6 fish of which not more than 2 may be adult salmon. Nonbuoyant lure restriction and night closure.

From mouth to Highway 223 Bridge: Bass: Bass 12 to 17 inches in length may be retained. No daily limit for bass, but not more than 3 bass greater than 15 inches in length may be retained.

From Highway 223 Bridge to 400 feet below Sunnyside Dam: Salmon: Open only September 1 through October 22. Daily limit 6 fish of which not more than 2 may be adult salmon. Nonbuoyant lure restriction and night closure.

From mouth to thirty-five hundred feet below Roza Dam: Year-round season. Closed waters: From Yakima Avenue-Terrace Heights Bridge upstream 400 feet. March 1 through November 30, closed from thirty-five hundred feet below Roza Dam to Roza Dam. Trout: Minimum length twelve inches and maximum length twenty inches. Release all trout April 1 through May 31. Thirty-five hundred feet below Roza Dam to four hundred feet below Roza Dam: December 1 through last day in February season. Whitefish gear rules apply.

From Roza Dam to four hundred feet below Easton Dam and from Lake Easton to the base of Keechelus Dam: Year-round season. Fishing from floating devices equipped with motors allowed only from the U.S. Bureau of Reclamation restricted area signs at Roza Dam upstream to the boat launch ramp on the Roza Access Area (approximately one-half mile). Selective gear rules except bait and one single point barbed hook three-sixteenths or smaller point to shank may be used December 1 through last day in February. Trout: From Roza Dam to 400 feet below Easton Dam: Release all trout. Lake Easton to the base of Keechelus Dam. Release all trout except eastern brook trout. Eastern brook trout: No daily limit and no minimum size.

Yakima Sportsmen's Park Ponds (Yakima County): Juveniles only.

Yale Reservoir (Cowlitz County): Trout: Kokanee not counted in daily trout limit. Kokanee daily limit sixteen.

Yellowjacket Creek (tributary to Cispus River) (Lewis County): Selective gear rules. Trout: Minimum length twelve inches.

Yellowjacket Ponds (Lewis County): Last Saturday in April through last day in February season. Trout: No more than one over twelve inches in length.

Yokum Lake (Pend Oreille County): Last Saturday in April through October 31 season.